



Gerald Morin on The Constitution

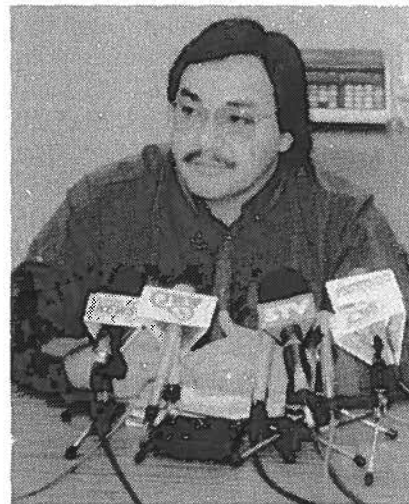
Gerald Morin, President - Metis Society of Saskatchewan:

I think the Metis Society of Saskatchewan has come a long, long way, I think the Metis Nation has come a long, long ways, and there's no one person or no handful of people who can say we did it. It was the Metis people in this province throughout the homeland in Western Canada, who collectively in their everyday struggles in the past 200 years, our own parents and grandparents, our past famous leaders who've worked so hard and struggled so hard to make it possible for us to be here to be able to talk about in a positive way the future of our nation. And we should think about that very carefully, we should be proud of ourselves because sometimes when we have something to say to each other in terms of criticism. we don't hesitate to let it be known. But when we've collectively done something good, when we've accomplished things in a major way, when we've really done our job collectively, we should freely say, "we've done a very good job, pat each other on the back, give each other credit and feel really good about it, and based in that, build a bigger and a brighter and a more positive future for our people and for our country. Now that we are close to getting our rights and we've done so many things to build our nation, we have to start working together strongly as a Metis nation throughout our

homeland in Western Canada, A lot of work has taken place since February 22nd, when we had our elections, a lot of work has taken place on the constitutional front, on internal developments within our organization. We've travelled to many communities in the two and a half weeks, we've travelled to every region, all of our 12 regions in the province. And I think the attitude of our people is good, people want to come together, they want to work together, and they want to build a good future for our people. I'm very proud of our Metis leaders here in Saskatchewan, the provincial Metis Council, our twelve Senators, the provincial Metis women's committee, the women's wing of the Metis Society of Saskatchewan. I'm



Joe Clark



Gerald Morin, President -
Metis Society of
Saskatchewan

proud of all them because they have passed unanimous resolutions supporting the Charlottetown Accord. And that is leadership and that is setting direction for our people. And that's why these people were put into those positions of leadership, is to provide that kind of leadership and direction and our people are rallying around that leadership and that direction and our people are becoming stronger and more unified. The Metis Nation is on the move as the Honourable Bob Mitchell has said, "The constitutional package not only recognizes the right of Metis to self-government but sets forth a clear process whereby that principal may be into practice and self-government in fact achieved. This is a critical moment for you as it is for all of us, a matter of the highest significance to the provincial government and

Continued on page 2

Gerald Morin on The Constitution Cont'd

And that is leadership and that is setting direction for our people. And that's why these people were put into those positions of leadership, is to provide that kind of leadership and direction and our people are rallying around that leadership and that direction and our people are becoming stronger and more unified. The Metis Nation is on the move as the Honourable Bob Mitchell has said, "The constitutional package not only recognizes the right of Metis to self-government but sets forth a clear process whereby that principal may be into practice and self-government in fact achieved. This is a critical moment for you as it is for all of us, a matter of the highest significance to the provincial government and indeed to all governments in Canada. And clearly the referendum that lays before us on October 26th is the most important referendum in Canada's history. The government of Saskatchewan believes that this Charlottetown Agreement is a good deal, it is a fair deal, it is an honourable deal, and it is one which we support without any reservations at all as a deal that will stand the test of time. It also presents all of Canada with the opportunity to correct an error of history by establishing the constitutional basis for self-government of all aboriginal people including the Metis nation. We believe this is a cornerstone to the future development of a harmonious relationship between the aboriginal people of Canada and the rest of Canadian Society and we are advocating and advocating at every opportunity that all people assess the issues carefully and study the Agreement and then go out on October 26th and vote "yes" on the referendum. We publicly declare the support of Metis for this package. I know that also to be the case with other federations and I believe that if we all work hard in the next two weeks, we will achieve a favourable result on October 26th."

Some of you were there March 13th to 15th in Ottawa where we had about 40 Metis people converge on Ottawa when we had the conference on First people in the Constitution and we caucused and we got together and said "enough is enough, we're not going to be marginalized any more, we're not going to be pushed aside, we're going to assert our Nation, we're going to assert our rights" and we had all of our people in every one of those workshops and they were heard, and the Metis message came out, and when the plenaries, the overall sessions, when we got together the lineups were long, and if you were at the back of the lineup, you didn't get to speak. So we had to physically get up, run for the mikes and those people who were there will remember that, they even had to use their elbows once in a while. It was incredible, because it was our Metis senators who got to the mikes first, and second and third, and our Metis locals. And the Metis message and the Metis Nation were heard. And that was really a terrific conference for us, it really built confidence, we felt good about ourselves because we did one hell of a job in Ottawa in that week. It was the same week that Louis Riel was recognized as a founder of Manitoba in a unanimous House of Commons resolution. It was a great week to kick off the Canada round for us as a Metis Nation. It gave us momentum, it gave us confidence and from there on in, we put together the best team that we've ever have put together in our history, our people did one heck of a job, people like Clem Chartier, Marc LeClair, our leadership, Cindy Desmeules and so on. And they did their work. They did their work in the hall ways, in the back rooms, the multi-lateral meetings, the meetings with the Premiers and the Prime Minister. Every step of the way, they were there because nobody

handed us anything on a silver platter, we had to fight tooth and nail at every turn to make the gains for the Metis Nation that we did in the Charlottetown Accord. And it was our people who did it, and it was all our people in the communities throughout Western Canada that made this possible and our past leaders.

We have everything to be proud of. In terms of the constitutional developments.

We have made major gains as a Metis Nation in this Canada round in the Charlottetown Accord. We have accomplished getting the inherent right of self-government recognized in Canada's constitution as part of the Charlottetown Accord if it moves forward. The recognition of a third order of aboriginal governments, a third order of Metis governments throughout the Metis homeland in Western Canada will be recognized if this package moves forward.

Section 91(24) - you have heard your leadership talk about s.91(24) many, many times, the jurisdictional limbo that we're in, the political football that we're in between the provincial and federal governments. And no one accept legislative responsibility for the Metis. As part of this package it makes it very clear in an amendment to s.91(24) that the federal government must accept legislative jurisdiction for all aboriginal people, Indian people, Inuit People and Metis people as well.

The Metis Nation Accord a legal and binding document which will be signed by the Prime Minister, the five Western premiers and your Metis leadership. That's a symbolic, significant, and powerful document. We've also made gains in terms of guaranteed representation in the senate, there will also be an on going constitutional representation process, First Ministers Conferences on aboriginal issues, the first one starting on 1996 and every two years thereafter, so that we can complete any unfinished business that we did not touch in the

Continued on page 7

Metis Stand To Be Big Winners

by Clem Chartier

With a victory for the "YES" side in the referendum on October 26th, we will definitely make substantial gains. Those gains only add to the major developments experienced over the past 12 months.

Over the past 12 months, for example, at Winnipeg, the Prime Minister in October 1991 formally and publicly recognized the Metis as a "Nation". Also, the House of Commons passed a resolution a few weeks later which recognized the role Louis Riel played in uniting Canada. That was followed by the adoption of a resolution in the Manitoba Legislature which acknowledged Riel's role in the formation of the Province of Manitoba. Finally, in March 1992 the Metis National Council, along with the Assembly of First Nations, the Inuit Tapirisat of Canada and the Native Council of Canada were invited to participate in the Canada Round on the Constitution as full, active and equal participants on constitutional renewal.

Taking up the challenge the MNC played a pivotal role moving the process forward. In conjunction with the other three Organizations, the MNC participated in the discussions and negotiations which led to the current proposed amendments. Acting on its own behalf, the MNC secured for the Metis people a proposed Metis Nation Accord, and achieved a level playing field with the other Aboriginal peoples (the Indian and Inuit), by securing an amendment which would for greater certainty, confirm that all Aboriginal peoples fall under federal jurisdiction and responsibility. This means that we will no longer be thrown back and forth between federal and provincial governments, with both denying responsibility to deal with us. For example, the federal government could no longer hide behind section 91(24) federal jurisdiction to deny us access to federal programs such as the National Native Alcohol and Drug



Gerald Morin and Clem Chartier

Abuse Program (NNADAP).

That, and the following amendments and provisions of the Metis Nation Accord are what we currently have within our grasp. We now have to ensure that our people, along with the Inuit and Indian peoples and non-Aboriginal peoples, will come out on October 26th and vote "YES" in favour of the Charlottetown Agreement.

Of major significance and a clear victory for Aboriginal peoples is the current willingness of the federal and provincial governments to entrench the inherent right of Aboriginal self-government as one of three orders of government within Canada. In the 1980s constitutional process (which ended in utter failure) a large number of provincial governments were not even prepared to entrench a contingent right of self-government.

Recognition of the inherent right is also accompanied by a commitment by governments to negotiate in good faith the implementation of self-government agreements. Their commitment to negotiate includes issues such as land and resources, and would be triggered or started by an invitation from representatives of Metis at the community or regional levels. There is also a companion Accord which sets out the negotiation process and

which commits governments to ensure that the Aboriginal peoples, in our case, Metis, have adequate financial resources to enable our full participation in the negotiation process.

It is also important to note that we can address Metis self-government both off and on a landbase. As well, there is provision that non-Metis people can be part of Metis self-government, as the negotiations must take into account the different circumstances of the various Aboriginal peoples.

In addition, to make it clear that self-government rights will be enjoyed equally by male and female persons, there is a new amendment which will replace the existing gender equality clause.

There is also a provision in the proposed amendments that the inherent right amendment will have a five year delay before the courts can interpret or enforce it. This basically gives everyone breathing space to negotiate agreements rather than having the courts say what self-government means. During this five year delay period, there will be recourse to mediation and arbitration in the event that problems are encountered in the negotiation process. However, the negotiation process itself,

Continued on page 6

Concerns over Gender Equality Fact or Fiction?

BY MICHELLE HARDING
PROVINCIAL METIS WOMEN AREA REPRESENTATIVE

Listening to the public announcements of some women, one comes away with the feeling that Aboriginal women will be severely hurt if the Charlottetown Accord were to be adopted. Nothing could be further from the truth. One need only look at the facts to see that the Charlottetown Accord and the recently released legal texts ensure that Aboriginal women will be able to take full advantage of self-government.

The following provision ensure that Aboriginal women will be able to take full advantage of the equality rights provisions as well as self-government.

-Section 15 of the Charter provides that "every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based upon...sex";

-Section 28 of the Charter provides that "Notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female person;

-A new provision section 37.7 ensures that all the rights of Aboriginal peoples including self-government are guaranteed equally to male and female persons;

-The Canada Clause is to recognize a third order of Aboriginal government and also that Canadians are committed to the equality of female and male persons;and

-The Metis Nation Accord specifically provides in section 12 that "the rights and benefits set out in this Accord are guaranteed equally to female and male persons".

The Federal courts judgment dismissing the Native Women Association's (NWAC) attempt to stop the referendum make it clear that their request would have to be refused anyway because no serious issue was raised by them. The court also states that "it is plain and obvious that there is no legal basis for such a claim. Further, their request for relief are an abuse of the process of the court, involving as they do matters beyond the jurisdiction of any court to decide.

Moreover, the voices of Canadian women have been heard throughout the Canada round. Individual women and national women's organizations including Aboriginal women's organizations made presentations to the Beaudoin-Dobbie committee and to each of the six policy conferences. Metis women participated in the parallel consultative process held within the Metis Homeland. Metis women's issues are

prominently featured in the Metis Society of Saskatchewan's constitutional report. This report and reports from other MNC provincial associations formed the foundation for the Metis National Council's constitutional positions.

Several women's spokesperson, particularly the National Action Committee on the Status of Women's Judy Rebick have warned Canadians of the danger of adopting the package to Aboriginal Women. Personally, I'm a little tired of non-Aboriginal people attempting to protest us from ourselves. If this constitutional round has proven nothing else, it has proved that the Metis Nation can and will speak for itself in the future. In any event, I don't recall casting a ballot for Judy Rebick to present the views of Metis women.

The recent Provincial Metis Society Assembly demonstrated the active involvement of Metis women in our association. It also demonstrated that Metis Society of Saskatchewan, the Provincial Metis women, the Metis National Council and the Metis National Council of women are working together to build a strong future for our people.

**VOTE
YES
ON
OCTOBER 26**

The Metis National Council of Women



**DO WE HAVE SOMETHING TO SAY
ABOUT THE NATIONAL PLEBISCITE
ON OCTOBER 26? IN A WORD**

YES!

- AS EQUAL PARTNERS IN THE METIS NATION, METIS WOMEN ARE PROUD OF THE GAINS WE'VE ACHIEVED IN THE CANADA ROUND.
- RECOGNITION OF OUR INHERENT RIGHT TO SELF-GOVERNMENT, AND THE METIS NATION ACCORD WILL PROVIDE METIS PEOPLE, WOMEN AND MEN, THE OPPORTUNITY TO BUILD A BETTER FUTURE TOGETHER.
- AS WOMEN, WE BELIEVE THE AGREEMENT REACHED BY 17 GOVERNMENTS IN CHARLOTTETOWN PROTECTS METIS WOMEN IN FUTURE SELF-GOVERNMENT AGREEMENTS.

**FOR THESE AND OTHER GOOD REASONS,
THE METIS NATIONAL COUNCIL
OF WOMEN WILL VOTE**

YES

"PROUD TO BE METIS, PROUDLY CANADIAN"

Metis Stand to be Big Winners

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and the commitment to negotiate will be subject to immediate recourse to the courts. As well, any self-government agreements reached during the five year delay will not be subject to the delay provision.

For those that have further concerns about self-government, there is a provision that the Charter of Rights and Freedoms will apply to Aboriginal governments. However, because the override clause (s. 33) remains for the other two orders of government, it is also available to Aboriginal governments. While this is the case, such a power would rarely, if ever, be used.

Another major accomplishment is the securing of a consent provision whereby future changes to the Constitution that directly affect Aboriginal peoples must have the substantial consent of the Aboriginal peoples affected. In other words, the gains we have made in the Constitution cannot be taken away, amended or altered without our consent.

In terms of government institutions we are also guaranteed representation in the proposed new Senate, as well as a commitment for guaranteed representation in the House of Commons through the current review of the Royal Commission on Electoral Reform. In connection with the Supreme Court of Canada, we will be discussing Aboriginal participation in the subsequent rounds of negotiations. Those on-going negotiations are comprised of four conferences to begin in 1996 which are for the purpose of dealing with outstanding issues, such as Aboriginal peoples and the Supreme Court of Canada, and for monitoring the progress of the self-government negotiations. These conferences are necessary to ensure a smooth transition in the establishment of Aboriginal governments.

These are by no means the only proposed amendments, however they are the more major ones and

give a good example of what is at stake. In addition to the amendments, as indicated above, the MNC was successful in negotiating a Metis Nation Accord with the federal government and the governments of Ontario, Manitoba, Saskatchewan, Alberta, British Columbia and the Northwest Territories.

Amongst other things, the Accord provides for an enumeration (census) of the Metis, along with the maintenance of a Metis registry. This is important for us as it will finally provide an accurate population figure for our people which in turn will be helpful in developing the required programs and services for our communities.

The Accord also provides for the establishment of a land claims process, which includes ownership of land and resources and access to land and resources. This is something that we have struggled for, for a long time! That process, coupled with the commitment to negotiate -- contained in the Constitution -- will give us a good position to attain our objective of a landbase for our Nation.

Finally, the Accord also provides for the financing of Metis governments and institutions, and provides for the devolution of Metis programs and services from the federal and provincial governments to Metis self-governing institutions.

While the Metis Nation Accord is not part of the Constitution, it will be a legally binding and enforceable document. The government parties to the Accord have committed themselves to passing legislation or if not necessary, orders-in-council under existing legislation to make it legally binding. In any event, the Accord will be given the force of law one way or the other and will be enforceable in the courts.

Based on the foregoing, and the full involvement of the MNC in this last round of constitutional talks, this is the best and strongest

arrangement that the Metis have achieved over the last 100 years. If we are unsuccessful on October 26th, it is highly unlikely that we can ever achieve this same level of success.

Now is the time for the friends of the Metis to support us! Hopefully, non-Metis people will not deprive us of our legitimate rights because they may feel that the Charlottetown Agreement is not a perfect deal. Hopefully, enough people will accept the progress achieved to date, and strive for perfection over the longer term. Hopefully, those who claim to be our friends and supporters, will in fact be our friends and support us, at this most crucial time in our history.

We cannot trust those who would vote "no", while stating that the Aboriginal amendments should be proceeded with even if the rest of the package is voted down. This is not a legitimate statement because the Aboriginal amendments are part of a total package (which in the first place wouldn't be there if the rest of the package wasn't there).

Because of the nature of the Canada Round it is all or nothing. Don't let anyone try to convince you otherwise. Don't let the "no"-side (so-called friends of Aboriginal peoples) wash clean their conscience or guilt by those kinds of false statements.

A "no" vote is a "NO" to our people. It is in no way a disguised "yes" or "maybe".

We must, as Metis people, get out and secure the support necessary to make our dreams and aspirations a reality.

Therefore, on October 26th - you must go out and vote "YES" -- for your future, and your children's future! Take your family, your friends, your neighbors -- and remember vote "YES".

Gerald Morin on The Constitution

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friends and talk about the future of our people and talk about the future of the province and I think Canada's ready for some significant progress for our people in this province.

A couple of weeks ago I was in Prince Albert We had the grand opening of Metis Addictions council, our additions affiliate, we had the grand opening of 1.2 million dollar building which was funded by SADAC and the provincial government. It has excellent administrative offices, in-patient centre, board room and so on. And that is one of the building blocks of our self-government so that we can provide addictions counselling to our people in this province. That's another positive thing. Mr. Mitchell indicated, in the very near future, the Cabinet of this province will be approving the Metis tripartite framework agreement so that we can formally kick off tripartite talks in

this province between the Metis Society of Saskatchewan, the province and the federal government. And this will allow us to talk about a lot of substantial issues, Northern issues, Metis farms, education, Batoche, economic development so that we can start talking about those issues in a meaningful about those issues in a meaningful forum where we can have resources to participate so we can start solving some of the problems encountered by our people in this province.

As well, finally, we will be approving a political accord between the Metis Society of Saskatchewan and the provincial government which will formalize our relationship with the province which will indicate that we want to develop a constructive, positive working relationship, start relating to each other, talking to each other so we can build a better future

in this province for our people and for all Saskatchewan people.

I just want to say that I think the nineties are going to belong to the Metis Nation. I'm optimistic about our future, and I throw out the challenge to all of you for us to work together so we can build a better future for our people, our nation and our children.

**VOTE
"YES"
OCTOBER
26**

Solid Reasons To Vote "Yes" October 26



Yvon Dumont
President of Metis National Council
and Manitoba Metis Federation

Louis Riel brought Manitoba into Confederation and ensured the Northwest became part of Canada. The CHARLOTTETOWN ACCORD is our opportunity to bring the Metis Nation into confederation as a full and equal partner. This guarantees the Metis an on-going role in the development of Canada.
Yvon Dumont

The Metis Nation Accord
This is a legally binding and enforceable agreement

that guarantees the Metis access to a land base and self-government with federal and provincial financing.

Inherent Right of Metis to Self Government

The Metis to self-government is recognized and guaranteed for the first time, and the Canada Clause recognizes that the Metis form a third order of government along with the federal and provincial governments. There is a commitment to negotiate self-government agreements including specifics on land for the Metis as well as financing for Metis self-government.

Federal Responsibility for Metis

An amendment to Section 91 (24) has the federal government accepting responsibility for Metis. This, for the first time ever, places Metis people on equal footing with all Aboriginal people.

Equity of Access for Metis

This provision introduces improved access for Metis to federal programs and services. Metis education, and child and family services, are but two areas in which Metis will benefit.

Senate Reform

Senate reform provides for equal and effective senators from all provinces, including the west

- the Metis homeland - and includes guaranteed Aboriginal representation in the Senate.

Equal Rights for Metis Woman

Equal rights for Metis women are protected by changes to the Canada Clause which insure, "equality of female and male persons". This is also affirmed in the Metis Nation Accord. As well, the Charter of Rights and Freedoms shall guarantee gender equality.

Metis / First Ministers' Conferences

Metis participation in future First Ministers' Conferences is guaranteed - beginning with Aboriginal constitutional issues.

Metis Role in National Institutions

For the first time, Metis will be involved in discussions on the make up of national institutions, such as the Supreme Court of Canada.

Metis Consent Required for Constitutional Change

Future constitutional changes affecting Metis will require the consent of the Metis people.

Stronger Metis Nation

The Charlottetown Accord represents nation building on a grand scale...making a stronger Metis Nation within a stronger Canada.

METIS NATIONAL COUNCIL



Have we been fully involved in shaping the constitutional strategy of the Metis National Council?

Have we been directly involved in drafting the legal text for the Charlottetown Accord?

Do we agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?



"Proud to be Metis, Proudly Canadian"