

"Although they were traditional Metis homelands, anyone can take up residence there now."

# Alberta Metis obtain settlement at FMC '87

by Everett Lambert

**OTTAWA** — A delegation representing Metis people living on special settlements in Alberta got a deal relating to land and self-government at the First Ministers' Conference, March 26 and 27.

Not all Native groups at the FMC on Aboriginal Constitutional Matters were successful. Indeed, none of the national aboriginal groups left last week's meetings with an agreement.

However, the Alberta Federation of Metis Settlement Association (FMS) got their agreement from Premier Don Getty at the conference.

Getty made a commitment that the FMS's self-government proposal will be dealt with in 1987.

Basically the deal means that the Metis people living on eight settlements here in Alberta will have land ownership and self-government recognized in the Canadian Constitution.

Up until the deal is finished, Metis only have the right to settle on, or "occupy," their settlements. They will now constitutionally own the land in fee simple. Fee simple means "an absolute interest in land over which the holder has complete freedom of disposition during his life." The settlers will be able to do what they want with the lands, as long as it does not break

laws of the country.

Also, the settlers will have more say in their day to day lives through a form of self-government recognized in the Canadian Constitution. They will have the authority to make laws in certain areas, e.g. elections, hunting and fishing, education, and resources.

As part of his opening remarks at the conference, Getty stated that "we are currently undertaking an initiative that is unique within Canada, to transfer officially 1.28 million acres of land to the Metis..."

Resolution 18 (passed unanimously on June 3, 1985) committed the Alberta government to propose a new *Metis Settlement Act* and a constitutionally protected land transfer.

In return, then premier Peter Lougheed asked that the FMS devise fair and democratic principles for membership on the eight Metis settlements containing the land: Big Prairie, Paddle Prairie, East Prairie, Gift Lake, Fishing Lake, Caslan, Kikino, and Elizabeth.

On March 20, just prior to this First Ministers' Conference, Getty told the *Edmonton Journal's* Karen Booth that he would be setting a target date for completing the process. However, he did not say when the date would be, or when it would be announced.

At the first day of the confer-

ence, Getty came forward with his target date, although he was careful with his working: "With good efforts from both sides, this will be concluded in 1987."

Further, "We agreed in principle on the fair and democratic criteria for settlement membership and land allocation, and on the unique and appropriate governing bodies," all set out in the FMS's proposal called *By Means of Conferences and Negotiations We Ensure Our Rights*.

Getty also went on to say that, "We agree with the concept of territorial integrity."

This means that all land on a given settlement would be owned fee simple by the Metis settlers, e.g. although the province has jurisdiction over numbered highways crossing any of the settlements, the settlers nonetheless own it.

With the self-government proposal in hand, and in cooperation with the FMS, the Alberta Tories "are drafting the new *Metis Settlements Act*." The act will be tabled before the end of the current legislative session.

Next, the PC's "will... propose an amendment to the Alberta Act." This would require approval of both Alberta's legislative assembly and the Canadian Parliament. Thus, ultimately, the act "will confirm and protect... lands within the con-

stitution," the reason it is called "the made in Alberta deal."

The Alberta Act is, in a way, similar to the Canadian Constitution. Like the country's constitution is the highest law in the land, the Alberta Act, at least in some ways, is the highest law of our province. All other provincial laws fall subsequent to the Alberta Act; they are all creatures of this act. Take for instance the laws which govern a municipality. All municipalities are created pursuant to the laws of whichever province they are located in.

Further, the Alberta Act is part of the Canadian Constitution. An amendment to the former requires an amendment to the latter. Thus, this is what is meant by confirming and protecting Metis settlement lands in the Canadian Constitution.

First, the Alberta Act will be changed such that the Metis settlements cannot be wiped out by an order-in-council. Incidentally, this is what happened to four of the settlements. After the settlements were recognized as places where Metis, and only Metis, could take up land, their special status as Metis lands was rescinded.

Although they were traditional Metis homelands, anyone can take up residence there now. Metis people still live in these communities. These are Wolf Lake, Touch-

wood, Cold Lake, and Marlboro, all located in Alberta.

In a news conference immediately following the conclusion of the FMC, Saskatchewan's Jim Sinclair, one of the spokesmen for the Metis National Council, stated that "it's their choice."

The comment reflected on the fact that each individual Native group had the choice to work out its own deal, and that the national level groups were pressing for an inherent right to self-government to be explicit in the country's constitution.

The other national Native groups — the Inuit Committee on National Issues, the Native Council of Canada, and the Assembly of First Nations — all reiterated the position that, indeed, it was an individual community choice and that they were only endeavouring to have the self-government right entrenched, with the specific individual agreements to follow.

Referring to the Riel Rebellion, Sinclair also said that "the Metis went to war with the federal government, not the provinces." It also related to the fact that the deal is a Metis/Alberta initiative, with only indirect and minimal input from the federal government.

## Cross fears blood shortage

by Thomas Olsen

The threat of city wide blood shortages is fast becoming a reality, says Public Relations person for the Edmonton Red Cross, Faye Ripley. The local Red Cross, a blood

supplier to hospitals throughout Western Canada, is faced with orders for blood that they are having a hard time filling.

"The problem lies with the platelets," said clinic consultant Roy

Gouchey. "Because they only last for a maximum of 72 hours, we have to constantly replenish our supply."

Platelets are used to treat hemophiliacs, as well as leukemia victims or those undergoing chemotherapy.

"It is conceivable that we may run so short of blood that some patients may suffer," said Ripley. "We are reaching a definite state of emergency."

The Red Cross has been left in such dire straits because of a recent red measles epidemic, which has deemed thousands of people ineligible to donate blood.

Doctors at a remote northern hospital are hoping that the shortage doesn't become so acute as to force the transfer of patients to other hospitals.

There is concern over the problems that mobility may cause some seriously ill patients.

To combat the increasing blood shortage, the Red Cross is running donor clinics at CAB April 6-9th. It is hoped that a large number of people will respond to the agency's need.

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