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## Manitoba Métis Federation Opening Comments Manitoba-Minnesota Transmission Line

For: Clean Environment Commission  
May 8, 2017 — Winnipeg, MB

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Manitoba's Unique Legislative  
Frameworks in this Hearing

# The Environment Act

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- Any ultimate license issued by the Minister must “ensure effective environmental management” and address the CEC’s recommendations.
- “Environment” is defined as “air, land, and water, or plant and animal life, including humans.”
- Understanding the effects of the project on ‘people’, including, Aboriginal peoples, is a part of CEC’s mandate.

# The Path to Reconciliation Act

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- "Reconciliation" refers to the ongoing process of establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples in order to build trust, affirm historical agreements, address healing and create a more equitable and inclusive society.
- "Each member of the Executive Council is to promote measures to advance reconciliation through the work of the member's department and across government." (s. 3(2))

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## The People At Issue—The Métis



### ***1840 Ancestral Rules of the Buffalo Hunt:***

- 1. No buffalo to be run on the Sabbath-Day.*
- 2. No party to fork off, lag behind, or go before, without permission.*
- 3. No person or party to run buffalo before the general order.*
- 4. Every captain with his men, in turn, to patrol*





**Provinces of Canada**  
July 15, 1870 to July 20, 1871

# Canada's Perspective

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“... it will require a considerable management to keep those wild people quiet. In another year the present residents will be altogether swamped by the influx of strangers who will go in with the idea of becoming industrious and peaceable settlers.” Prime Minister Sir John A. MacDonald, 1869 (cited in *Manitoba Métis Federation v. Canada*, para. 150)





# The Métis Perspective

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“When the Government of Canada presented itself at our doors it found us at peace. It found that the Metis people of the North-West could not only live well without it ... but that it had a government of its own, free, peaceful, well-functioning, contributing to the work of civilization in a way that the Company from England could never have done without thousands of soldiers. It was a government with an organized constitution whose junction was more legitimate and worthy or respect, because it was exercised over a country that belonged to it.” - Louis Riel, 1885



# A Treaty Relationship Forged

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“There were two societies who treated together. One was small, but in its smallness had its rights. The other was great, but in its greatness had no greater rights than the rights of the small ...”

–Louis Riel, 1885

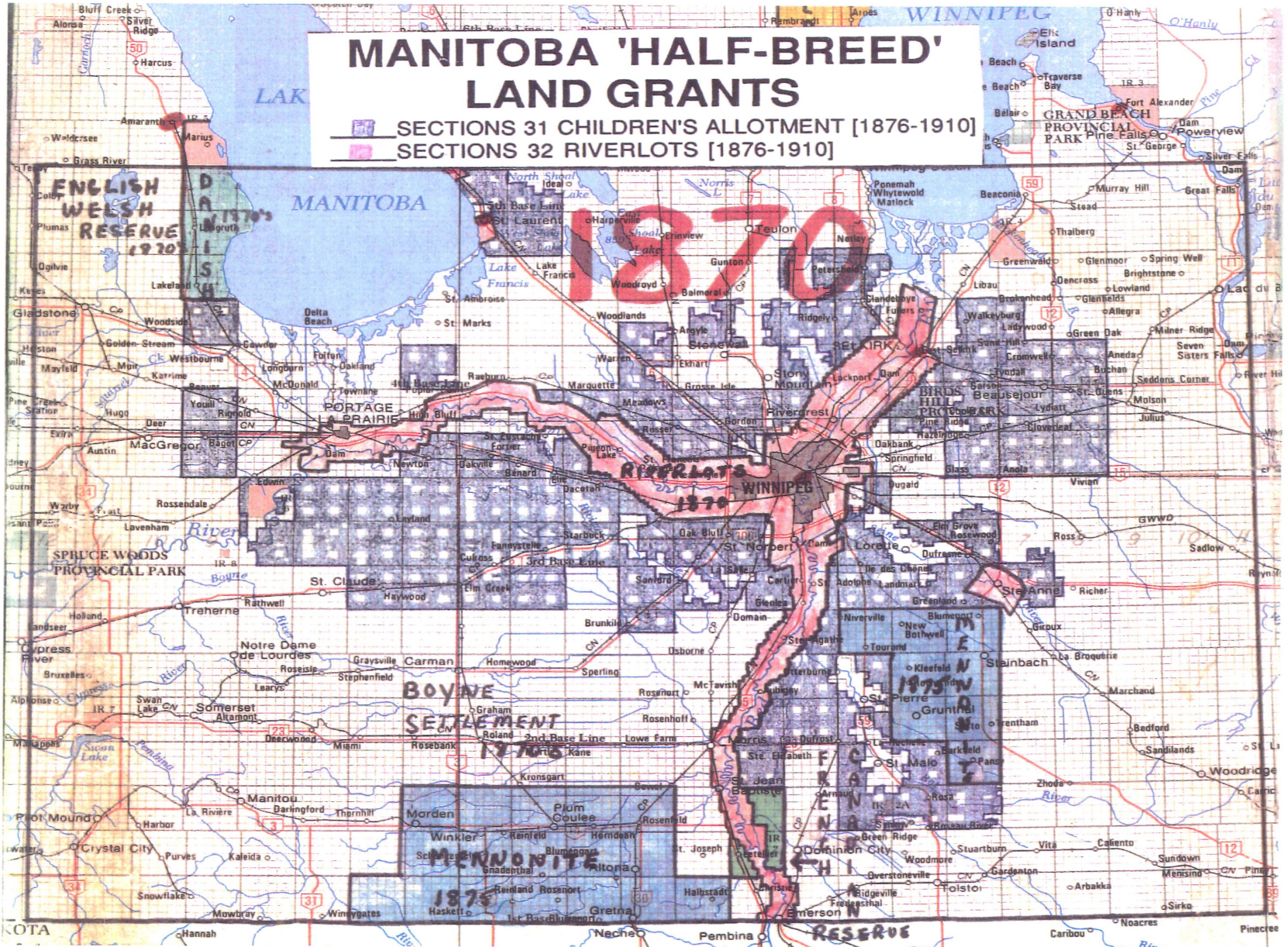


**31. An whereas, it is expedient, towards the extinguishment of the Indian Title to the lands in the Province, to appropriate a portion of such ungranted lands, to the extent of one million four hundred thousand acres thereof, for the benefit of the families of the half-breed residents, it is hereby enacted, that, under regulations to be from time to time made by the Governor General in Council, the Lieutenant-Governor shall select such lots or tracks in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the Province at the time of said transfer to Canada, and the same shall be granted to the said children respectively, in such mode and on such conditions as to settlement and otherwise, as the Governor-General in Council may from time to time determine.**

# MANITOBA 'HALF-BREED' LAND GRANTS

SECTION 31 CHILDREN'S ALLOTMENT [1876-1910]

SECTION 32 RIVERLOTS [1876-1910]



# A Treaty Relationship Broken & Denied

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“This appeal is about obligations to the Métis people enshrined in the *Manitoba Act*, a constitutional document. These promises represent the terms under which the Métis people agreed to surrender their claims to govern themselves and their territory, and become part of the new nation of Canada. These promises were directed at enabling the Métis people and their descendants to obtain a lasting place in the new province. Sadly, the expectations of the Métis were not fulfilled, and they scattered in the face of the settlement that marked the ensuing decades.” (*Manitoba Métis Federation v. Canada*, para. 5)



Manitoba Métis Federation v. Canada, [2013] 1 S.C.R. 623

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[154] We conclude that the appellants are entitled to the following declaration:

That the federal Crown failed to implement the land grant provision set out in s. 31 of the *Manitoba Act, 1870* in accordance with the honour of the Crown.

# Why Does This Matter for this Hearing?

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- You can't understand potential effects on a 'people' without understanding who they are.
- Understanding the context of what has already happened to a 'people' is necessary to appreciate how this future development will affect them.
- You can't advance reconciliation if you are just going to repeat the indifference and exclusion of the past.