Collective Rights of the Metis



Collective Rights of the Métis



To What Extent Should Canadians Support the Rights Present in the Canadian Charter of Rights and Freedoms?

Review

Why do the First Nations have collective rights?

What document gives First Nations their rights?

What document details who gets First Nations rights?



Should Canadians Support Metis Rights?

Who are the Métis?

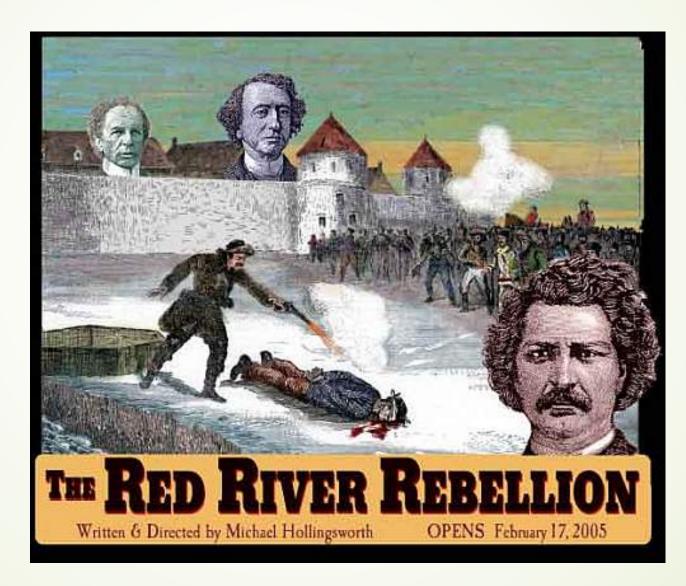




Children of Europeans and First Nations from 1600-1900

Distinct culture

Why Do Metis Have Collective Rights?



The Red River Resistance



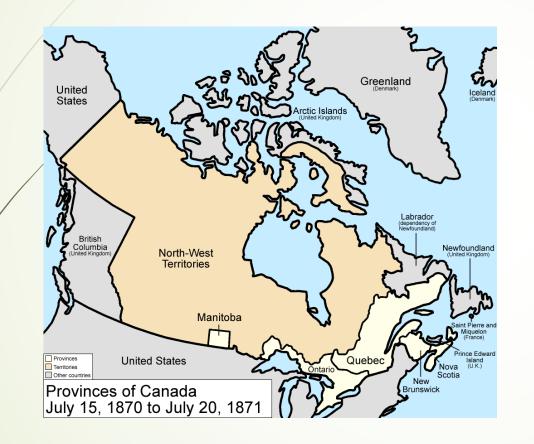
The Red River Resistance



- Canada attempts to settle Metis land
- Metis rebel take over Fort, hostages
- Force Canada to negotiate for rights



Manitoba Act



Foundation of Metis Rights Claims

Promised Metis:

Land

500,000 Hectares

French Language Rights

Challenges with Metis Collective Rights



Challenges with Métis Rights

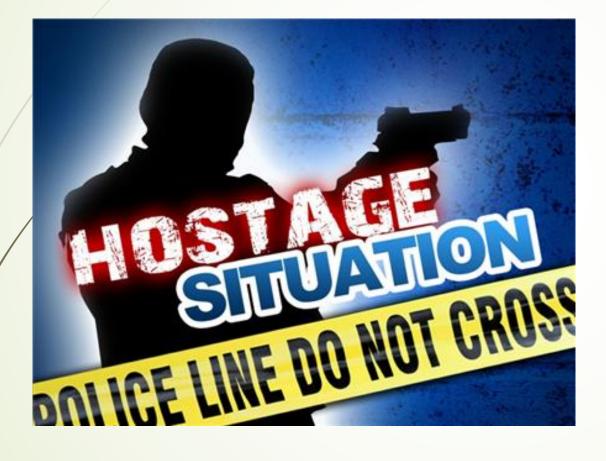


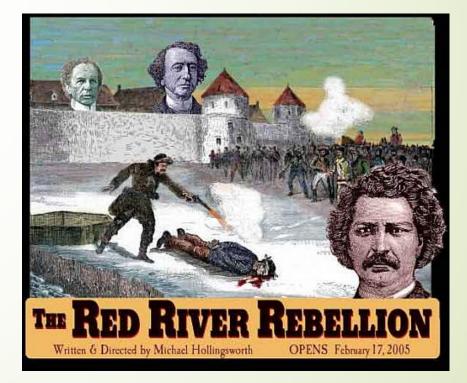
No Treaty

Only 100 year land claim

Controversial way of gaining rights

Challenges with Metis Collective Rights





Challenges with Metis Collective Rights



With your table groups, discuss:

• Do the Metis Deserve collective right won through a rebellion?

Issues with Metis Collective Rights

- Read pg. 153
 - 1. Define Scrip What is it?
 - 2. What is the problem with Scrip?
 - 3. Did Scrip meet the government's promise to provide 500,000 hectares of land?





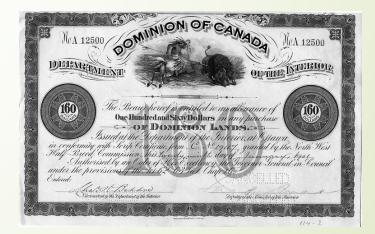
Issues with Metis Collective Rights



Document that could be exchanged for land

Land offered was too far apart to form communities





Realizing Metis Collective Rights



- 1938, 1990 Alberta grants Metis land for settlement
- 1982 Metis Considered First Nations in Charter
- 2003 Supreme Court grants hunting and fishing rights
- Further rights under negotiation

Further Rights Under Negotiation

A majority of Supreme Court justices declared that the way the federal government handed out parcels of land to children of the Manitoba Metis in the 1870s failed to live up to its constitutional obligations.

As a result, Ottawa now faces the prospect of lengthy negotiations over vast tracts of land in the province -- including all of present-day Winnipeg.



Practice Questions

Source I Interim Métis Harvesting Agreements Terminated and Replaced with Subsistence Licences 2007 The Alberta government provides a special licence for any Albertans who rely on wildlife to feed themselves or their families. Enactment of the Interim Métis Harvesting Agreements (IMHA) The Alberta government recognizes Métis rights to hunt, trap, 2004 or fish, for personal consumption, without licences and throughout all seasons of the year. Powley Case The Supreme Court of Canada rules that Métis people have the 2003 right to hunt and fish as one of the Aboriginal peoples under the constitution. The Alberta government and Métis sign an agreement that grants 1989 Métis settlements a permanent land base with the right to manage their own affairs. Section 35 of the Canada Act recognizes existing Aboriginal and 1982 treaty rights. Métis Population Betterment Act L'Association des Métis de L'Alberta et des Territoires du Nord-Ouest 1938 successfully lobbies the Alberta government to establish 12 temporary Métis settlements. 1875-The government of Canada issues scrip to Métis instead of granting them 1879 reserve land. Confederation 1867 The federal government assumes sole responsibility for First Nations peoples. Royal Proclamation 1763 The British king recognizes First Nations rights to land and establishes the principle of making treaties with First Nations.

Should Canadians Support Metis Rights?

To What Extent Should Canadians Support the Rights Present in the Canadian Charter of Rights and Freedoms?