

**THE MÉTIS NATION OF SASKATCHEWAN:
BUILDING TOWARDS SELF-GOVERNANCE**

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Angela Lee Blondeau, candidate for the degree of Master of Public Policy, has presented a thesis titled, ***The Métis Nation of Saskatchewan: Building Towards Self-Governance***, in an oral examination held on April 6, 2018. The following committee members have found the thesis acceptable in form and content, and that the candidate demonstrated satisfactory knowledge of the subject material.

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ABSTRACT

Indigenous and western qualitative research methods are used to examine whether there is a the relationship between Métis perspectives to increase the Métis Nation - Saskatchewan (MN-S) citizenship registry and the implementation of good governance. Good governance was operationalized by conducting a literature review that identified five universal principles of good governance in the literature. An analysis of the MN-S governance documents was completed using the universal principles of good governance. The study shows that in semi-structured conversations with Métis people about increasing the Métis citizenship registry, broader principles of governance were always implicated. It is incumbent upon the MN-S and other Métis governance organizations to cultivate good governance practices in keeping with the expectations of Métis citizenry and to meet demands for greater sophistication and skill in negotiating with the Canadian state in the rapidly changing Métis public policy landscape. The study concludes that while the experience of Métis people with colonization has been punctuated with systemic racism and marginalization through public policies, in contemporary times, Saskatchewan Métis must participate in the process of self-determination to ensure that Métis governance organizations such as the MN-S are legitimate representatives. This study also has implications for a policy on reconciliation, as the field research demonstrates that Métis perspectives invoke a much broader scope for articulating a policy on reconciliation than the current state-Indigenous dichotomy articulated by the Government of Canada.

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DEDICATION

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LIST OF ABBREVIATIONS

INAC – Indigenous and Northern Affairs Canada

MNA – Métis Nation of Alberta

MNBC – Métis Nation British Columbia

MNC – Métis National Council

MN-S – Métis Nation – Saskatchewan

MNO – Métis Nation of Ontario

PMC – Provincial Métis Council

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1. INTRODUCTION

Métis citizenship registration is foundational to the exercise of self-governance (Aboriginal Affairs and Northern Development Canada 2008, 18). After all, it is impossible to govern citizens if you do not know whom you propose to govern. An inaccurate and incomplete Métis citizenship registry does not provide evidence for the authority of the Métis Nation – Saskatchewan (MN-S) to negotiate with orders of government on behalf of the citizens they claim to represent. Métis governance organizations in British Columbia, Alberta, Manitoba and Ontario have made great progress in building their citizenship registries and enhancing their governance structures.

One media source reported that the MN-S's citizenship registry is approximately 3,500 registered citizens (Benjoe 2016), which falls appallingly short of the 57,880 Saskatchewan Métis citizens identified in the 2016 Census (Statistics Canada 2017). Underpinning the MN-S's disproportionate registry are a series of well-publicized internal issues that led to the discontinuation of federal and provincial government funding in recent years. It is important to note that governments have ceased the flow of funding more than once in the last decade. These events will be discussed later in this chapter, as they are best understood in their historical context.

Métis citizens and governance organizations are wrestling with the legacy of colonialism that began with the dispossession of Métis lands and the disruption of Métis self-governance structures and processes. At one time, Métis communities governed themselves. In fact, the Métis were the first to develop

municipal governments in Saskatchewan (Métis Electoral Consultation Panel 2006, 5). Another example of Métis governance is the historical harvesting of food from the land, as demonstrated by the rules of the buffalo hunt (Manitoba Métis Federation 2002, i). These rules outlined standards for the orderly conduct of the hunt and prescribed sanctions associated with infractions. As Métis communities transitioned from hunting to a farming economy, they drew upon their governance experience used in the Laws of the Buffalo Hunt as the basis of their constitutions (Manitoba Métis Federation 2002, i). Ratification of laws by the whole community is a historical aspect of Métis governance that continues today in the Métis Nation Legislative Assembly, which is known as an inclusive form of democracy (Chartrand 2008, 152).

Justice was maintained through mediation, rather than adjudication, and resolution with minimal harm to both parties (Chartrand 2008, 152). An example of this is demonstrated by an 1875 decision in the St. Laurent Métis community that involved an incident in which a man wounded another man's horse (Chartrand 2008, 153). The decision combined reparation with restitution, as the man who wounded the horse was required to provide services to the owner of the horse until the horse recovered (Chartrand 2008, 153).

The origins of present-day turmoil with Métis self-governance are rooted in the colonial policies of the federal and provincial governments. Both orders of government historically refused to acknowledge the Métis as an Indigenous people with Aboriginal rights; an action that likely originated in the federal government's assimilation policy. John A. MacDonald articulated in 1885 that the

government considered “half-breeds” to be white (Kearns 2010, 61). This policy by Canada’s first Prime Minister was contradictory because while it maintained the Métis were white, the Métis were simply not afforded the same advantages as white Canadians, such as the opportunity to legally access lands the same as their white settler counterparts, which will be explored next. The historical experience of the Métis was not one of equitable treatment or assimilation into mainstream society. Métis communities existed on the margins of mainstream white settler society as a result of several government policies, including *The Dominion Lands Act*.

Préfontaine and Dorion (2003) provide a fulsome account of the federal approach to extinguishing Métis Aboriginal title to the land. *The Dominion Lands Act* created a mechanism to extinguish the Aboriginal title to the land of the Métis and the Country Born in the Northwest Territories. The scrip system was devised to issue scrip certificates for land or cash in exchange for the Aboriginal title to the land (Préfontaine and Dorion 2003, 4).

Préfontaine and Dorion argue that the basis of the scrip system was the fallacious assumption that there was no fiduciary relationship between the Métis and the federal government because the Métis were part European (Préfontaine and Dorion 2003, 6). To illustrate this concept, an example of a fiduciary relationship is when a government holds and maintains the rights of a minority group in trust for the group’s best interest (Préfontaine and Dorion 2003, 6). Even though the original wording of *The Manitoba Act* stated that the Métis would be provided land for future generations, the scrip certificates were issued

individually instead of collectively, which precluded the Métis from establishing bloc settlements to preserve a land base (Préfontaine and Dorion 2003, 6).

There are several reasons to characterize the scrip system as poorly administered (Préfontaine and Dorion 2003). Although many Métis people were illiterate, Scrip Commissions made no accommodations in administering scrip. In fact, Scrip Commission travel schedules were advertised in posters and newspapers. This resulted in the omission of entire communities from the scrip administration process, particularly in the north. When Métis people signed for scrip, many did not understand what they were signing and many did not understand European law.

Then there were the opportunistic and exploitative scrip speculators. Scrip speculators were individuals who engaged in scrip speculation, which was a transaction in which individuals purchased something with the objective to sell it later to make a profit (Préfontaine and Dorion 2003, 6). They took advantage of the poor administration of scrip and acquired it at a fraction of its value. Many of the speculators were from chartered banks, land companies or government bureaucracies (Préfontaine and Dorion 2003, 5, 6).

The speculation of Métis scrip occurred in the context of the international depression of the 1870s and 1880s when the United States exhausted their supply of agricultural land and demand for agricultural lands spiked in the Prairie West (Préfontaine and Dorion 2003, 8). The Métis were pressured into selling their land scrip to speculators at a pittance of the value and then speculators resold the certificates for greatly inflated prices (Préfontaine and Dorion 2003, 8).

Speculators also obtained powers of attorney, many of which were forged, in order to legally invest and sell scrip on behalf of Métis. Charter banks purchased 52% of the total amount of scrip (Préfontaine and Dorion 2003, 8). Very little scrip actually ended up in the possession of Métis people. Appallingly, speculators purchased approximately 85 – 90% of scrip (Préfontaine and Dorion 2003, 8).

Public policy also worked to protect speculators from legal consequences. An example of this is a 1921 amendment to the Criminal Code of Canada that imposed a three-year time limit on any appellant who wanted to bring a criminal charge against a scrip speculator (Préfontaine and Dorion 2003, 7).

The Dominion Lands Act established a path for waves of white settlers that expanded west into the current provinces of Manitoba and Saskatchewan (Préfontaine and Dorion 2003, 16). Prior to both Riel Resistances in 1869-70 in Red River and in Batoche in 1885, the Métis organized their communities and established provisional governments (Teillet 2006, 12). In Red River, the efforts of the provisional government concluded with the province of Manitoba's inclusion in the Canadian federation, which was enshrined in *Manitoba Act* (Teillet 2006, 12). In Batoche, the Métis established a provisional government and petitioned for title to their lands; however, their efforts resulted in the Riel Resistance of 1885, which concluded with the imprisonment and execution of several participants, including Métis leader Louis Riel (Teillet 2006, 12).

In the case of Red River, it took fifteen years to issue scrip to Métis families (Teillet and Madden 2013, 8). While the Métis waited for their scrip,

hostile white settlers inundated the prairies and drove the Métis from their lands (Préfontaine and Dorion n.d., 16;). The architect of the Métis dispossession of lands from Red River was John A. McDonald, the Prime Minister of Canada, whose plans were set out in his private correspondence (Dubois and Saunders 2017, 882). The Métis became a target for the abuse of white settlers, who were racist, anti-Catholic and anti-French (Teillet 2006, 12). Ontario troops did nothing to stop the white settlers from illegally seizing Métis lands (Teillet 2006, 12). The dispossession of the Métis left them impoverished and relegated to living as squatters on lands they did not own in the post-Resistance period of 1885-1945 (Préfontaine and Dorion 2003, 15-16). The lands on which the Métis lived were called road allowances, as they were set aside by the government for the development of roads (Préfontaine and Dorion 2003, 43); therefore, the Métis became known as the Road Allowance People (Préfontaine and Dorion 2003, 15-16).

For generations, the Métis were oppressed culturally, socially and economically. The social and economic repercussions of colonialism precluded Métis from accessing education, health care and land (Bell 2010, 7). Métis people residing in rural areas in Saskatchewan could not send their children to public schools until 1945 because they lived on the road allowance; thus, they were not landowners and were not regarded as taxpayers (Poitras 1992, 13). Adults were also affected, as many Métis weren't allowed entry into the working class (Poitras 1992, 22) and their employment options were limited to low-paying seasonal employment (Préfontaine and Dorion 2003, 17).

Even the road allowance communities were threatened. *The Prairie Farm Rehabilitation Act (1935)* was federal legislation that provided the state with the authority to forcibly remove the Métis from their homes because they did not own the lands on which their homes were built (Préfontaine and Dorion 2003, 15-16). Government relocated the Métis from the road allowances to a series of Métis experimental farms in Lestock, Lebret, Crescent Lake, Glen Mary and Green Lake to make them more self-sufficient through farming (Préfontaine and Dorion 2003, 17).

It appears that this program was never designed to facilitate prosperity in exchange for any degree of hard work on the part of the Métis (Préfontaine and Dorion 2003). For example, when the Métis arrived in Green Lake, they found the land needed clearing and there was neither housing nor relief payments to sustain them while they developed the communities. Additionally, the program made the Métis tenant farmers instead of landowners and the farms were too small for commercial farming (Préfontaine and Dorion 2003, 17-18). When government transported Métis people from Lestock and Crooked Lake to the experimental farms, many Métis road allowance homes were deliberately burnt to the ground (Préfontaine and Dorion 2003, 18). Perhaps this was done to prevent the Métis from ever returning.

The federal government's policy in responding to the Métis Nation individually instead of collectively (Madden, Graham and Wilson 2005, 15) seems to have been designed to undermine the community cohesion of the Métis

Nation, which sowed the seeds of discontent and provided fertile ground for the political turmoil that has characterized the MN-S in contemporary times.

The scrip debacle certainly placed white settlers and their descendants in a position of social and economic advantage over the Métis. In contrast, the impacts of colonialism on Métis communities devastated generations, afflicted them with poverty and, in many cases, forced Métis people to deny their heritage (Richardson 2006) in order to avoid the socially and economically crippling consequences of discrimination. To illustrate this point, a survey conducted in Manitoba in 1956 showed that many people did not identify as Métis because they were taught to be ashamed of their heritage (Bell 2010, 7-8). As a Métis woman, I have personally heard many stories from people in southern Saskatchewan who hid their Métis identity for the sake of their families, or, “went underground”, for fear that their families would experience discriminatory consequences.

Despite the arduous struggle to live in a country that systemically marginalized the Métis through public policies, several Métis activists emerged over the span of generations to advance political, social and economic conditions for Métis people. In the 1960s in Saskatchewan, Métis grassroots leaders such as Malcolm Norris and Jim Brady established the Métis Association of Saskatchewan in Northern Saskatchewan and Joe Amyotte started the Métis Society of Saskatchewan for Métis living in southern and central Saskatchewan (Barkwell 2010, 6 -7). Eventually, these organizations amalgamated and became the MN-S in 1988 (Barkwell 2010, 7). A significant victory for the Métis

was led by Métis leader Harry Daniels, who is widely credited with convincing then-Justice Minister Jean Chretien to include the Métis as one of the three Aboriginal peoples in the *Constitution Act, 1982* (Barkwell 2010, 8).

Recent Supreme Court decisions, specifically the Powley Decision (Isaac 2016, 13), the Manitoba Métis Federation Decision (Teillet and Madden 2013) and the Daniels Decision (Teillet and Madden 2016) have pressured the Canadian state to formally recognize the inherent rights of the Métis. The aforementioned Supreme Court decisions make it difficult for the state to ignore the Métis Nation any longer.

As a Métis citizen from the historic Métis Nation, my interest in the MN-S citizenship registry was sparked by my repeated attempts at registration. After my third time registering as a Métis citizen, I was frustrated with the MN-S for not maintaining a consistent record of my citizenship registration. Although mine is an old Métis family consisting of the Blondeau, Gardipie and Boyer families, with histories extending back in time to historic Métis communities including Red River, I am not presently among the registered Métis citizens in the MN-S registry. When I heard of the latest attempts of the MN-S to register its members, I did not register a fourth time because I did not view the MN-S to be a stable organization. The instability of the MN-S is connected to the systemic marginalization of my people and part of our contemporary struggle with the Canadian state. My people inherited poverty, we have been dispossessed of our lands, our community cohesion has been systemically destroyed by federal

policies and our political voice for Métis issues and rights in Saskatchewan is unstable.

My own frustrations associated with the instability of the MN-S do not mar my admiration of the political struggle for self-determination in which Métis leaders across Canada have engaged. Despite my frustrations with the political instability of the MN-S, I am grateful for the foundation established upon which I hope my study will contribute and strengthen. I approach this study from a place of great respect for the Métis people who built the MN-S. I hope this research will be embraced by the MN-S and by Métis citizens of Saskatchewan, for it is my goal that this study will contribute to strengthening our Métis Nation by demonstrating that Métis people expect the governance organization that represents them to operate according to principles of good governance. It is my hope that the MN-S will embrace this research and align its governance processes and structures with the principles of good governance.

There is a disparity between the number of Métis citizens registered in the MN-S citizenship registry and the number of Métis citizens identified in Census 2016. In this study, I argue that there is a relationship between the aforementioned disparity and broader governance of the MN-S.

Ensuring an accurate Métis citizenship registry is important for at least three different reasons. First, in order for Métis governance organizations to implement self-governance, a valid citizenship registry is foundational to politically representing those citizens. After all, how can self-governance be exercised if the governing body does not know the individuals it represents?

Registering citizens is also critical to establishing legitimacy as a governing body (Aboriginal Affairs and Northern Development Canada 2008, 18). The second reason is the development of Section 35¹ rights for Métis people (Aboriginal and Northern Affairs Canada 2008, 17; Isaac 2016, 16). In July 2016, Ministerial Special Representative Tom Isaac produced a report with 17 recommendations for the federal government to begin the process of reconciliation between the Métis and Canada. Part of this work involves determining how the federal government will begin dialogues for a Section 35 Métis rights framework. Section 35 is the part of the Constitution that identifies the Aboriginal peoples of Canada as being the Indian, Inuit and Métis peoples of Canada and recognizes and affirms Aboriginal and Treaty rights of those peoples. The third reason a Métis registry is important is to create policies and processes for the lawful harvesting of resources (Aboriginal Affairs and Northern Development Canada 2008, 18).

Métis governance organizations across the Métis Nation homeland have initiated Métis citizenship registries. Before I touch upon the registries of the MN-S's counterparts, I will discuss the governance structure of the Métis Nation of Canada, which is represented by the Métis National Council.

Métis Nation of Canada Governance Structure

A study of the MN-S registry necessitates setting the MN-S in its national context. The MN-S does not exist on its own as a governing organization of the Métis Nation. The MN-S is a governing member of the Métis Nation Council

(MNC), which is mandated to represent the Métis Nation internationally and on a national level (Saunders 2013, 354; Métis National Council n.d.). The five governing members of the MNC are the MN-S, the Métis Nation of British Columbia, Métis Nation of Alberta, Manitoba Métis Federation and the Métis Nation of Ontario.

The role of the Métis National Council is to achieve consensus on policy issues among the five governing members related to the Métis right to self-government and other germane issues relevant to the five jurisdictions represented on the Métis National Council (Saunders 2013, 354). The overall goal of the Métis National Council is to secure a space for the Métis Nation within the Canadian federation, while pursuing a strategic direction towards self-government (Métis National Council 2009).

The Métis National Council has created a draft constitution and it clarifies that the organization seeks the establishment of a third order of government that is situated within the Canadian federation (Métis National Council n.d.). It even describes the way in which Métis citizens will have dual Canadian and Métis Nation citizenship. The central goals of the constitution include representing and promoting the interests of the Métis Nation; restoring Métis lands and resources for future generations; achieving the full recognition of the Métis Nation and its jurisdiction within the Canadian federal system; establishing cooperative and productive relations with other Canadian governments and people; promoting progress and prosperity among Métis people in all cultural, social, economic and political fields; achieving self-sufficiency for the Métis people and the institutions

of the Métis Nation; maintaining and promoting respect for the individual rights and freedoms of the Métis people; the equal protection and advancement of female and male Métis; and maintaining the independence and integrity of the Métis Nation (Métis National Council 2009).

The supreme authority of the Métis National Council identified in the draft constitution is the National Assembly of the Métis Nation, which is composed of the presidents of each of the governing members, each jurisdiction's provincially elected representatives and the president of the Métis National Council, for a total of 56 elected representatives. Representation includes 5 representatives each for British Columbia and Ontario and 15 each for Saskatchewan, Manitoba and Alberta. The National Assembly makes decisions by majority votes and it convenes once a year unless special meetings are called.

The MNC provides the national leadership for the Métis Nation of which Saskatchewan's MN-S is a governing member. The governing members have been building their organizations in their respective jurisdictions. In the next section, I will discuss the accomplishments of the MN-S in the following four areas: establishing programs and services to Métis citizens; development of governance institutions and processes; crafting of governance documents; and creation of revenue generating entities.

The Métis Nation – Saskatchewan Accomplishments

The Métis Nation in the five jurisdictions represented by the MNC has been building their governance organizations and working to advance Métis rights across the Métis Nation homeland across four broad areas of

development, which are identified in Table 1. While the four areas apply to all five Métis provincial jurisdictions, only the MN-S's achievements will be highlighted in this section.

Table 1. Laying the Groundwork: Four Areas of Métis Nation

Development

Dubois and Saunders 2013

- 1. Establishment of programs and services to Métis citizens.**
- 2. Development of governance institutions and processes.**
- 3. Crafting of governance documents.**
- 4. Creation of revenue-generating entities.**

The first area is the establishment of programs and services to Métis citizens through the devolution of programs targeted to Métis citizens (Dubois and Saunders 2013,193). Métis organizations have delivered services in the areas of health, justice, education, housing, labour market training and economic development (193).

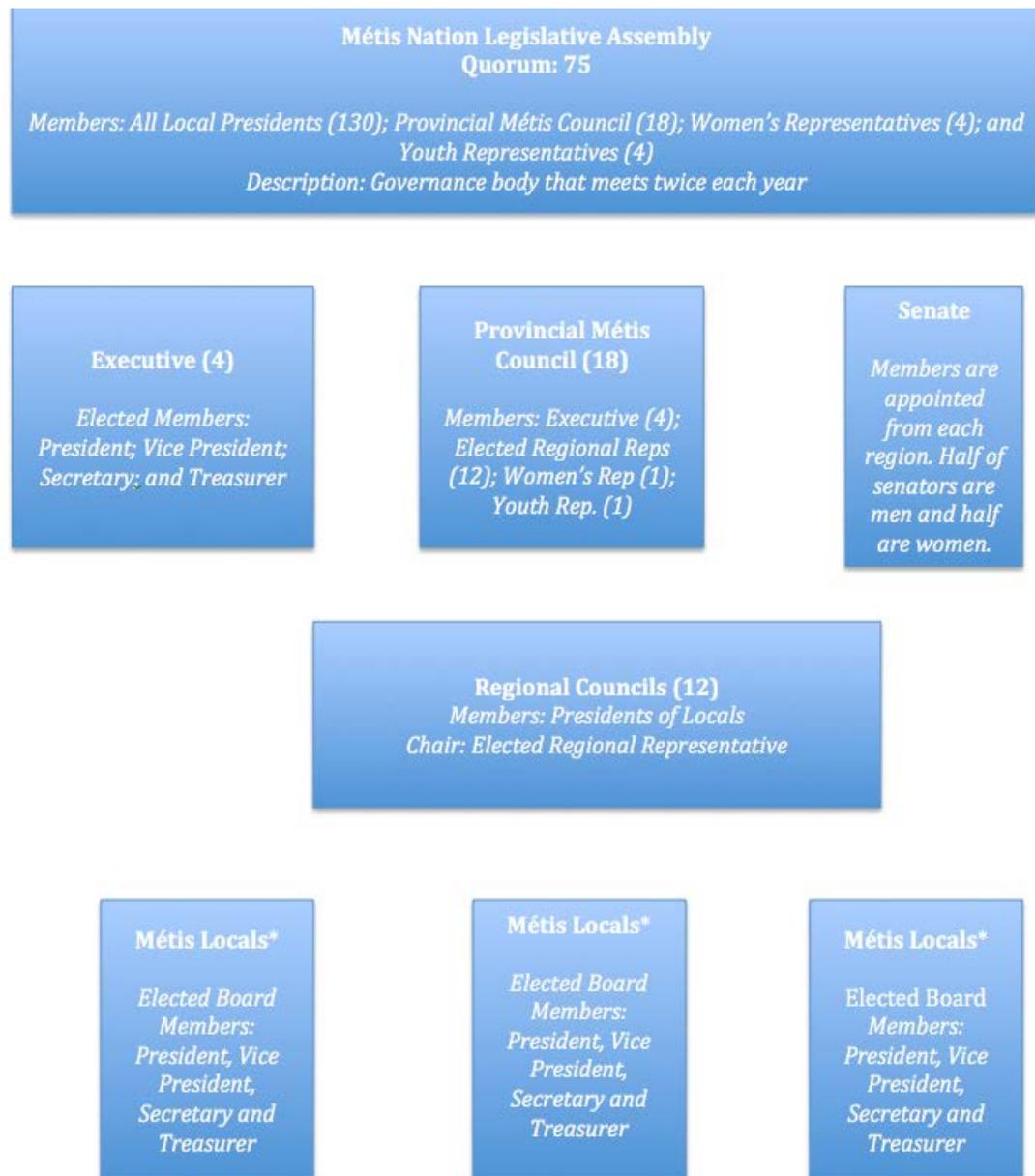
MN-S affiliate organizations deliver a range of programs and services to Métis citizens. The mission of the Gabriel Dumont Institute is to promote the renewal and development of Métis culture through research; materials development, collection, and distribution; and the design, development, and delivery of Métis-specific educational programs and services (Gabriel Dumont Institute 2013). The Métis Addictions Council of Saskatchewan Incorporated (MACSI) is a community-based addictions agency that provides programming in

Regina, Saskatoon and Prince Albert (Métis Addictions Council of Saskatchewan Inc. n.d.). Métis Family Community Justice Services delivers a range of services to promote community and family wellness and to ensure that the criminal justice system accords Métis people with fair treatment and culturally relevant services (Métis Family and Community Justice Services n.d.). All three of the aforementioned affiliates are generally stable organizations that have operated for decades delivering programming to Métis and non-Métis citizens.

The second area discussed by Saunders and Dubois is the establishment of governing institutions and processes. Saskatchewan Métis demonstrate this in the creation of a decision-making structure that reflects Métis history and traditions (Dubois and Saunders 2013, 201).

The table below describes the structure of the MN-S and the composition of each element. The MN-S structure will be referenced in the analysis of the principles of good governance, in Chapter 3.

Table 2: Métis Nation – Saskatchewan Governance Structure



The basic constituency of the governance structure of the MN-S are Métis locals, which are comprised of an elected board of presidents, vice presidents, secretaries and treasurers. The MN-S reports there are 130 Métis locals that span the province (Métis Nation-Saskatchewan 2016). According to the MN-S constitution (Métis Nation – Saskatchewan 1993), locals are legitimately created when at least 9 Métis members come together to form a local. The MN-S constitution directs Métis locals to develop their own constitution, which must not be inconsistent with the MN-S constitution. Métis locals are also charged with the responsibility of preparing communities for self-government, which includes land for some communities.

The MN-S constitution describes the composition of the remaining elements of the MN-S governance structure (MN-S 2016). Métis locals are situated in one of twelve provincial regions. Each region is governed by a regional council that is made up of the local presidents in each respective region. A regionally elected representative acts as the chairperson of the regional council and it is that individual's responsibility to represent the regional council members at the Provincial Métis Council. The role of the chairperson of the regional council is outlined in the MN-S constitution and it demonstrates that direction is provided to the Provincial Métis Council by the regional council members/local presidents, who represent Métis communities. In this way, the governance model of the MN-S is a grassroots type of governance model and it was designed with a community-directed orientation.

The responsibilities of regional councils are to deliver programs and services that are decentralized to that level (MN-S 2016). The MN-S constitution also directs the development of constitutions for each regional council, which must not be inconsistent with the MN-S constitution. Regional councils also authorize the creation of locals and dissolve inactive locals. Their decisions are then ratified by the Métis Nation Legislative Assembly.

The Métis Nation Legislative Assembly is the governance body of the MN-S and its members are local presidents, members of the Provincial Métis Council, four representatives of the Métis Women of Saskatchewan and four representatives from the Provincial Métis Youth Council. According to the MN-S constitution, the Métis Nation Legislative Assembly must meet at least twice a year and quorum of 75 members is required to convene the Métis Nation Legislative Assembly. The Métis Nation Legislative Assembly enacts legislation, regulations, rules and resolutions that pertain to the conduct of Métis in Saskatchewan. The assembly has the authority to appoint commissions, committees or other subsidiary bodies. This body also passes rules related to the admission and dissolution of locals and it ratifies the creation and dissolution of Métis locals. The Métis Nation Legislative Assembly also holds a general assembly every year that all Saskatchewan Métis people can attend.

The Provincial Métis Council is a body comprised of elected regional representatives, four members of the Executive, one representative from the Métis Women of Saskatchewan and one representative from the Provincial Métis Youth Council, for a total of 18 members. The MN-S constitution states that the

Provincial Métis Council is the Cabinet of the MN-S and they are responsible for ensuring that the affiliates, departments, programs and services in their portfolios are running smoothly and have the necessary resources to enable them to effectively operate. The Provincial Métis Council meets once every two months and its roles are to provide recommendations to the Métis Nation Legislative Assembly regarding the appointment of commissions, committees or other subsidiary bodies and to make recommendations to the Métis Nation Legislative Assembly for the approval of budgets. The Provincial Métis Council must prepare written reports to the Métis Nation Legislative Assembly, although the nature of those reports is not described in the constitution or any other governance document.

The Executive consists of four elected members, which include the president, vice president, secretary and treasurer. The president is the chief political spokesperson for the MN-S. The Executive meets once a month. The constitution does not articulate any details about the functions of the other members of the Executive. The Executive is directed by the constitution to provide written reports to the Métis Nation Legislative Assembly; however, there are no details outlined on the specifics of those reports.

There is also a Senate, which consists of twelve Elders that are selected from each of the twelve MN-S regions (Métis Electoral Consultation Panel 2006, 6). The functions of the Senate are largely ceremonial, however, there is a consultation mandate that the Senate is supposed to carry out for the Métis Nation Legislative Assembly under the constitution (Métis Nation –

Saskatchewan 1993). Processes for consulting the Senate are not explained on the MN-S website.

Finally, there is the Métis Nation – Saskatchewan Secretariat, which is governed by its board of directors, the Provincial Métis Council (Saskatchewan 2002). This body is the legally incorporated administrative arm of the MN-S (MN-S 1993; Métis Electoral Consultation Panel 2006, 6). The MN-S Secretariat was established pursuant to *The Métis Act, 2002*. If any Métis individuals wish to raise issues related to the operation of the Secretariat, Section 9 of this *Act* directs them to present the MN-S head office with a petition that bears 250 signatures. A meeting must then be held within 60 days and notice of the meeting must be published in a newspaper 7 days prior to the date of the meeting. Clearly, it is a complicated process for private Métis citizens to raise issues related to MN-S Secretariat operations.

The MN-S governance structure was developed during a time when Métis governments were forced to register their organizations under non-profit legislation because of the federal government's refusal to recognize its constitutional jurisdiction over Métis issues (Dubois 2015, 167). Constitutional jurisdiction was finally clarified when the Supreme Court ruled on the Daniels Decision (Teillet and Madden 2016), which determined that the Métis are Indians according to Section 91(24) of the *British North America Act, 1867*.

The Métis Nation has also developed a number of governance documents, including Métis-made laws. The MN-S has created the following five statutes and set of bylaws: the Saskatchewan Métis Elections Act; the Métis

Nation Bylaws; the Métis Nation of Saskatchewan Citizenship Act; the Regional Boundaries Act, 1997; the Métis Nation of Saskatchewan Senate Act; the Métis Nation of Saskatchewan Legislative Assembly Act; and the Métis Wildlife and Conservation Act (MN-S 2016). While none of the Acts are enforceable by law, the existence of these statutes is a significant expression of a collective political will of Métis citizens to exercise self-governance (Dubois and Saunders 2013, 197).

Métis governments across Canada have also created revenue-generating entities to achieve economic self-sufficiency (Dubois and Saunders 2013, 201). This is an important aspect of building capacity for self-governance. Clarence Campeau Development (CCD) is an affiliate of the MN-S and it was created to provide support for Métis businesses (Dubois and Saunders 2013, 202). The Métis Nation – Saskatchewan Secretariat Inc. owns the Saskatchewan Métis Economic Development Corporation (SMEDCO), which is an Aboriginal capital corporation that finances the start-up, acquisition and expansion of Métis-controlled small businesses in Saskatchewan.

This section has served to outline the MN-S structure, including the MN-S Secretariat, Inc. and the MN-S affiliate organizations. The governance organization context is established in terms of the Métis National Council and the MN-S. These governance organizations launched Métis citizenship registries as part of a federal government response to the Powley Decision.

The Powley Decision and Métis Citizenship Registries

The Métis citizenship registries were created in response to the Powley Decision, a Supreme Court decision that confirmed that the Métis are rights-bearing and set out a test for Métis Aboriginal rights (Isaac 2016, 13).

The Powley Decision finds its origins in a 1993 hunting trip of Steve and Roddy Powley, two Métis hunters who hunted a bull moose outside of Sault Sainte Marie, Ontario (Teillet 2006). When the Powleys killed the bull moose, they affixed their Métis card to the animal with a note that read, “harvesting my meat for winter.” In response, the Powleys were charged with hunting without a license and unlawful possession of moose. The trial judge ruled that the Powleys had a Métis right to hunt and dismissed the charges. The Crown appealed the charges but they were again dismissed. The Crown appealed to the Supreme Court and finally, on September 19, 2003, the Supreme Court’s ruling confirmed the Métis right to hunt under Section 35 of the Constitution of Canada and it set out the Powley test as a method of determining whether Métis communities were rights bearing (Teillet 2006, 33).

Teillet (2006) describes the ten-part Powley test, which must be met for Métis to be deemed as rights bearing. It is important to mention that the Powley test is not a means by which a determination of Métis citizenship is made for cultural or citizenship purposes. The Powley test may be used to determine which Métis communities are rights bearing under Section 35 of the Constitution of Canada; therefore, it is possible to be a citizen of the Métis Nation without being a rights bearing Métis because of the specific requirements that Métis

people and communities must meet under the Powley test for Métis to lawfully exercise their rights.

The first part of the Powley test is the characterization of the right; that is, whether the harvest is for food, exchange or commercial purposes. This initial part of the test deals with the ultimate purpose for the harvest.

The second part of the test is verification of membership in the contemporary Métis community. The court states that there must be an objectively verifiable process to determine the members of a Métis community. The court set out three guidelines to assist in identifying Métis rights holders: self-identification, ancestral connection to the historic Métis community, and community acceptance.

The third part is identification of an historic rights bearing Métis community. This means there must be a group with a distinct collective identity and a shared way of life that lived together in the same geographic region. A Métis community is classified as historic if it can be shown to have existed in the period of time that encompasses contact with Europeans to the time when Europeans took legal and political control of a region.

The fourth part is identification in the contemporary rights bearing community, which requires meeting two conditions: 1) self-identification as a Métis community; and, 2) continuation between the historic and contemporary Métis community.

The fifth part of the test is identification of the relevant time. This part of the test examines whether the Métis community exercised practices that were

integral to their existence before Europeans took control. The practice that the court rules on, whether hunting, fishing, trapping, or gathering, must have been practiced by the Métis community post-contact but pre-control.

In the sixth part of the test, the court asks whether the practice was an integral to the claimant's distinctive culture and critical to the claimant's special relationship with the land. Although the Powley case dealt with two Métis men who hunted moose, the case was really about the Métis right to harvest in general, including fishing, trapping and gathering in addition to hunting.

The seventh part of the test must show that there is continuity between the contemporary practice and the historic right. In Powley, the Supreme Court found that the practice of hunting for food continues to be an historical practice.

The eighth part of the test examines whether the rights in question were extinguished. Prior to 1982, aboriginal rights could be extinguished by legislation, constitution or by the agreement of the Aboriginal people. In the Powley case, the court found no evidence of extinguishment of the aboriginal right to hunt.

The ninth part of the Powley test is infringement, which means that no rights are absolute and can be infringed upon by means that the Crown has to demonstrate as justifiable. However, the Court said that the failure of the state to acknowledge the Métis right to harvest was an infringement on the Métis community's aboriginal rights.

The final part of the Powley test is justification. The state can justify its decision to deny the Métis right to harvest if it can show that a threat existed. In

Powley, the Court found that there was no justification for the state to deny the Métis the right to harvest.

The federal government responded to the Powley Decision with the 2004 Powley Initiative. Indian and Northern Affairs Canada sets out the objectives of the Powley Initiative (Indian and Northern Affairs Canada 2008):

- To coordinate the management of Métis aboriginal rights to harvest across federal government ministries;
- To support MNC governing members² to develop their own membership and harvester registries, share research and communicate with their membership on issues related to harvesting rights; and,
- To work with provincial governments in managing Métis Aboriginal rights through the development of consistent and cooperative approaches (Indian and Northern Affairs Canada 2008, 1).

The federal government's criteria for an objective and verifiable registry include coherent and standardized membership codes; effective and transparent registration process; accessible, independent reviews and appeals; secure information; secure identification; and adequate resourcing and review of procedures (Aboriginal Affairs and Northern Development Canada 2013, 35).

² The Powley Initiative also supports member organizations of the Congress of Aboriginal Peoples; however, this thesis is limited in scope to the MNC and its governing members.

The Perennial Case for Governance Reforms

Citizenship, electoral and governance reform have long been desired by Saskatchewan Métis, as observed following the MN-S elections in 1995, 1998, 2001 and 2004 (Métis Electoral Consultation Panel 2006, 1).

The need for governance reform is also highlighted by Madden, Graham and Wilson (2005), who mention internal governance and administration among key governance issues for the Métis Nation to address (50). Bearing further witness for the need for governance reform are numerous court proceedings, most recently in 2014 (CBC News 2015) and a matter relating to the MN-S is reportedly making its way through the justice system in 2017, with the contested resignation of the MN-S treasurer (Postmedia News 2017).

The recurrence of court cases underlines the serious turmoil within the MN-S and demonstrates that Saskatchewan Métis feel there is no other recourse than to take their Provincial Métis Council to court to settle disputes.

The turmoil is clearly demonstrated in the following review of the MN-S elections of 2004. Controversy surrounding the 2004 MN-S election prompted the Government of Saskatchewan to commission Keith Lampard to conduct an examination of the complaints expressed by Métis people across the province and prepare *A Study to Answer the Question was the Métis Election of 2004 Run in a Fair and Democratic Manner such that its Results can be Relied upon by Métis People and the Government of Saskatchewan?* (Lampard 2004). Lampard travelled throughout Saskatchewan, spoke with witnesses to corroborate

complaints and examined items associated with the election such as voter lists and tally sheets.

Over the course of his study, Lampard examined procedures for carrying out the election and he found evidence of widespread contraventions against The MN-S Election Act and Election Regulations (Lampard 2004, 2) and procedural errors that he attributed to either ineptitude or efforts to manipulate the electoral results (Lampard 2004, 29).

Electoral procedures set out in The MN-S Election Act and Election Regulations state that the Deputy Returning Officers (DROs) should be selected on recommendation by Métis locals. In the case of local #92, the DRO that was not selected by the president of that local and the individual that was selected as DRO was not even a member of local #92 (Lampard 2004, 7).

Other irregularities recorded at local #92 polling place included a comment by a scrutineer that half of the voters were Status Indians from Onion Lake First Nation (Lampard 2004, 10). The polling place for local #92 also changed without public notice, which allegedly prevented local members from voting, including the president of the local (Lampard 2004, 7).

There were also inconsistencies in the official counts recorded in several polling places. For example, despite the MN-S local directory listing the Wilkie local as inactive or even having a local president, 150 ballots were deposited in the Wilkie local ballot box despite several witnesses observing “few” voters at the polling place (Lampard 2004, 13). Another infraction at the Wilkie local poll was allegedly committed when the poll was removed from the polling place during the

hours that the poll was to be open to voters (Lampard 2004, 14). Wilkie local scrutineers at the Official Count asserted that the poll book was signed by one person instead of the electors, which is also contrary to the MN-S Election Act and Election Regulations (Lampard 2004, 15).

The Maymont local voter list contained 89 names and addresses of people with whom the postmistress was not familiar (Lampard 2004, 20-21). This was a widespread pattern because it also occurred in the village of Marshall, Wilkie and Frenchman Butte (Lampard 2004, 22). Some unsuccessful election candidates claimed to check addresses to find electors with addresses as varied as baseball diamonds in Lloydminster and bowling alleys in North Battleford (Lampard 2004, 22).

According to the MN-S Election Act, a voter giving a false address is not an eligible voter, as per residential requirements that state that an elector shall vote at the polling station closest to where they are registered and ordinarily resident (Lampard 2004, 23). Lampard found evidence that false addresses were used in hundreds of cases, which would have been sufficient to call into question the results of the 2004 MN-S election (Lampard 2004, 22).

Voter turnout was suspiciously high in some areas, such as the small communities of Denholm, Hamlin, Marshall, Maymont, Frenchman Butte and Wilkie, which had a voter turnout four times higher than the cities of that region (Lampard 2004, 23).

Revised voter lists that differed from the lists that the local presidents submitted to the Chief Electoral Officer were reported in Prince Albert (Lampard

2004, 26). This was an issue that resulted in an estimated 150 disenfranchised Métis in Prince Albert (Lampard 2004, 26). Riel Métis Council of Regina also reported that voter list did not accurately reflect its members (Lampard 2004, 38).

Several ballot boxes were sent to the wrong polling places, resulting in the disenfranchisement of hundreds more Métis people. The Timberland Local in Shellbrook was incorrectly sent the ballot box to the previous president of the local, resulting in the disenfranchisement of approximately 225 Métis local members (Lampard 2004, 29). Métis people were also disenfranchised in Swift Current when that local's ballot box was sent to Maple Creek, which is a 1.5-hour trek by vehicle (Lampard 2004, 39).

Poor advertising of the location of polling places was also an issue that affected electors' access to polls in some communities, such as Cando (Lampard 2004, 33) and Maple Creek (Lampard 2004, 39).

The ballot boxes in Cando and Outlook were missing after the election until a couple of days before the final count (Lampard 2004, 32). Other issues in Cando included the official electoral list contained names of people who moved away or died (Lampard 2004, 31).

Lampard concluded that the 2004 MN-S election was not fair and democratic and that neither the Métis people of Saskatchewan nor the Government of Saskatchewan could trust the results (Lampard 2004, 61-62).

Governance system issues were also previously identified in the Métis Electoral Consultation Panel (2006) report, which indicated the governance system was not operating according to principles of good governance such as

fairness, transparency, accountability and responsibility to the Métis people (15-16). The report also stated that Métis people felt that decision-making power is concentrated in the hands of a few political and administrative officials and the governance system is controlled by a few individuals at the provincial level who are more intent on advancing their own interests than those of the Métis people (Métis Electoral Consultation Panel 2006, 14). Métis people also referenced a number of issues with governance at the regional level such as infrequent meetings and domination of regional councils by a few members of the MN-S executive, area directors and local presidents (Métis Electoral Consultation Panel 2006, 14). Local governance was also characterized as bearing the same governance issues as the regional and provincial levels and practices around communications with community members about local activities, record keeping, and the lack of community programming to benefit the local Métis community (Métis Electoral Consultation Panel 2006, 14-15).

There were a number of other issues identified by the Métis Electoral Consultation Panel (2006) that were seen as root causes of the MN-S governance problems. The MN-S governance documents were seen as inadequate to address important aspects of citizenship, elections and governance systems. The most frequently cited issue related to appeal mechanisms for problems related to elections, governance and citizenship. Métis citizens claimed that a lack of financial resources was a recurring issue. Another contributing factor to the problems with the MN-S was Métis citizens' lack of knowledge and understanding about MN-S governance systems and

inadequate governance documents and structures. For many Métis citizens, the most significant cause of the MN-S's turmoil is the lack of personal and professional integrity of some MN-S officials and the lack of administrative and legal controls against abuses of power at the provincial, regional and local levels. Finally, Métis people noted the inadequacy of provincial legislation to regulate and establish standards for Métis governance (15-17).

Speaking to the Métis Electoral Consultation Panel, Métis citizens reported a broad range of negative impacts, both individually and collectively, in response to the political turmoil of the MN-S (Métis Electoral Consultation Panel 2006). The pride of Métis people has been adversely impacted and a dark shadow has been cast over Métis peoples' perception of their culture and heritage. Many Métis people confessed their reluctance to participate in political, administrative and cultural activities. The MN-S governance institutions have lost the confidence of many Métis people to legitimately represent them. Many Métis people shared their view that the turmoil has limited the availability of human and financial resources for the MN-S to perform important governance and administrative functions. Métis people also shared their belief that economic and social development would be compromised, along with the future vitality of Métis communities (18-19).

It is clear that Métis people have long been calling for the federal government for their support (Métis Electoral Consultation Panel 2006, 1). I have personally observed Métis citizens organize at the community level to appeal to the federal government for intervention. I have witnessed the frustration of Métis

people with the MN-S at Métis local meetings and I've heard them repeatedly assert that the federal government should intervene and restore order. The federal government's response has followed a predictable pattern; to either refrain from becoming involved with issues that are internal to the MN-S or to cease funding arrangements, as in 2014.

Interference by the federal government in MN-S matters contravenes the right of self-determination of Indigenous peoples according to Articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples (United Nations 2008). This means the Métis Nation must resolve our own issues within our governance organizations or maintain the practice of settling our governance issues in the courts. The latter option is an inefficient use of time and resources and an ineffective means for producing lasting change. The Métis Electoral Consultation Panel findings show that resolving MN-S issues in court is a harmful course of action to the Métis community. Therefore, the Métis people of Saskatchewan must engage with the MN-S to effect lasting governance reform in a self-determining fashion.

Calls for reform have been expressed formally in the 2006 Métis Electoral Consultation Panel report, in which clear recommendations were articulated for electoral, citizenship and governance reform (Métis Electoral Consultation Panel, xix). The recommendations from the Métis Electoral Consultation Panel were sweeping and expensive. The actions recommended by the panel included the establishment of the following independent bodies: an electoral commission; a citizenship commission; an ombudsperson to settle disputes with MN-S political,

managerial and administrative bodies; and an independent mediation and arbitration commission to resolve internal MN-S disputes (Métis Electoral Consultation Panel 2006, xviii). The independence of all the aforementioned body underlines a desire for MN-S governance bodies to be fair and impartial.

The turmoil of 2004 MN-S election culminated in the cessation of federal and provincial funding, which was eventually restored following a valid MN-S election in July 2007 (Aboriginal Affairs and Northern Development Canada 2008, 17). The loss of funding also produced a late start for the registration of Métis citizens and may explain, at least in part, the disproportionate number of Métis citizens reflected in the MN-S registry. As outlined later in this chapter, the Métis citizenship registries of the four other Métis governance organizations across the Métis Nation homeland are much more representative than Saskatchewan's Métis citizenship registry.

While the work of the MN-S is, at times, regarded in the literature as an exemplar for building towards self-governance (Dubois and Saunders 2013), internal turmoil has afflicted the Métis governance organization for decades. Most recently, the Provincial Métis Council failed to hold a Métis Nation Legislative Assembly for five years (Sharpe 2016), contrary to the MN-S constitution, which directs that Métis Nation Legislative Assemblies are to be held at least twice each year (MN-S 1993). This culminated in the federal government freezing funding in 2014, which resulted in the closure of the MN-S and cessation of daily operations (Ernst & Young 2016, 6; Laskowski 2016). This issue became the focus of a Saskatchewan provincial court case, where the Provincial Métis

Council was ordered to convene a Métis Nation Legislative Assembly (Sharpe 2016).

Subsequent to the cessation of MN-S daily operations, Indigenous and Northern Affairs Canada (INAC) intervened and signed an agreement to provide funding to allow the MN-S to contract with Ernst & Young, a firm that acts as an “expert advisor” to the MN-S, coordinating Provincial Métis Council and MN-S engagement meetings to prepare for the Métis Nation Legislative Assembly, among other duties (Ernst & Young 2016, 5). One of the duties Ernst & Young performs is preserving the MN-S citizenship registry and creating an off-site back up of the registry (Ernst & Young 2016, 1).

Following a MN-S election on May 27, 2017, registration of Métis citizens resumed and funding was restored to the MN-S (MN-S 2017).

Rising Stakes

The stakes are getting higher, as the MN-S was a signatory to the Canada – Métis Accord, which was signed in April 2017 (Canada 2017a). The Accord commits Canada, the Métis National Council and its five governing members to work together on a number of policy priorities related to making social and economic improvements for Métis people. Policy priorities include education and training with an additional focus on youth; Indigenous early learning; poverty reduction; homelessness; social innovation; Kindergarten to Grade 12 education; post-secondary assistance; and supports for Métis Nation education institutions (Canada 2017a).

Many Métis will potentially benefit from the programs and services that can flow from the Accord; however, does this imply a fiduciary duty exists between the MN-S and its people? I propose that the MN-S does not currently owe a fiduciary duty to the Métis people of Saskatchewan.

In *Frame v. Smith*, the Supreme Court set out the following three-part test for the establishment of a fiduciary duty:

- Whether a person may exercise some discretion or power;
- Whether that person can unilaterally exercise that power or discretion so as to affect the legal or practical interests of another person; and,
- Whether the latter person is peculiarly vulnerable to or at the mercy of the person holding the discretion or power.

Rich and Hume (2011, 3) argue that band councils owe a fiduciary duty to band members. The first part of the test is satisfied because they exercise some discretion or power that is accorded them by the *Indian Act* and band customs. The second part of the test is met because band councils can exercise those powers unilaterally to affect the interests of band members. The final part of the test is because they exercise power over communal resources on which communities vulnerably depend.

Regarding the first part of the three-part test, while a band council exercises power over their people because they control the direction of funds to the people for necessities of life such as housing and social programs, the MN-S does not have a comparable power over the Métis. Métis people can access programs that are available to any other Saskatchewan resident. The MN-S

neither holds unilateral power over Métis people in Saskatchewan nor are Métis people vulnerable to the MN-S. In fact, there is no policy to compel Métis people to register in the citizenship registry. If a Métis person applies for the services offered by one of its affiliate organizations, such as the Gabriel Dumont Institute, they do not need to be registered with the MN-S. For example, to access its programs of the Gabriel Dumont Institute Training and Employment Selection Committee, the policy requires only self-declaration as a Métis person (Gabriel Dumont Institute n.d.).

The question of fiduciary duty is relevant because it leads to another question about whether the MN-S should be entering into agreements such as the Canada – Métis Nation Accord if it does not have a fiduciary duty to Saskatchewan Métis.

Positioning this Study

This study is intended to contribute to the body of knowledge of public policy pertaining to building capacity in Métis governance organizations. It is an important topic, as Métis governments are expected to respond to a rapidly changing public policy environment with increasing sophistication and skill that are difficult to reconcile with the present governance model, such as the volunteer nature of community-based boards that are charged with the lofty responsibility of preparing Métis communities for self-government when there are little or no means, or guidance, to equip those boards for that colossal task. As Canada contemplates its reconciliation with the Métis Nation of Canada, of which

the MN-S is a governing member, it should be in the interests of the state to build the capacity of the MN-S to rise from the margins of the political fray, where orders of government policies have historically relegated Métis governance organizations. This will allow Métis governments to assume relevant roles as participants in shaping the policies and relationships that will facilitate Métis self-governance. Canada and Saskatchewan should support a strong self-governing MN-S that is able to negotiate competently with federal and provincial orders of government on behalf of Métis citizens that feel that the MN-S represents their voice and concerns. Of course, it is important for the federal and provincial governments to play an appropriate role that supports Métis citizens taking the primary role in building a strong, stable and representative MN-S.

The terms of reference for the relationship between the Métis Nation and Canada are under construction. The policy landscape is continually changing for the Métis Nation and there could very well be a fiduciary duty in the future. This is another reason this study is relevant.

If they truly aspire to be participatory and self-determining, Métis governance organizations should allow their own citizens to criticize, scrutinize and participate in governance processes of the MN-S. In this way, Métis people can re-engage and reclaim the MN-S as the governance organization that represents the political will of the Métis people of Saskatchewan.

In summary, the focus of this chapter was to set out the background and context for conducting this study. Canadian public policies caused deleterious impacts on Métis community health, culture and cohesion. Examples of such

policies included *The Dominion Lands Act*, *The Prairie Farm Rehabilitation Act (1935)*, and the federal policy of recognizing Métis people as white individuals instead of Indigenous communities with Aboriginal rights. Establishing the background and context set the foundation for discussing the importance of an accurate Métis citizenship registry, which is a prerequisite for enacting self-governance, creating a framework for Section 35 Aboriginal rights and developing policies and processes for lawful harvesting of resources. The national and provincial structure of Métis governance organizations was reviewed, with particular attention to the MN-S governance and administrative bodies as well as affiliate organizations. The background and context established the purpose for this study, which is encompassed by the assertion that there is a relationship between the MN-S citizenship registry and the governance model and processes of the MN-S. The stakes are rising for Métis governance organizations because of potential resources that could be used to address policy priorities of the Canada – Métis Nation Accord.

To begin this work, in Chapter 2, I will describe the methods that I used to undertake this study. In Chapter 3, I will explore the literature related to the universal principles of good governance, which include legitimacy and voice; direction; performance; accountability; and fairness. I will also analyze the MN-S's governance model and documents using the universal principles of good governance.

2. METHODS

This study hypothesizes that implementing the universal principles of good governance will positively impact the willingness of Métis citizens to register in the MN-S Métis citizenship registry. I will test this hypothesis in my discussions with Métis citizens and policy experts through a mix of Indigenous and western qualitative research methods that will be described in the next section.

Methodology

In drawing on the experiences of other Indigenous researchers, I similarly approached the research with critical reflexivity or reflection, which Kovach (2009) describes as necessary in anti-oppressive and decolonizing research methods to acknowledge the politics of representation in Indigenous research (33). Kovach also underlines the importance of situating an Indigenous approach to research within the understanding of the individual researcher; this understanding is heavily dependent on the reflection of the researcher in relation to his/her academic life, community and ceremonies (2009, 71).

An important part of Indigenous research methodology is the act of the researcher self-locating themselves in the context of their research (Kovach 2009, 110). I am a Blondeau, a descendent of the historic Red River Métis. My Métis kin are the Blondeau's, the Gardipie's and the Boyer's. My father told me that my ancestors were among the first Métis families to leave Red River for Saskatchewan and settle in Fort Ellice and Fort Qu'Appelle, among other areas. Some of my ancestors have lived in Saskatchewan since before the first Riel

Resistance in 1869-70. My family also has ties to Batoche. One of the Elders in my family shared with my father an old black and white picture of my great-great-great grandfather Charles Gardipie, who fought and was wounded in the Battle of Batoche. As an Indigenous woman, I am defined by my kinship and connected to my community.

As an urban Métis woman, my family has been Catholic for many generations. Through the methodology for this research, I have endeavoured to reflect a holistic Indigenous worldview that is true to my identity as a Métis woman. I prepared to undertake the research by engaging in regular prayer, reflection, smudging and making additional efforts to focus on my relationships with people in my Métis community in the Regina and Moose Jaw areas. Embarking on a master's thesis was an isolating undertaking; therefore, grounding myself in my community was important for me. I was intentional in my efforts to immerse myself in my community, which I knew would assist me to approach this study in a manner that was holistic and respectful to my community.

I volunteered with the Moose Jaw Métis local and led the development and implementation of an online Métis community needs assessment project, which entailed assembling a small working group of Moose Jaw Métis people. Together, we developed and implemented the survey online and analyzed the data once the survey closed. I wrote a report with recommendations to the Métis local board, which was accepted and the report was posted on the Métis local's Facebook page.

I was purposeful in my visits with family members and I invited them to again tell me their stories, to which I intently listened. Since I was a child, I have always loved my family's stories about their encounters with the supernatural. There are many family stories of encounters with deceased relatives, sightings of the rougaroo, spiritual intervention in dangerous situations, ghost stories and even one story of a close encounter with an unidentified flying object. I started to write the stories down, collecting them to share with other family members. My preparations for this study involved preparing every aspect of myself: social, spiritual, mental and physical. I was intentional in my efforts to immerse myself in my community and kinship ties.

Once holistic preparations for the research were underway, I gathered background information in Chapter 1 to establish the context for the study. It was necessary to outline the way in which the Métis community governed themselves prior to effective control of the Canadian state. It was also important to explore the Métis experience with colonialism, including the impacts of Canadian public policies and racism on Métis communities. The story of Métis people is too rarely told from a Métis perspective in the public space academia affords.

Chapter 1 also presented background information on the MNC and its five governing members in British Columbia, Alberta, Manitoba, Ontario and Saskatchewan. It was particularly important to review the organizational structure of the MN-S and its governance documents, including its constitution.

In Chapter 3, I completed a literature review on the universal principles of good governance to better understand them and then I used them to analyze the MN-S's governance documents.

For approaching the introductory chapter and the literature review in Chapter 3, the primary search engines were Summon, Google and Google Scholar. I have also been an avid collector of books so I supplemented my research by drawing upon my own collection to assist me in describing the Métis experience with colonialism. The following phrases were used in the literature review: "universal principles of good governance", "good governance principles," "Saskatchewan Métis political history", "Métis governance", "Métis election", and "governance in Aboriginal organizations". My search did not find many examples pertaining specifically to Métis governance organizations. This was likely due to the recent emergence of Métis governance organizations from the margins of Canadian public policy.

In order to analyze the MN-S governance documents, I accessed the documents online on the MN-S website. The governance documents of the MN-S counterparts were accessed the websites of the Métis Nation British Columbia, Métis Nation of Alberta, Manitoba Métis Federation and Métis Nation of Ontario.

For approaching the field research, conversation was selected as the data collection method because it is aligned with Indigenous methodologies due to its non-structured method of gathering knowledge (Kovach 2009, 51). In terms of the way in which Métis people were identified for conversations, the method was personal referral, or, in western research terminology, snowball sampling. This

approach is consistent with Métis National Council criteria for Métis citizenship, which includes being part of a historic Métis community, identifying oneself as Métis and community acceptance (Métis National Council, n.d.). The community acceptance criterion is an important aspect in defining who is Métis because it underlines the way in which the Métis community knows one another.

Prior to beginning the conversations, I received approval from the University of Regina's Research Ethics Board (See Appendix 'A' for a copy of the certificate). Participants were also provided with consent forms (See Appendix 'B') that identified the purposes of the study, the rights of participants, information related to the management of the data, and contact information for my thesis supervisor and me.

Initial themes were identified from the literature review that formed chapters one and two. NVivo was used to assist with the thematic analysis. I hypothesized that there is a positive relationship between the MN-S implementing the universal principles of good governance and the size of the MN-S citizenship registry. I examined the data and coded passages that related to the universal principles of good governance. As I immersed myself in the data, I also noted themes from the introductory chapter surfaced in the conversations: colonialism, racism and reconciliation; thus, I coded data that pertained to those themes. The code names/themes I selected all seemed the most succinct in describing my data (Creswell 2013, 185-186).

Conversations were held with Métis who have not registered with the provincial registry. The conversations often began with the question, "What can

the Métis Nation – Saskatchewan do to increase its citizenship registry?” I allowed the conversations to occur naturally and I did not structure them beyond the aforementioned question because I wanted to test my hypothesis as to whether Métis citizens and policy experts would view the registry as a broader issue with the MN-S’s governance. My hypothesis reflects my perspective that the unrepresentative MN-S registry is an indicator of much broader governance issues. I operationalized those broader governance considerations through identifying universal principles of good governance to provide a definition for the concept of “good governance”: accountability, direction, performance, fairness and legitimacy and voice.

I planned to hold conversations with sixteen Métis citizens who reside in the southern and northern regions of the province. I set out to equally engage male and female participants in the study. The dividing line that I used to distinguish southern from northern Saskatchewan was the Northern Administration District. While I planned to involve an equal number of Métis citizens from each region of the province, that did not occur. I easily engaged Southern Saskatchewan Métis; however, I was not able to involve more than one Northern Saskatchewan Métis, despite repeated efforts for that person to refer me to other Northern Saskatchewan Métis people.

The Northern Saskatchewan citizen tried to be very helpful. I composed a synopsis of the study for the Northern Saskatchewan citizen to share with people they tried to engage in the study. The purpose of providing the synopsis was to assist the participant in explaining the nature and purpose of the study. I was

informed by the northern participant that the two people they approached didn't want to participate in the study because one of them was too shy and the other thought the study sounded unusual.

Conversations were held in person where possible and over the phone when meeting in person was not possible. Four conversations were held on the telephone because distance prevented in-person meetings. The remaining nine conversations were held in person, in a location of each participant's choice. In total, eight men and five women participated in the study.

All Métis citizens and Métis policy experts who participated in this study were Métis. They were invited to participate in semi-structured conversations. In the interest of maintaining the anonymity of participants, I will describe the policy experts in general terms. I chose two individuals who had extensive past experience with Métis governments, including intimate observations of the inner workings of those organizations. I also selected two experts with extensive experience in analyzing Métis policy issues.

I actively participated in all the conversations but I was most interested in focusing on the views of the participant. To bring out their perspectives, I summarized the content of conversations into condensed conversations to make prominent the voice of the people participating in this research project (Kovach 2009, 52). After conversations were summarized, they were shared with each person via email to verify that the writing accurately reflected their thoughts. I instructed each participant that they should take the liberty to modify the condensed conversation to ensure it is consistent with each participant's

thoughts and perspectives. It was important to me that the relationship with the participant was honoured and that they had ample opportunity to revise the records of each participant's conversation. I informed the participants that they were free to change the records of the conversations to more accurately reflect their views and values. While each person had the opportunity to change the accounts, only one person submitted changes to the summarized conversation record.

Each conversation was condensed and validated by the persons with whom I spoke. To familiarize myself with the data, I read and re-read the condensed conversations to ensure that I had an overall sense of the content of the conversations prior to breaking the conversations into themes (Creswell 2013, 183). Each conversation record was written on a word document and then each were inputted into the NVivo software. I then coded the content of interviews based on the themes in the literature review, which were the principles of good governance. I also identified other themes in the content of the conversations that I included in Chapter 1, which were racism and the Métis experience with colonialism. There were also the important themes of reconciliation and finances.

My thesis belongs to the Métis people of Saskatchewan. The written records of the interviews, however, shall be stored securely in accordance with Research Ethics Board guidelines. I will create an executive summary of my thesis and distribute it to the participants of the study. I plan to contact the MN-S and send the executive summary to the Provincial Métis Council to ask if I can

present my thesis to the Métis Nation Legislative Assembly. In my letter to the Provincial Métis Council, I will indicate my willingness to present my research to Métis audiences, such as the General Assembly. As much as possible, the findings will be written in accessible language to permit as many Métis people to read the thesis as possible. I will also share the executive summary with Métis social media audiences, such as the Facebook page for Moose Jaw Métis Local #160. The desired outcome of the study is for the MN-S will make changes to the implementation of governance to better align them with the principles of good governance to represent the Métis people of Saskatchewan.

Once the thesis is completed, approved and published on the University of Regina website, I will provide the web link to the thesis to Métis audiences such as my home Métis local, New Southern Plains Métis Local #160 in Moose Jaw for individuals who enjoy reading academic literature.

Limitations

There were numerous limitations related to this study. The most obvious limitation is the small sample size. Nine Métis citizens and four Métis policy experts participated in this study. Another limitation to this study is the focus on southern Saskatchewan Métis, as it was difficult to recruit Northern Saskatchewan Métis to participate. It is possible that northern Saskatchewan perspectives and experiences may differ markedly from their southern counterparts. I was only able to engage one participant from Northern Saskatchewan.

Another limitation to this study is the absence of participation from Métis governance organizations in that I had to rely on sources that were publically accessible. The accuracy of information presented by the media and other sources regarding Métis Nation citizenship registries could not be verified. Even the federal government claims not to have aggregated information on Métis registries (Government of Canada 2018), which seems odd considering they fund the registries through the Powley Initiative. I emailed two members of the MN-S Provincial Métis Council but I did not receive any responses or acknowledgements of my correspondences.

I attempted to engage the MN-S's counterparts to participate in the study but not one organization agreed to participate. Off the record, one individual cited the controversial nature of the study while another representative for an organization stated they lacked the capacity to participate in the study. The controversy lies in asking one governing member of the Métis National Council to comment on the way that another governing member could improve the performance of the MN-S's registry.

Another representative stated that since the study applied to the MN-S, they wanted to ask their elected leadership for approval to participate. In the end, I did not receive a further response from that organization. Due to my inability to include the participation of Métis governance organizations, the information I have gathered relating to the Métis National Council governing partners is limited to the information I was able to gather from websites or in academic literature.

The study is further limited in its ability to be current in a rapidly changing Métis policy landscape. For example, when I initiated this study, the MN-S citizenship registry was not operational. Registry operations resumed as I was nearing the completion of the study. While I made efforts to update my thesis to reflect current policy developments, it was a challenge to ensure that the study contemplated current issues. An example of this may include the signing of a Memorandum of Understanding on Reconciliation between Canada and the MN-S, which is possible due to similar MOUs between Canada and the MN-S's counterparts in other jurisdictions, such as Ontario (Métis Nation of Ontario 2017b).

The scope of this study was limited to the Métis National Council governing members: the MNA, MNBC, MN-S, MMF and MNO. This limitation was selected because I am a citizen of the Métis Nation Homeland³. In keeping with the right to self-determination, it is my belief that Métis governance reform should come from within the Métis Nation citizenry. This study represents my contribution to the governance reform conversation.

Future Areas of Study

The fact that the MN-S has not engaged a larger proportion of the Métis population yet is considered by the federal government a Métis Indigenous Representative Organization, calls into question the federal government's

³ Métis Nation Homeland is a term that refers to the geographical area that encompasses the three prairie provinces of Alberta, Saskatchewan and Manitoba and parts of the northern United States, British Columbia, Ontario and the Northwest Territories.

method for determining which organizations shall be accorded the status of Indigenous Representative Organizations for Métis people. While it was not the intent of this study to answer that question, future researchers should delve into this area.

It is also my hope that other Métis policy scholars across the Métis Homeland will employ their public policy expertise to study how we can strengthen and improve our governance organizations now and into the future.

3. RESULTS AND DISCUSSION

3.1 Literature Review

Edgar, Marshall and Bassett (2005) make several observations about good governance. First, the notion of governance can be understood by the way in which organizations make decisions; determine who is involved in the process; and the way in which account is rendered (4). The authors assert that good governance examines the way power is exercised, not just the results of the power (4). In order for good governance to be exercised, all of the universal principles of good governance must be present to some degree (Edgar, Marshall and Bassett 2006, 6). In exercising the principles of good governance, some principles may conflict with one another and some may overlap with one another. It is important for organizations to strive for balance in exercising the principles of good governance (Edgar, Marshall and Bassett 2006, 6).

In most countries, power is shifting from governments to the private sector and non-government organizations as governments cease delivering programs and services to citizens (Edgar, Marshall and Bassett 2006, 7). Likewise, in recent years, the policy direction of Canada's federal government has been to devolve the delivery of programs and services for Indigenous people to Indigenous governance organizations. MN-S affiliates participate in delivering services and programs, as reviewed in the introductory chapter.

In their paper "Exploring Options for Métis Governance in the 21st Century," Madden, Graham and Wilson (2005), posit five universal principals of good governance, which they claim are applicable to Métis governance

organizations: legitimacy and voice; direction; performance; accountability; and fairness (8).

The first principle I will discuss is the principle of legitimacy. There are two different aspects comprised by the notion of legitimacy; that is, internal and external legitimacy. External legitimacy refers to the moral standing of a state with respect to other states while internal legitimacy refers to the moral authority of a governing regime in relation to its citizens (Moore 2010, 143). For the Métis Nation, the concept of external legitimacy refers to the relationship between the Canadian state and the Métis Nation while internal legitimacy refers to the relationship between a Métis governance organization and the people it represents (Dubois and Saunders 2017, 890). This study will focus on internal legitimacy because it establishes a basis for the field research.

Internal Legitimacy and Voice

Sociologist John Locke is credited as initially positing the notion that political legitimacy necessitates the consent of the governed (Cushing 2003, 220-221). This concept has been applied between the Métis citizens and its Métis governance organizations (Dubois and Saunders 2017, 890) and it will be applied in this study to the relationship between Saskatchewan Métis and their Indigenous Representative Organization, the MN-S. The internal legitimacy of the MN-S is predicated on the consent of Saskatchewan Métis (Dubois and Saunders 2017, 890). One way the Métis people of Saskatchewan demonstrate consent is by providing their personal information to the MN-S and applying for inclusion in the citizenship registry. Another way in which Métis people

demonstrate consent is by participating in MN-S elections at the provincial and local levels.

The United Nations Development Program relates the concept of legitimacy to the principle of participation, which involves all men and women participating in decision-making (Madden, Graham and Wilson 2005, 8). This notion also incorporates the idea of an authority's ability to mediate various interests to reach a broad consensus for the best interest of the population it represents (Madden, Graham and Wilson 2005, 8). Affirming the internal legitimacy of Métis governments necessitates the grassroots participation of Métis communities to inform Métis government organizations of Métis community perspectives, issues, challenges and positions to ensure that the MN-S is legitimately representing the voices of Métis communities. This concept is consistent with the federal policy on self-governance, as it states that the bodies representing the population must be mandated to represent them (Indigenous and Northern Affairs Canada 2016). This section of the federal policy recognizes that parties negotiating on behalf of Indigenous communities must be accorded internal political legitimacy by the communities they represent.

In terms of the degree to which the MN-S currently represents Saskatchewan Métis, a media source reports that only 3,500 (Benjoe 2016) of 57,880 Métis people (Statistics Canada 2016) have registered in the MN-S citizenship registry. The low number of Métis citizens registered could be the result of the documented lack of capacity to operate and maintain the registries (Aboriginal and Northern Affairs Canada 2013, 33) and the late start registering

MN-S citizens as a result of the withdrawal of federal and provincial funding following the controversial 2004 election (Aboriginal Affairs and Northern Development Canada 2008, 17); however, another reason to explain the lack of Métis people in registering may be the damage to the internal legitimacy that has impacted the confidence of Métis people for the MN-S to represent the voices of Métis communities.

In the experiences of Saskatchewan's Métis, MN-S controversies are not new phenomena. Following the controversial 2004 MN-S election, the Métis Electoral Consultation Panel (2006) spoke to Métis people across the province and gathered perspectives on the MN-S electoral, citizenship and governance systems. Métis citizens indicated they felt the legitimacy of Métis governance was damaged by the political turmoil and also threatened the MN-S's relationship with various orders of government and the general public. Métis people who were consulted also reported negative effects to the pride of Métis people and some stated they found it difficult to celebrate their citizenship and heritage because of the issues with the governance systems of the MN-S. Those consulted also reported that Métis participation in cultural, political and administrative activities has also been reduced. Some citizens shared their perception that qualified and ethical Métis citizens would avoid becoming involved with the MN-S because of its governance problems. Métis people also stated they thought the governance problems would affect the wellbeing of families and communities in terms of economic development, social development and vitality of the Métis Nation. They further felt that the Métis Nation was

stigmatized because of the governance problems of the MN-S (Métis Electoral Consultation Panel 2006, 18-19).

The decades of internal political turmoil of the MN-S may have disaffected many Métis citizens from associating with the Métis governance organization. I conclude that the political turmoil has made a significant impact on the internal legitimacy of the MN-S and it is one of the reasons that the MN-S registry represents such a small fraction of the Métis population in Saskatchewan.

Political Legitimacy of Métis Governments

As previously mentioned, the MN-S is a governing member of the MNC, along with its provincial counterparts in British Columbia, Alberta, Manitoba and Ontario. The following is a review of the political legitimacy of MN-S's provincial counterparts as indicated by accessible information regarding the number of Métis citizens in the citizenship registry.

Statistics Canada does not define Métis in its definition of Aboriginal peoples; instead, it references, "...First Nations (North American Indian), Métis or Inuk (Inuit). These are the three groups defined as the Aboriginal peoples of Canada in the Constitution Act, 1982, Section 35 (2)" (Statistics Canada 2016). Census 2016 enumerated 120,585 Métis in the province of Ontario (Statistics Canada 2017), making Ontario the province with the most Métis citizens. The Métis Nation of Ontario (MNO) has accomplished a fair amount in the area of Métis aboriginal harvesting rights. This Métis governance organization was involved in the Powley case and the membership is proud the MNO's accomplishments (Métis Nation of Ontario n.d.). The MNO was the first Métis

government in the Métis Homeland to sign a harvesting agreement with the Province of Ontario in 2004, which authorized the MNO to issue a maximum of 1250 harvesting cards each year (Métis Nation of Ontario n.d.; Métis Nation of Ontario 2011, 20).

The MNO separates its harvesting program from its citizenship registry, as it claims to have an objectively verifiable citizenship registry of over 18,000 Métis citizens ages 16 years and older (Métis Nation of Ontario n.d.), which is roughly 15% (14.9%) of the population identified in Census 2016.

Manitoba's Métis population was enumerated at 89,360 in the 2016 Census (Statistics Canada 2017). A recent media report put the number of registered members at 22,000 (CBC News 2017), which is approximately one quarter (24.6%) of the Métis population in Manitoba.

Alberta has the second-largest Métis population among the provinces with 114,375 Métis people enumerated in the 2016 Census (Statistics Canada 2017). The Métis Nation of Alberta website claims its membership exceeds 30,000 Métis (Métis Nation of Alberta 2018), which is more than a quarter (26.2%) of the Métis population in that province.

Alberta is unique among its MNC counterparts in that it is the only province with a Métis land base in the MNC Homeland consisting of eight Métis settlements (Alberta 2017). The Métis settlements are governed by the Métis Settlements General Council, pursuant to provincial legislation (Alberta 2000).

The Métis population in British Columbia is 89,405 (Statistics Canada 2017). As of December 2017, the MNBC has registered over 17,000 Métis

citizens in British Columbia (Métis Nation British Columbia 2017). The citizenship registry represents 19% of the Métis population in British Columbia.

There is good evidence for the internal political legitimacy of the MN-S's provincial counterparts and registration efforts continue to be implemented. The MN-S has reportedly registered 3,500 Métis people (Benjoe 2016) compared to a Saskatchewan Métis population of 57,880 reported in Census 2016 (Statistics Canada 2017), which represents 6% of the Métis population. The MN-S citizenship registry does not provide strong evidence for internal political legitimacy. The internal political turmoil of the MN-S may have impacted on the trust between Métis citizens and the MN-S.

Trust

The Organisation of Economic Cooperation and Development (OECD) is an international organization that serves as a forum for countries to exchange information on policies that promote the economic and social well-being of people around the world (OECD 2018). The OECD released a report in 2017, *Trust and Public Policy: How Better Governance Can Help Rebuild Public Trust* (OECD 2017). I propose that the recommendations can apply to Métis governance organizations, such as the MN-S. Trust is foundational to social and economic interactions in society (OECD 2017, 18). It also has implications for the principles of good governance. The concept of trust encompasses notions of competence and values (OECD 2017, 11). Competence requires the capacity for a governance body to carry out its mandate and includes the concepts of responsiveness and reliability (OECD 2017, 22). Values, in turn, guide the

behaviours and actions of a governance body, which encompasses citizens' expectations of governance bodies to behave in ways consistent with openness, fairness and integrity (OECD 2017, 12).

The OECD identifies four policy levers that governance bodies can enact to restore the trust of the public: defining and adhering to integrity principles; seizing opportunities to demonstrate integrity in practice; political leaders leading by example; and ensuring common standards and behaviours at all levels (OECD 2017, 12). Appropriate use of public money is also a factor in building trust (OECD 2017, 12-13).

The political levers to restore trust overlap somewhat with the universal principles of good governance; however, they demonstrate that when trust declines between a governance body and its citizens, it can be rebuilt.

In summary, internal political legitimacy necessitates the consent of the governed (Cushing 2003, 220-221; Dubois and Saunders 2017, 890). For the purpose of this study, one indicator that can be used to measure the political legitimacy of Métis governance organizations is the number of Métis citizens who register in one of the Métis citizenship registries in British Columbia, Alberta, Saskatchewan, Manitoba and Ontario. Saskatchewan appears to have the least amount of Métis citizens registered compared to its MNC governing counterparts. Related to the concept of internal legitimacy is trust, which I propose affects the political legitimacy for Métis governance organizations. Now that political legitimacy and voice has been discussed, I will discuss the principle of good governance, "direction".

Direction

The direction of an organization encompasses the notion of strategic vision and a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development (Madden, Graham and Wilson 2005, 8). This vision includes an understanding of the historical, cultural and social complexities in which that perspective is grounded (Madden, Graham and Wilson 2005, 8). Direction or leadership tends to derive from adherence to common culture, community identity and the promotion of collective well-being (Madden, Graham and Wilson, 2005, 10).

The MN-S constitution enshrines the governance organization's strategic direction (Métis Nation-Saskatchewan 1993). According to the MN-S, the objectives of the governance organization are the political, legal and constitutional recognition and guarantees of Métis Aboriginal rights, including the right to a land and resource base, self-government and self-government institutions. Article 13 of the constitution, titled, "Métis Independence", identifies the objective of the MN-S as the establishment of a third order of government in Canada.

As mentioned in the introductory chapter, the MN-S constitution directs locals to prepare the communities for self-governance. This is a very vague directive for Métis locals that seems unrealistic for several reasons. First, the governing boards of Métis locals are voluntary and a very high level of skills, abilities and knowledge are required to begin preparing locals for self-government. Second, from examining the constitution, the MN-S legislation and

website, it doesn't appear that the MN-S has a strategy for supporting its locals to set up and implement self-governance. The locals are left to solve the puzzle of how to enact self-governance.

Actions supporting the direction of self-governance have been carried out at the national level, such as the recent signing of the Canada-Métis Nation Accord (Canada 2017a), to which the MN-S was a signatory. While it is strategic for the MN-S to partner with the MNC and the other governing members to sign the Accord, it remains to be seen how self-governance actions at the national level have any real effect at the local level. This demonstrates a disconnection between the direction provided by the constitution and the strategic activities of the MN-S with Métis communities.

As previously stated, the role of regional representatives is to represent the local presidents on the Provincial Métis Council. The MN-S constitution states that the regional representatives receive their direction from the local presidents in their region. At the regional level, the way that regional representatives are selected by ballot in the provincial election; however, it is difficult to see the benefit of having the electorate determine the regional representatives when the direction of regional representatives is provided by regional presidents. The performance of regional representatives depends on the extent to which they have represented the regional presidents at the provincial level. In terms of ensuring direction supports a Métis community orientation, it makes better sense if regional presidents selected the regional representative based on the candidate's ability to effectively implement the

direction from presidents. This change in the constitution would also fortify the policy direction for a grass-roots/Métis citizen-directed MN-S.

This section defined the principle of “direction” and discussed the origin of the MN-S’s direction. It appears that the direction of the MN-S is derived from its constitution and the direction determined at the national level, as exemplified in the signing of the Canada – Métis Nation Accord. Community informed direction could be better supported by the selection of regional representatives by local presidents. While this section deals with the origin of the MN-S’s direction, the next principle that will be discussed is “performance,” which will describe the way in which an organization’s direction is carried out.

Performance

In defining the concept of performance, Madden, Graham and Wilson incorporate the United Nations Development Program (UNDP) principles, which include effectiveness and efficiency in achieving results that meet needs while making effective use of resources (Madden, Graham and Wilson 2005, 8). Métis governance organizational performance must also consider its responsiveness to the interests of citizens or stakeholders (Edgar, Marshall and Bassett 2006, 5).

Standards for responsiveness are outlined in the MMF’s bylaw amendment procedures, as described in Article 14 (Manitoba Métis Federation 2014). There is a process with timelines for receiving proposals for amendments from the local level to the regional council and then from the regional council to the provincial board. There are also communications standards articulated for decisions that

are considered and either accepted, modified or rejected by the provincial board. Amendments that are accepted by the board are then sent to the Annual General Assembly or extraordinary general assembly, at which 60% of attending members must vote in favor for the amendment to pass. If the board rejects proposals for amendments then a letter explaining the decision is sent from the board to the regional council, which is expected to communicate the decision to the local that initiated the proposal.

The literature asserts that performance of a system of governance should be “non-political” in the sense that it is based on universally accepted principles (Anderson 2015, 3) and the separation of administration and politics should be a clear dichotomy; however, Graham (2006) argues that this separation is too simplistic in the context of Indigenous governance organizations (2).

The separation of politics and administration can be problematic generally with Indigenous governance organizations, and with First Nations in particular, because elected leaders are often viewed as the legitimate parties to make decisions on behalf of the people (Graham 2006, 5). In the case of the MN-S, this argument is difficult to apply when a small proportion of Métis citizens are engaged with the MN-S when using participation rates in the 2017 MN-S election and the MN-S citizenship registry. Approximately 5,000 Métis citizens participated in the 2017 MN-S provincial election (Giles 2017) and roughly 3,500 people are registered in the citizenship registry (Benjoe 2016) compared to the 57,880 Métis citizens in Saskatchewan that are reported in Census 2016 (Statistics Canada 2017). In fact, Graham’s argument against separating politics

and administration does not apply to the MN-S because of the negative impact on the Métis collective psyche due to controversies with MN-S governance (Métis Electoral Consultation Panel 14).

MACSI's 2004 issues highlighted by the Provincial Auditor demonstrates a relevant example of issues that have arisen with the removal of the distinction between governance and administration. In 2004, MN-S affiliate MACSI was shown to have expended funds improperly because of a lack of effective governance (Saskatchewan Provincial Auditor 2004, 89) and a number of governance issues were raised by the Provincial Auditor, one of which was the transfer of cheque-signing authority from the executive director to four executive board members (Provincial Auditor 2004, 91). This led to a number of inappropriate expenditures by executive board members, including executive board members authorizing cheques to pay themselves \$76,000 for contracted labour as well as assuming executive director and other management duties (Provincial Auditor 2004, 91) and issued payments for renovations that were not completed (Provincial Auditor 2004, 92). Eventually, fraud charges were laid against two MACSI board members and a professional and non-political board was put in place (Haight 2008).

Another reason to maintain the separation of governance and administrative elements with respect to the MN-S and affiliates is because the nature of the relationship between the MN-S and its constituents is quite different from First Nations, Chiefs and Councils. If they want to receive government funding to deliver a program or service, Métis locals can register as non-profits

that are governed by boards (Métis Nation – Saskatchewan 1993) or the services are devolved to the MN-S and its affiliates from government such as those outlined in the introductory chapter. These relationships are guided by the terms and conditions of funding agreements, such as the one between MACSI and the Ministry of Health to deliver addictions services (Provincial Auditor 2004, 83).

The same year the Provincial Auditor's report into MACSI's misuse of funds was released, the MN-S held a controversial election (Métis Electoral Consultation Panel 2006), which resulted in the loss of government funding and the last provincial consultation of Saskatchewan Métis people. Métis people clearly informed the Panel of the policy direction for their governance institutions. Métis people called for the establishment of an independent and impartial Métis elections and reforms commission, an impartial and independent Métis citizenship registration office, and one or more independent and impartial offices to perform managerial, administrative and judicial functions and an independent Mediation and Arbitration Commission to hold hearings and decide on various types of internal MN-S disputes, including those from regional and local MN-S organizations (Métis Electoral Consultation Panel 2006, xvi – xviii). It is clear that Saskatchewan Métis people want the clear separation of administrative and governance functions. One cannot maintain the confidence of Saskatchewan Métis citizens if they perform administrative and governance duties.

Policies and procedures that guide the performance of the MN-S Secretariat appear to exist (Aboriginal Affairs and Northern Development Canada 2013, 55); however, they are not accessible on the MN-S website. It was not

possible to explore whether there are polices that deal with the separation of governance from administrative functions.

The context for Saskatchewan Métis and the MN-S contrasts markedly with the essential social and economic services that are delivered to First Nation citizens by their Chiefs and Councils in the context of a First Nation community; therefore, Graham's argument against the separation of governance and administration in Indigenous governance organizations does not apply to the Métis Nation.

Another issue pertaining to performance is the lack of evidence related to strategic planning on the MN-S website. Strategic plans that are accessible to the public would be helpful to assess the performance of the MN-S. If standards that characterize the effective performance of governance bodies are not articulated, particularly for the Provincial Métis Council, it is difficult to evaluate the performance of the MN-S. There are no performance reports included on the MN-S website. Métis citizens do not appear to be privy to the activities performed by the MN-S. The Provincial Métis Council posts online its meeting notes; however, this is not a clear indication of the performance of the MN-S bodies because the minutes convey minimal information about decisions and actions undertaken by the Provincial Métis Council.

Professional development is closely related to the principle of performance. It was not possible to engage MN-S representatives in this study, as outlined in Chapter 3 under "Limitations"; therefore, it is not known whether the MN-S bodies participate in professional development to assist them to carry

out their mandates given to them by their communities and the MN-S constitutions. Professional development is important to build the competencies of the MN-S to meet the high level of skills, abilities and knowledge that are required to navigate the federal and provincial political landscape, develop strategic plans that move the Métis government closer to its goals, and measure performance to inform planning and guide implementation. A related principle is accountability, which can be defined as a mechanism that ensures that actions that are executed by a governance organization are those that should be undertaken and it entails a responsibility between the governance organization and citizens (Ferlandino 2008, 45).

Accountability

Accountability is a well-established principle of good governance (Madden, Graham and Wilson 2005, 8; Ferlaino 2008, 46). Good governance requires accountability between individuals in power and those whose interests the governance body represents (Edgar, Marshall and Bassett 2006, 5). Transparency is another element that comprises the principle of accountability (Edgar, Marshall and Bassett 2006, 5; Graham, Amos and Plumtre 2003, 3; Ferlaino 2008, 72). Accountability can be described in the context of the relationship and expectations between those in power and those served (Edgar, Marshall and Bassett 2006, 16).

There is some language around accountability in the MN-S constitution. Article 13 states that the MN-S will be accountable to the Métis communities through the Métis Nation Legislative Assembly, which only occurs twice each

year. Unfortunately, outside of the Métis Nation Legislative Assembly, there are limited means to hold elected officials accountable and the assemblies are not always called according to the requirements set out in the MN-S constitution (Sharpe 2017).

A few of the MN-S policy documents contain clauses that support accountability. Clause nine of the Métis Nation Legislative Assembly Act identifies reports that must be prepared for Métis Nation Legislative Assemblies, which are held twice each year. Reports to be prepared include those from executive members, regional representatives, Métis Women of Saskatchewan, ministerial, MN-S affiliates, Provincial Métis Youth Council, and the Senate. Unfortunately, there is no elaboration about reports in terms of using the reports to communicate progress on the strategic goals of the MN-S. This would be an enhancement to the legislation in support of clear standards for accountability; however, the Métis Nation Legislative Assemblies are scheduled to occur twice a year. In the interest of openness and transparency, the aforementioned reports could be posted on the MN-S website and updated on a more frequent basis to keep Métis citizens informed of the MN-S's activities and progress.

There is a level of transparency for the expenditure of funding the MN-S receives, as financial reports are available on the MN-S website and Provincial Métis Council meeting minutes are also posted on the MN-S website; however, minutes bear minimal details regarding actions and decisions taken by the provincial body. The act of posting these records on the website has likely not quelled calls for accountability from Métis citizens.

Standards are high for MN-S senators. Section 6 of the Métis Nation of Saskatchewan Senate Act outlines criteria for the removal from office of senators that violate sections of that particular Act. It is unusual that senators would be held to a high standard of behaviour yet no such clause is present in the constitution or any other governance document for the removal of elected officials.

The MN-S's counterpart in Manitoba has accountability requirements in the MMF constitution (Manitoba Métis Federation 2014). Article 1 describes one of the objects of the MMF as providing accountable governance using the constitutional authorities delegated by MMF members. The MMF makes its board members accountable through Article 9, which allows for the removal of board members under two conditions: for exhibiting behaviours contrary to the objects of the MMF and bringing the governance organization into disrepute. Article 12 of the MMF constitution establishes accountability for the MMF board to report its activities for the year to its membership at the Annual General Meeting. Financial records are also shared at this meeting.

It is clear that there are several opportunities to improve the accountability of MN-S elected officials. Accountability can be improved by better articulating reporting requirements at Métis Nation Legislative Assemblies, increasing the frequency of reports for each MN-S body and by making elected officials accountable for behaviour that is harmful to the objects and reputation of the MN-S. Accountability should be balanced with fairness, which is the next principle I will discuss.

Fairness

Fairness is a principle of good governance that encompasses the notion of the rule of law and the value of equity (Edgar, Marshall and Bassett 2006, 5; Madden, Graham and Wilson 2005, 8).

In the context of the MN-S, the application of the rule of law should subject every elected leader to the same standard; however, it appears that MN-S senators are subject to a higher standard than elected officials. Articulating a code of ethics for elected leaders could serve to establish standards for behaviour guiding the conduct of Métis officials. A code of standards would have to be linked with mechanisms to ensure the principle of fairness is upheld.

To enact the principle of fairness, processes and mechanisms need to be developed to promote the stable and fair operation of the MN-S. Article 29 of the Métis Nation of Alberta bylaws describes the Métis Judiciary Council, which is endowed with authority to resolve issues and disputes, including conflicts of interest and conducting reviews (Métis Nation of Alberta, n.d.).

A judicial body with powers to rule on governance issues would have been helpful for the MN-S when the Provincial Métis Council failed to call a Métis Nation Legislative Assembly for five years due to internal conflicts. Métis citizens requested such a body during provincial consultations held by the Métis Electoral Consultation Panel (Métis Electoral Consultation Panel 2006, xvi – xviii). The judicial body should rule on matters that are raised regarding MN-S Secretariat matters as well, as the current process of obtaining 250 signatures pursuant to *The Métis Act* (Saskatchewan 2002) makes it difficult for Métis people to raise

matters related to the Secretariat's operations. This would obviously require amendments to *The Métis Act* (Saskatchewan 2002)

While the MN-S is lacking operational procedures and decision-making structures that promote the principle of fairness, there has been the recent amendment to the constitution to settle disputes on an individual level (Ernst & Young 2017, 13-14). While this is an encouraging development, this body does not appear to rule on matters related to governance.

It can be argued that equity is reflected to a degree in the MN-S constitution, which places importance on the role of women, youth and elders in the MN-S through the inclusion of women and youth representatives on the Provincial Métis Council. Métis woman and youth are also represented through the establishment of Métis Women of Saskatchewan and the Provincial Métis Youth Council.

In summary, a code of ethics for elected members would provide a standard to which elected leaders would be subject. An independent judicial body for resolving governance issues would assist the MN-S to sort out issues internally without involving the courts.

Conclusion

The universal principles of good governance were used to analyze available evidence related to the MN-S governance documents and highlight areas that could be strengthened. To review, the universal principles of good governance are legitimacy and voice, which I separated into internal legitimacy

and external legitimacy and I included the notion of trust; direction; performance; accountability; and fairness.

I expect that a number of factors discussed in this chapter will arise in conversations with Métis citizens and policy experts in the field research portion of this study, as I believe that more Métis people will register as Métis citizens if the governance is improved.

3.2 Conversations with Métis People: Citizens and Policy Experts

Participants were asked what would incentivize Métis people to register with the Métis Nation – Saskatchewan (MN-S). While I asked about the registry in particular, in all cases, participants spoke more broadly about improving aspects of governance. Four participants situated their perspectives in the context of colonialism. A discussion on the study findings will be presented in the same manner and then move on to findings as they relate to the universal principles of good governance as well as other themes raised by participants.

Colonialism

Four participants spoke of the historical, political and social events that explained the social location at which the Métis Nation is situated today in society. The struggle to defend the Métis land base, which culminated in the Riel Resistances of 1870 and 1885, were critical in explaining present challenges confronted by Métis communities. Several participants spoke of the genesis of Canada and the subsequent displacement and dispossession of Métis people

through the implementation of the scrip process. The federal government enabled banks, government officials and other speculators to become wealthy at the expense of the dispossessed Métis while acquiring land for the Dominion of Canada.

The result of this dispossession and subsequent systemic marginalization was devastating to Métis cultural continuity and community cohesion. A policy expert described the way in which Métis communities went underground after 1885 just to survive because Métis people were viewed as traitors that had no value. Métis families had to disperse because of great hardships at the hands of settlers, as Métis people were pursued on horseback and murdered. Métis people ended up on the road allowances, the sex trade, and there was a lot of internalized violence in many families, with many women and children on the receiving end of that violence. The participant described that following the events of 1885, their family troubles started, with family members spending time in prison for crimes they committed. Following incarceration, it was difficult for this individual's family member to reintegrate with society because they could not resume the livelihood they practiced prior to their incarceration.

Many Métis people went underground with their Métis identities just to stay alive and keep their families safe. The impact this had on Métis families was that family stories and traditions were often not passed down to the next generation. One Métis policy expert stated that this experience applied to southern Métis because the northern Métis fared a little better compared to the Métis in the south. In my conversation with the lone northern Métis participant, the participant

was surprised to learn of the historical marginalization of southern Métis in Saskatchewan and the phenomena of families “going underground” with their Métis identities.

The racism experienced collectively by Métis people was internalized in many southern Saskatchewan Métis families. Métis culture and heritage became stigmatized. One participant spoke of white-skinned privilege that applied to some Métis that assisted in concealing their Métis identity and “pass” as white. Three participants described that they were not brought up in the Métis culture and that their Métis identity was not openly discussed with their family members. Other participants recollected their childhood perspective that the last thing people wanted to be was Métis.

As the participation rate of Métis in MN-S elections is relatively low, one participant surmised that racism might be a reason people aren't participating in the Métis political activities, such as voting. Speaking of Métis people in this person's community, the participant noted the prevalence of apathy and shame and suspected that the origin of these attitudes may be the disconnection of the Métis community from Métis culture.

Reconciliation

Themes of reconciliation were highlighted in conversation that extended beyond the Indigenous – Canadian state dichotomy of reconciliation. A policy expert shared that Métis people in the south started coming out from “underground” to tell their stories in the 1960s through the 1980s. This participant also described the way in which generations are now recovering their

stories and traditions and teaching them to their children. This is a reconciliation of Métis people with their own culture. Another participant was encouraged by contemporary Indigenous peoples' pride in their First Nations, Métis or Inuit heritages compared to the past. This person noted there is a much more accepting environment toward Métis culture now compared to the hostility that characterized the times in which the participant was raised.

Another participant surmised that before there could be reconciliation, there needs to be restoration in Indigenous communities. This observation makes sense because of the devastation to Métis communities and cultures. The notion of reconciliation must encompass healing generations of Métis community wounds.

A policy expert proposed that there is a need for reconciliation in Métis communities to heal the devastation caused by colonial efforts to marginalize Métis communities. The same participant proposed the notion that the registry has implications for reconciliation, such as welcoming back Métis people and families who had previously gone underground. The participant noted that these efforts would involve welcoming back people to traditions, customs, practices and language. The participant also asserted there is a need to encourage Métis people who still have cultural stories to share them with the rest of the Métis community. The policy expert added that one of the unintended effects of the registry to Métis communities could be encouraging Métis families to reconnect and recover Métis identity. The participant also acknowledged that this would

require effort at the individual level to recover cultural knowledge that was lost or forgotten.

A policy expert proposed that reconciliation included the challenge to reconcile Métis people to First Nations people. The participant indicated this division was created by the *Indian Act* and its many amendments, which divided families by creating different categories of Indigenous peoples. The policy expert also added that reconciliation includes the notion of Métis being Indians, as many Métis are adamant that they are not Indians.

Reconciliation also encompasses restoring the sense of Métis community and the language of Michif, as well as connecting with our lost culture as Métis people in terms of the story-telling, the jigging, the music, dancing, and beadwork. The policy expert observed that if Métis people recover those traditional values, traditional teachings of *wahkotowin*⁴, they could see others as family and connect and reconcile with others again.

Universal Principles of Good Governance

Accountability

The principle of accountability was important to a significant proportion of participants. Two of the four policy experts and one Métis citizen noted that the area of accountability is important for the MN-S to improve in this area because the participants stated their belief that there currently was a lack of accountability to the Métis people of Saskatchewan. Another policy expert noted there is no

⁴ “Wahkotowin” is a Cree concept that refers to the notion that everything is related.

way to hold accountable the regional councils. There are no bylaws or subsections to hold people accountable for their actions.

One Métis citizen surmised that instituting pay at every level of governance might improve the MN-S's accountability. The participant also asserted that accountability is necessary condition for restoring people's trust in the MN-S.

Direction

The other issue highlighted by two policy experts and a Métis citizen is that direction is supposed to originate from the Métis community. Another participant opined that the direction of the MNS was largely set by court decisions and programs that the federal government established. The participant felt that the MN-S too often takes direction from government when there is money.

A policy expert noted that Métis leaders are not consulting the community on policy positions to inform their discussions with federal and provincial government officials. Community members should be telling presidents and presidents should be conveying their community perspectives to regional councils. In turn, perspectives from regional councils are supposed to be taken to the provincial level on the PMC.

Another policy expert advised the harmonization of decision-making at the provincial, regional and local levels and the establishment of processes to ensure that Métis citizens are providing broad direction to the provincial PMC. This participant also noted that while the Métis Nation Legislative Assembly is

supposed to be the ultimate authority of the MN-S, there no way for it to implement its role as the ultimate authority unless the PMC approves it. The policy expert advised that Métis community members could have a more significant voice if the regional councils were accorded a more prominent role.

It was also noted that the direction of the MN-S is dependent on the quality of the people who assume leadership. In order to engage the Métis community of Saskatchewan, another policy expert stated that the Métis community needs to be reached at a variety of levels in the most personal methods possible in order to inform an action plan for the MN-S.

A policy expert highlighted the need for Métis leaders to engage with their respective communities to allow them to attend meetings armed with strategic plans that were informed by their community.

Fairness

A policy expert indicated there is presently no way to remove area representatives if they are not implementing the direction of their regional councils. Neither is there a judicial body to ensure justice and fairness. The point was raised by several participants that at one time, the Senate had judicial functions and the power to remove people from positions; however, for reasons they admittedly did not know, participants stated they believed the Senate no longer exercised those powers.

Another issue that was raised is the need to establish standards for leadership. One policy expert proposed that a code of ethics should be in place for elected leaders with consequences in instances where the code of ethics is

breached. A Métis citizen stated that the code of ethics should not only apply to elected leaders but to all people who attend meetings because of the often chaotic nature of Métis local meetings, such as shouting, intimidation tactics and chair-throwing. The intended effect of applying a code of ethics to all Métis people attending meetings was to ensure that meetings were run in a respectful and orderly manner, which was most often not the type of conduct that the participant observed in Métis community meetings.

A Métis citizen mentioned the need for culturally appropriate dispute resolution mechanisms. This participant cited the effective role of an Indigenous Elders panel in settling disputes at a college in Alberta.

A policy expert indicated their frustration that prior to a recent Métis Nation Legislative Assembly, there was not an address for submitting letters of complaint. This would be a necessary aspect of ensuring that fairness could be determined in situations of conflict.

Legitimacy and Voice

Internal Legitimacy

The internal legitimacy of the MN-S needs to be strengthened to allow the MN-S to develop a relationship and regain trust with Métis people in Saskatchewan. Most citizens and policy experts stated that the MNS has lost Métis citizens' trust over their conduct in past years. A policy expert noted that the Saskatchewan Métis has not had a clear compelling voice for the past 20 years because of the organizational instability and in-fighting.

Two Métis citizens expressed their belief that the numerous court cases to settle disputes among factions of the MN-S portrayed Métis people negatively in the public view and they themselves felt ashamed. One Métis citizen stated they believed that the repeated court cases in the media collectively wore on the Métis population due to the negative nature of media coverage.

Despite the negative impact of news headlines about the MN-S regarding the numerous controversies over the decades, most participants indicated they thought it was possible for the MN-S to restore the trust of the Métis people of Saskatchewan. One Métis citizen noted that although it was possible, it would likely be a long-term effort. As one Métis policy expert stated, "...the wounds run deep for generations with the Métis." A Métis citizen expressed their apprehension that the MN-S's conduct reflected badly on the Métis people in Saskatchewan and shared their fear that the MN-S office could close again.

Another persistent theme in conversations with participants was the need for the MN-S to engage directly with the population it represents. Three participants mentioned the importance of the MN-S connecting with Métis communities to conduct needs assessments for all the locals across the province. Métis citizens must be asked to identify their needs at the local level. Once needs are known, then the MN-S can fill those needs. A participant stated their view that this kind of engagement would serve as an incentive for people to become involved in their Métis locals.

A policy expert cited the lack of consultation with the Métis community to develop policies at the community level and then take those policies into policy

discussions. This is a theme that relates to legitimacy, as Métis leaders should carry their community's perspectives into meetings so they are not representing themselves, but the community they represent.

A policy expert stated there was no formal mechanism for Métis people at the grass-roots level to communicate with the MN-S at the provincial level. They indicated that this is supposed to happen through citizens making their views known through presidents, who bring their community's perspectives to regional councils, which then inform regional representatives who are members of the Provincial Métis Council; however, the participant indicated their view that this does not happen on a consistent basis.

Another Métis citizen agreed that trust has been damaged between the MN-S and Métis people and proposed a way to mend relations was for provincial level leaders to become more involved in community level events. The participant viewed the involvement of provincial leaders as crucial to the Métis community's healing and development. Similarly, another Métis citizen stated they would like to see locals assume a more active role in and reach out to Métis community members. Another Métis citizen wondered why the MN-S does not engage young people who access MN-S affiliate programs. This participant highlighted the importance of engaging the youth "...because old people do not change."

The one Northern Saskatchewan Métis participant had a very different view of the MN-S. This participant affirmed that in the north, the MNS is very involved with the community whether there is agreement between community

members or not. In the view of this participant, the MN-S's presence was characterized as consistent.

Three participants specifically mentioned that building trust was necessary for building an accurate registry of Saskatchewan Métis citizens. In the view of a policy expert, they also asserted that making structural change and building a good reputation are also needed. This would be initiated through trust building at the community level that includes engaging Métis people using a more hands-on approach consisting of a range of interactions from focus groups to sitting around kitchen tables with people to ask them what they need. The policy expert also indicated that a range of participants would have to be engaged, such as youth and elders as well as individuals who normally do not engage with the MN-S. The engagement would form the basis of an action plan.

A participant stated that the MN-S needed to build trust and relationships with Saskatchewan Métis. Another participant indicated that they felt distrust in the elected representatives of the MN-S and this distrust made them not want to be involved in the political activities of the Métis community. Another Métis citizen stated that the grass-roots Métis people need an incentive to re-engage with the MN-S.

The MN-S's organizational instability was also frequently referenced by participants. This is evidenced at the community and provincial levels. Some participants expressed they thought that the organizational stability of the MN-S was dependent on the quality of the people who were elected.

A Métis citizen shared their observation of community meetings, in which there is often a lack of order with factions against one another. The participant asserted that order needed to be exercised throughout the whole MN-S, at the local level, regional level and provincial level. A few participants expressed fear that the MN-S would again have its funding cut off and then demonstrated concern that there would be no representatives for Saskatchewan Métis.

Two participants noted that the in-fighting and financial controversies deterred people from being involved with the MN-S. One participant noted that the in-fighting that is observed among the MN-S is an extension of the in-fighting between Métis families. A policy expert asserted that for the MN-S to build itself from the grass-roots up entails engaging and empowering people to be involved in their local in a meaningful way. The policy expert added that efforts to build a registry must begin with examining the governance model of the MN-S and building up the locals and the regions.

Two participants raised the issue that the registry was not operational for a period of time because of the organizational instability. The organizational instability is one of the most serious challenges to the MN-S because it is not a united organization and its elected leaders keep taking each other to court, which does not inspire the confidence of Métis citizens. There is a need for the MN-S to stabilize its governance and develop some collegiality among elected leaders within the province.

Performance

All participants expressed that the performance of the MN-S leaves much room for improvement. As a policy expert noted, the performance of a body at one level impacts on the performance of another level. For example, presidents' performances affect the performance of the area representative. Other participants noted the MN-S appeared to be very disorganized due to unresponsiveness to queries about the status of registry applications.

A policy expert observed that prior to a then-recent Métis Nation Legislative Assembly, there weren't avenues for communications established between the Provincial Métis Council and Métis citizens that would permit the submission of issues or proposals for consideration in the Métis Nation Legislative Assembly agenda. A policy expert with intimate knowledge of the processes around the organization of legislative assemblies stated that if the Provincial Métis Council did not want to deal with the issues that were submitted to them, they would not forward those issues to the legislative assembly for discussion.

A participant noted that board training might be helpful for assisting boards to improve their performance. Several participants noted that poor performance is indicated by the number of registries that have been attempted over the years, with those efforts being separate from one another and lacking continuity to link efforts to establish registries. According to a policy expert, improving the registry starts with going back to basics and building up the locals and the regions and empowering people to be involved at the local level. Four participants noted that

poor performance in implementing the registry was the primary reason for the small number of citizens represented in the registry.

Several participants noted personal examples of applications being lost in the mail and one participant reported that they witnessed registry staff failing to match applicant pictures to the correct applications. Another participant deemed the communications strategy for announcing the registry was not effective and schedules for traveling registry teams did not accommodate the schedules of many working people. The latter participant suggested that a mix of weekend and evening services would have been better to accommodate working people. Two participants indicated they made the decision to not be involved in any MN-S events such as voting or attending meetings because of their repeated experiences with poor performance related to the registry. Two participants shared their perspective that the MN-S has not achieved progress on socio-economic issues and that Métis people still grapple with the same issues with which communities grappled decades earlier.

Despite several participants' views that the MN-S has performed poorly in managing its registry, participants expressed their view and hope that the MN-S's performance could improve. As one Métis citizen said, "My hope for the MN-S is that they would improve because they are us." Another citizen noted that they expected it would take one or two electoral cycles to see results.

In discussing participants' attempts to contact the MN-S, three participants cited their own experiences that entailed a lack of responsiveness to their efforts to make contact. These participants had an expectation that the MN-S should be

more accessible and responsive to Métis citizens who are trying to contact the office.

Performing Roles Related to the Registry

Five participants put forward their view that the MN-S registry should be administered outside of the MN-S. Three participants posited that a MN-S affiliate should operate the registry while one participant stated the federal government should operate it much like the one it implements for Status Indians. Three participants stated they thought there should be one national registry instead of five disparate provincial registries. Another participant cautioned against the federal government operating the registry because it would be giving the federal government control over defining who is Métis. The participant warned that the risks of handing the registry over to government is that they would decide who is and who isn't Métis. The participant added that it could be difficult to regain control of the registry once it is handed to the government.

Another Métis citizen linked the MN-S registry to the Métis National Council's vision for the provincial registries. This participant proposed that Métis people need to engage with the MNC and collectively develop a vision so that the federal government does not develop the criteria for the registry.

A policy expert and a Métis citizen noted the importance of responsible management of personal information.

There was a perception expressed by two citizen participants that the membership lists were controlled and people who applied who did not politically support those in power were not registered. A participant expressed their belief

that the organization was purposely weak with a small registry in order to control it.

Four participants expressed their disapproval that the citizenship cards were signed by the former president of the MN-S.

The only northern Saskatchewan Métis to participate in the survey believed the MN-S had the responsibility to contact people when it was time to register again. This conversation was markedly different from my conversations with southern Saskatchewan Métis.

Two participants noted a north-south dichotomy of Saskatchewan's Métis community. One Métis citizen felt that the Métis in the south do not have adequate representation on the MN-S. Another Métis citizen said that they viewed the MN-S interests in terms of Northern Saskatchewan Métis versus Southern Saskatchewan Métis.

A policy expert stated that while the registry was operational, the provincial Métis office approved the membership cards but they thought that the locals should grant approval of applications in order to implement the criteria in the definition for being Métis.

Data Saturation

In evaluating whether the data was saturated, I used a saturation grid (Fusch and Ness 2015, 1410), on which the themes were listed on the vertical axis and the conversations were listed on the horizontal. I felt the data was saturated because all thirteen of the study participants referenced broader issues

of governance in response to my opening question for participants to share their thoughts on what the MN-S could do to encourage or incentivize more Métis people to register in the MN-S citizenship registry. I operationalized the independent variable of good governance by defining the universal principles of good governance that I found in the literature. Table 3 contains a visual representation of the saturation grid, which I used to determine that my data was saturated because even though every conversation did not touch upon every universal principle of good governance, each one mentioned at least two when I asked them what would incentivize Métis people to register in the citizenship registry. The saturation grid demonstrates that study participants all felt that broader governance issues were impacting the size of the MN-S citizenship registry.

Table 3: Saturation Grid (original in color)

Themes	1	1	1	1	1	1	1	1	1	1	1	1	
	2	2	2	2	2	2	2	2	2	2	2	2	
	3	3	3	3	3	3	3	3	3	3	3	3	
	4	4	4	4	4	4	4	4	4	4	4	4	
	5	5	5	5	5	5	5	5	5	5	5	5	
	6	6	6	6	6	6	6	6	6	6	6	6	
	7	7	7	7	7	7	7	7	7	7	7	7	
	8	8	8	8	8	8	8	8	8	8	8	8	
	9	9	9	9	9	9	9	9	9	9	9	9	
		MC1	MC2	MC3	MC4	MC5	MC6	MC7	MC8	MC9	MPE 1	MPE 2	MPE 3
Conversations													

- 1= Accountability
- 2= Direction
- 3= Fairness
- 4= Performance
- 5= Political Legitimacy & Voice
- 6= Racism
- 7=Colonialism
- 8=Reconciliation .
- 9=Finances

The first five themes, represented by numbers 1 - 5, are drawn from the literature on good governance: accountability, direction, fairness, performance and political legitimacy and voice. Three conversation participants indicated the MN-S needed accountability to improve governance. Four conversations mentioned direction in response to engaging the community. Five conversations included the need for the principle of fairness to be implemented and all thirteen conversations spoke of issues pertaining to improving performance and increasing political legitimacy. Seven conversations included the theme of racism. Two conversations described the Métis experience with colonialism. Four conversations spoke of reconciliation in their conversations about the registry and three conversations talked about financial matters, notably how the federal government determined Métis governance organization direction through providing funding and the need to focus on economic development.

Hypothesis

The hypothesis of this study was the MN-S registry would increase in membership if the MN-S would implement the principles of good governance. This study provided evidence that Saskatchewan Métis people feel there is a positive relationship between implementing good governance and Métis participation in the MN-S citizenship registry. Although the sample size was small and despite the limitations of the study, with four Métis policy experts and nine Métis citizens, every participant referred to at least two of the universal principles of good governance when they shared their thoughts on actions the MN-S could

take in order to increase the number of Métis people in the citizenship registry. Since every study participant spoke to broader issues with MN-S governance, the hypothesis was confirmed.

Summary

In summary, it is important to Saskatchewan Métis people that the MN-S operates according to principles of good governance. Every study participant referred to at least two principles of good governance when describing their ideas about increasing the MN-S citizenship registry. Participants were most concerned with improving internal political legitimacy and performance, which included responsiveness, effectiveness and efficiency. Direction and accountability were also discussed as factors affecting the disparity between Saskatchewan Métis enumerated in Census 2016 and the MN-S citizenship registry.

“Racism” was a prominent theme that recurred in conversations. “Reconciliation” was another theme that arose and I thought it was important because it demonstrated a broader range of considerations for defining the concept than the current state-Indigenous dichotomy espoused by Canada and referenced in the next chapter. Colonialism was referenced twice and finances were referenced three times.

4. CONCLUSIONS

Colonization and the Impacts of Government Policies on Saskatchewan

Métis

There is much business left regarding reconciliation despite the signing of the Canada – Métis Nation Accord. Prime Minister Trudeau has launched the policy direction for reconciliation that led to a set of principles that are intended to guide Canada's relationship with Indigenous peoples (Canada 2017b); however, as well-intended as the principles may be, the federal government appears to be once again defining the terms of reference for articulating the notion of reconciliation. As much as the principles speak to a renewed nation-to-nation relationship with Indigenous peoples, they limit the notion of reconciliation to the dichotomy of Canada and Indigenous peoples. In this way, the federal government falls exceedingly short of incorporating the effects of colonization and participation of Indigenous peoples in the formation of the concept of reconciliation.

Study participants contemplated a much more complex notion of reconciliation that is rooted in the historical, political, social and economic experiences of their Métis ancestors and themselves. There is currently no policy on reconciliation. Is reconciliation limited by the text of the 94 Calls to Action by the Truth and Reconciliation Commission? The federal government's principles refer to reconciliation but they do not define it. If Canada creates a policy framework for reconciliation, it is imperative for Indigenous peoples to

participate in creating it. Otherwise, as one study participant postulated, “reconciliation will become the new assimilation” because the state defines all the terms of reference.

If the federal government is serious about “continuing the process of decolonization” (Government of Canada 2017b), then Indigenous peoples must be equal participants in creating a policy on reconciliation and equal partners in describing a path to decolonization, the purpose of which can be defined as “...[creating] a space in every day in life, research, academia and society for an Indigenous perspective without it being neglected, shunted aside, mocked, or dismissed” (Kovach 2009, 85). Federal and provincial policies on reconciliation should be developed and when they are, they should take into account the fact that reconciling with the Canadian state must accommodate the healing of Métis, First Nations and Inuit communities from the effects of government policies. In the case of the Métis, the impact of government policies resulted in the loss of a land base and cohesion of Métis communities in many areas of the province as well as a loss of culture for many Métis people.

In developing federal and provincial policies on reconciliation, Indigenous peoples must participate from the earliest stages of policy and program development. A federal policy on reconciliation should provide a framework that describes the impacts of government policies on Métis communities from a Métis perspective. Supporting the policy on reconciliation should be government grants programs for restoring culture, improving social cohesion of Métis communities, providing capacity for self-determination, and building community and cultural

capacity. This may necessitate a new model for program development that would put Métis communities at the helm of program development while government provides the funding. The intent of this approach is to avoid repeating the mistakes of historically paternalistic government policies that damaged Indigenous communities, including Métis communities.

As referenced in the introductory chapter, the Canada – Métis Nation Accord was signed in April 2017 (Government of Canada 2017a) and it bears several policy priorities for improving the lives of Métis people in Canada. The level of community engagement by the MN-S has been very limited as evidenced by the number of people in the MN-S citizenship registry and the small proportion of Métis people that cast votes in the 2017 MN-S election (Global News 2017). A related question to this study is how will Métis people receive services that flow from the Accord when the MN-S has engaged such a small proportion of the Saskatchewan Métis population? The MN-S must embark on a major engagement initiative to ensure that Métis people benefit from the signing of the Accord.

Good Governance

Trust

Based on the findings from the field research and literature view, it is an absolute imperative for the MN-S to restore trust and reset their relationship with Saskatchewan Métis to be a legitimate representative voice. This will involve meaningful engagement across the province in the form of an outreach effort to

build trust with Métis citizens. As one policy expert mentioned, Métis of all ages should be engaged and efforts should be targeted in every area of the province at the community level, in Métis locals and around kitchen tables.

Research demonstrates that building trust is possible between governance organizations and citizens; however, elected leaders must be intentional about building trust between the MN-S and Métis citizens. MN-S governance processes and policies should reflect and require integrity. Elected leaders should also lead with integrity to set an example. Common standards and behaviours at all levels of the MN-S could be incorporated to assist in building trust; some of which align with the universal principles of good governance.

The MN-S has several reasons to take the initiative to build trust with Saskatchewan Métis. Two participants maintained that the membership lists were controlled and kept small to ensure control of the organization. Whether this is true or not, this perspective also appears in the literature. In her thesis research, Gereaux (2012) examined Métis identity and registration, in which a study participant noted, “Every time there’s a new group in power, they decide who belongs to the membership so they can stay in power (Gereaux 2012, 48).” If the MN-S would like to build the trust of the Métis population in Saskatchewan, they should be concerned about these optics regardless of whether this perception is based in fact. Restoring trust will increase internal political legitimacy.

Legitimacy and Voice

Indicators for gauging the internal political legitimacy of Métis organizations are participation rates in MN-S elections and the proportion of Métis people represented in the MN-S citizenship registry. The aforementioned indicators were introduced and discussed in Chapters 1 and 2. They show that the MN-S should prioritize improving its internal legitimacy to represent Saskatchewan Métis. Regaining trust is foundational to improving the internal legitimacy of the MN-S demonstrated by the number of Métis citizens in the citizenship registry and participating in elections.

Regular engagement efforts should be launched by the MN-S at all governance levels to encourage Métis citizens to register in the citizenship registry and participate in elections at the local and provincial levels. The MN-S should have a more visible presence in every area of the province, as a few participants thought that the MN-S could represent more effectively the Métis of southern Saskatchewan. Regular engagements should serve as opportunities to canvas Saskatchewan Métis on policy positions. This would permit Métis leaders to take legitimate perspectives grounded in Métis communities to meetings with the private sector organizations as well as federal and provincial governments. Actions to support internal legitimacy should involve the MN-S at all levels. Provincial Métis Council should maintain meaningful lines of communication with regional councils that in turn, engage with Métis community members to learn Métis community perspectives on policy issues. This would in turn provide a stronger Métis voice at policy tables or in negotiations with governments.

There is also a strong argument that the membership cards should have practical utility, as echoed by study participants. The number of Métis people registered is still too low to impose a policy permitting only Métis people with membership cards to vote but when the MN-S is able to register a certain number of citizens, they may want to consider this recommendation. The MN-S may also want to engage its affiliate organizations to discuss how capacity can be built in the Métis Nation by linking participants of Métis affiliate programs and services with the political and cultural activities held by the MN-S.

Improving participation rates at elections should entail making voting as easy as possible for Métis citizens. Organized non-partisan efforts should be launched in every region to provide transportation to and from polling stations. Committees could perhaps be struck in each region to organize these efforts. Future election days could possibly serve as a nexus of cultural and social cohesion where Métis people gather after elections to celebrate the act of self-determination their vote embodies.

Organized efforts could similarly be undertaken to increase the citizenship registry. In addition to Métis people traveling to the MN-S offices or submitting their applications by mail, the MN-S could follow the MMF's lead and launch a mobile office that would take the citizenship registry across the province to register Métis people (CBC News 2017). Of course, measures would need to be undertaken to ensure standards of quality service, as stories from study participants were not positive regarding the MN-S's previous mobile efforts to register citizens in Saskatchewan.

Performance

Most study participants expressed the view that the MN-S should not operate the citizenship registry and some participants put forward the suggestion for a MN-S affiliate to operate the registry. If the MN-S continues to fulfill this function, it is imperative that it improves its performance of operating the registry. Staff should be trained in information management practices. The registry office should develop and publicly display policies and procedures for managing the personal information of applicants, including the receipt, access, disclosure, storage, and destruction of records. Should registration efforts be implemented by mobile means, the registry should be accessible to accommodate a range of work schedules.

In terms of implementing practices to support the principle of performance, it would be beneficial for policies and standards to be developed for handling general inquiries and managing registry applications. Standards should outline the length of time for responses from MN-S staff to Métis citizenship applications or inquiries. Registry staff must be responsive to applications from Métis citizens. Registry staff should provide supports to applicants to assist them in filling out the applications and gathering the necessary documentation.

Professional development should be provided to elected leaders at the three levels of MN-S governance to assist them to effectively serve the Métis community. A MN-S training program should be created to assist elected leaders to develop and implement self-governance at all three levels of the MN-S. The training must encompass the way in which the three levels operate together. This

may require creating a training program that is designed for the unique challenges of Métis governance organizations. Central to this training program should be the universal principles of good governance.

It is also important for registry offices to be flexible to accommodate the needs of the surrounding communities. The lone participant from Northern Saskatchewan discussed the lack of Métis local offices in many northern communities and suggested that it would be easier if the heads of families could register all the members of their families. Registry offices must be responsive and adjust to the challenges experienced by the surrounding community to better serve Métis community members.

Accountability

There is an expectation that the MN-S should be accountable to the Métis people of Saskatchewan for their actions and decisions. This will require transparency and openness regarding the actions and decisions of the MN-S.

Enhancements to the MN-S constitution should more clearly set out accountability requirements. Every elected position of the MN-S should have accountability standards and requirements enshrined in the constitutions at every level of governance. All elected officials should be subject to removal from office if they violate standards of behaviour that could be enshrined in a code of conduct. Regional representatives should be accountable to the regional councils, which are composed of presidents in a given region. In turn, the presidents must be accountable to community members.

There should be more frequent reporting for the Provincial Métis Council to Métis citizens than the twice-annual Métis Nation Legislative Assembly. All governance bodies and MN-S committees should display reports describing progress in the interests of transparency and openness.

In the interest of transparency, all policies and procedures should be posted on the MN-S website to permit any Métis citizen access to the documents, including those of the MN-S Secretariat.

Processes for accountability should be linked to mechanisms that ensure the principle of fairness. In other words, there should be consequences for elected leaders for failing to meet standards of accountability.

Fairness

In terms of fairness, it is clear that there needs to be the implementation of the rule of law and the principle of equity. A code of ethics for all elected members and individuals serving on MN-S committees could comprise a mandatory standard to which they would be subjected. Métis people have called for independent judicial bodies and it is clear that the desire for a judicial body remains. The MNA's model of a judicial body could serve as a starting point for the MN-S to develop a similar body. Another possible model could be the First Nations Appeals Tribunal, which created by an independent justice council to hold hearings on issues First Nations could not solve themselves (Boyer 2018). The creation of the judicial body must be free of political interference and all members of the judicial body must be subject to a code of ethics or face removal from their position. The judicial body would assist the MN-S to address disputes

and exercise self-governance instead of Métis people turning to the courts to settle disputes. The media attention from Métis Nation court proceedings has shown to have negative effects on the collective psyche of Saskatchewan's Métis. It is clear from speaking to the small number of Saskatchewan Métis who participated in this study that the frequent court cases between elected members of the Provincial Métis Council adversely impact the cultural pride and collective psyche of Métis people.

MN-S should ensure that it has mechanisms such as a judicial body so it can govern itself. Is this not a function of self-determination to ensure that the MN-S operates according to good governance practices? Courts should not be so frequently needed if there are fair and impartial systems and processes to ensure that issues are resolved pertaining to citizenship, elections, or other matters related to governance.

Direction

In terms of direction, the MN-S needs to ensure that it is truly operating as the grass-roots governance organization as described in its constitution. This will involve harmonizing meetings and decision-making processes at the local, regional and provincial levels to ensure that direction is received from Métis people in communities. This will also necessitate frequent communication from the provincial, regional and local levels to set agendas and decision items for Métis Nation Legislative Assembly meetings. Instead of the Provincial Métis Council determining which proposals or issues go to the Métis Nation Legislative Assembly for decision or discussion, it is more in alignment with the grassroots

vision of the MN-S if the regional councils make those decisions. This practice will also promote equity among the regions. Amendments to the MN-S constitution should be made to enact this change.

Implementing the universal principles of good governance may present tensions between interests that are promoted at the national level with the MNC governing members and direction that arises from Saskatchewan Métis. This will require effective mediation and communication at all levels of the MN-S.

Direction for Rights-Bearing Vs. Non-Rights Bearing Métis

As mentioned earlier, there are two different classes of citizenship according to the Canadian government, rights bearing and non-rights bearing. This policy that the judicial branch of the Canadian state has imposed on the Métis Nation creates two classes of Métis citizens. This citizenship distinction is not a construct of the Métis Nation; however, all rights are subject to limitations, including Indigenous rights (United Nations 2008, Article 46; Teillet 2006, 35). This is an issue that intersects with Indigenous self-determination and Canadian case law.

The MN-S should respond to this policy by engaging Métis citizens in the conversation in the interests of garnering a policy direction with regards to this issue. The role of the MN-S in this context would be to provide information about this issue and facilitate a series of discussions on this issue in each Métis community. Once the community is well informed on this issue, the MN-S could use a survey and/or other instruments to support maximum participation. The

MNO has dealt with this issue and its solution was to separate its harvesting program from its citizenship program (Métis Nation of Ontario n.d.) and issue harvesting cards each year (Métis Nation of Ontario n.d.; Métis Nation of Ontario 2011, 20).

Administrative and Governance Functions

As the MN-S carries out its governance functions and the MN-S Secretariat implements its administrative duties, findings from the Métis Electoral Consultation Panel support a policy direction from the Métis community for a separation between politics and administration in Métis Indigenous governance organizations. The separation of administration and governance duties will also improve trust in the MN-S as a governance organization for Métis people.

Summary

Chapter 1 set out the background for this study, including the problem of a disproportionate MN-S Métis citizenship registry. An accurate citizenship registry carries important implications to the development and implementation of Métis self-governance. The Métis experience with colonialism was directed by several federal public policies that fragmented Métis communities, stripping many Métis families and proceeding generations of their language, culture as well as social and political cohesion. These public policies began with the McDonald administration's policy to deal with "half-breeds" as white individuals as opposed to Aboriginal peoples with collective Aboriginal rights. Other policies that

impacted Métis communities were *The Dominion Lands Act*, which led to the dispossession of land that *The Manitoba Act* had set aside for Métis children through the creation of land and money scrips. The Métis expanded west into what is now Saskatchewan and to other places in the Métis Nation Homeland. Attempts to secure Métis title to land in Batoche were met with an unreceptive government that sent thousands of troops to defeat a few hundred Métis at Batoche and resulted in the hanging of our leader, Louis Riel. The Métis were dispossessed of our lands and many families built homes on road allowances and on farmer's lands. *The Prairie Farm Rehabilitation Act (1935)* was used to forcibly remove Métis people from farmlands on which they were squatting.

In the years following the 1885 Resistance, many Métis families in southern Saskatchewan went “underground” to avoid social and economic consequences that were at times detrimental to the lives of Métis people. Métis people suffered economically and socially in the post-Resistance period. The Métis lived in the marginalized frays of society and could not access education, health care and land. Indigenous leaders created organizations that fought for the betterment of social and economic conditions for Métis people and the MN-S is one of the successors of those Métis organizations.

Today, the MN-S operates a citizenship registry that does not accurately reflect the Métis population in Saskatchewan. An accurate citizenship has implications for governance. The structure of the MN-S and the mandates of MN-S affiliates were reviewed, along with the MN-S governance documents, which

consists of the constitution and Métis legislation passed by the Métis Nation Legislative Assembly.

The hypothesis of this study is that there is a relationship between improving governance of the MN-S and increasing its citizenship registry. To operationalize good governance, I drew upon the literature to define universal principles of good governance, which are accountability, direction, legitimacy and voice, fairness and performance to guide me in implementing the study through a blend of western and Indigenous methodologies.

Chapter 2 described the methodology I used, which was a blend of Indigenous and western methodologies. Indigenous methods consisted of preparation for the study, involving every aspect of me. I located myself within my study as an urban Métis woman and I was intentional in my efforts to embed my research in my community. Through my own volunteerism, I conducted a needs assessment survey that I designed with the members of the Moose Jaw Métis community and then I administered the survey, analyzed the data and then created a report with recommendations that were accepted by the Moose Jaw Métis local board.

I selected the Métis people for the study through the use of the snowball sampling method, which is a western method that is consistent with the way that the Métis community relates to one another. This was an effective method for reaching the southern Saskatchewan urban Métis community, of which I am a member.

Semi-structured conversation was the method I selected for my field research method. I conducted a literature review to gather information on principles of good governance. I used the information from the literature review to define the themes that I anticipated on finding in the conversations with study participants. Once conversations were held, I condensed the conversations into summaries that I sent to each participant and instructed them to revise them to ensure they reflected their views. For the data analysis, I used NVivo after reviewing the data several times. I inputted the written condensed conversations into NVivo and coded passages according to the themes I identified in the literature review. I also noticed the recurrence of other themes, such as colonization and reconciliation.

The limitations of this study pertaining to the sample were the small sample size and the fact that the sample was a largely southern urban Métis population. Another limitation was the absence of participation from Métis governance organizations.

Areas of future study should include the federal government's method for selecting organizations they deem to be Indigenous Representative Organizations. The area of study that I selected is also an area that I feel requires the attention of Métis public policy academics to strengthen our governance organizations.

The third chapter consisted of the literature review an analysis of the governance documents using the universal principles of good governance as an analytical tool.

Finally, Chapter 4, the discussion chapter, highlighted the rising stakes the Canada – Métis Nation Accord represents. Policy priorities under the accord are ambitious and it is important that Saskatchewan Métis people receive the services that result from this Accord; however, the majority of the Saskatchewan population does not engage with MN-S elections or have been registered in the citizenship registry. Several recommendations were posited for the MN-S to adopt in order to strengthen its governance, which should result in an increased citizenship registry that is more representative of the Saskatchewan Métis population.

The field research also highlighted colonization's devastating impacts to Métis communities. The interviews also highlighted the need for Métis people to participate in articulating a reconciliation framework that is based on our unique experience with colonization that included systemic racism in the form of public policies that marginalized and fragmented Métis communities and forced many Métis families in southern Saskatchewan to deny their heritage. As a policy expert mentioned, for the Métis Nation, the registry can have implications for reconciling with our Métis culture and kinship ties, embracing traditional teachings and welcoming back Métis families that went underground. There is potential for the registry to be a catalyst to mend colonialism's destructive impacts to Métis communities. My hope is that the citizenship registry will be one initiative of many that our Métis Nation will use to become healed, whole and united.

To assist Métis people in reconciling, Métis governance organizations must possess sophistication and competence to rise to the challenges presented by these issues. Most importantly, they should be legitimate representative organizations for the people they represent. The MN-S must ensure they are good representatives of Saskatchewan Métis by ensuring the positions they posit in discussions on the provincial and federal level are grounded in the views of Saskatchewan Métis and represented by an accurate Métis citizenship registry. It is critical that Métis governments operate their governance bodies in accordance with the universal principles of good governance to work towards building a stable governance organization that has the trust and participation of Métis people for generations to come.

It is clear from this study and other efforts such as the Métis Electoral Consultation Panel, that Saskatchewan Métis people have high expectations for their representative governance organizations. As Métis governance organizations implement self-governance and self-determination activities, they should create space for Métis people to participate in and even scrutinize decisions and activities; as such participation embodies the process of self-determination.

REFERENCES

- Aboriginal Affairs and Northern Development Canada. 2013. Evaluation of the Federal Interlocutor's Contribution Program and the Powley Initiative. Accessed December 11, 2016. https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ-AEV/STAGING/texte-text/ev_fic_1398692311620_eng.pdf
- Alberta. 2017. *Métis settlements*. Accessed on December 17, 2017. <http://indigenous.alberta.ca/Metis-Settlements.cfm>
- Alberta. 2000. *Métis Settlements Act*. <http://www.gp.alberta.ca/documents/Acts/M14.pdf>
- Anderson, Gordon L. From the Editor: Politics or Principles of Good Governance? *International Journal of World Peace*. VOL. XXXII NO. 1 MARCH 2015
- Barkwell, Laurie. 2010. Métis political organizations. Louis Riel Institute. Accessed January 9, 2017. <http://www.metismuseum.ca/media/db/11913>
- Bell, Gloria Jane. 2010. Oscillating Identities. In *Métis in Canada*. Eds. Christopher Adams, Ian Peach, Gregg Dahl, and Canadian Electronic Library (Firm). 2013. *Métis in Canada: History, identity, law & politics*. Edmonton [Alta.]: University of Alberta Press.
- Benjoe, Kerry. 2016. South Saskatchewan Métis group has membership concerns. Regina *LeaderPost*. June 29. Retrieved on August 22, 2016 from: <http://leaderpost.com/news/local-news/south-saskatchewan-metis-group-has-membership-concerns>
- Boyer, Yvonne. Written communication (Notation on thesis draft). December 29, 2017.
- Canada. 2017a. Canada – Métis Nation Accord. Retrieved on February 19, 2018 from: https://pm.gc.ca/sites/pm/files/canada_metis_nation_accord.pdf
- Canada. 2017b. *Principles respecting the Government of Canada's relationship with Indigenous peoples*. Retrieved August 13, 2017. <http://www.justice.gc.ca/eng/csj-sjc/principles-principes.html>
- CBC News. *MMF launch office on wheels*. June 26, 2017. <http://www.cbc.ca/news/canada/manitoba/mmf-launch-office-on-wheels-1.4178801>

- CBC News. Métis Nation of Saskatchewan shuts its doors in Saskatoon. March 31, 2015. <http://www.cbc.ca/news/canada/saskatoon/m%C3%A9tis-nation-of-saskatchewan-shuts-its-doors-in-saskatoon-1.3016804>
- Chartrand, Larry. 2008. We rise again: Métis traditional governance and the claim to Métis self-government. Ed. Belanger, Yale Deron. *Aboriginal self-government in Canada: Current trends and issues*. 3rd ed. Saskatoon: Purich Pub.
- Cushing, Simon. 2003. Justification, legitimacy, and social embeddedness: Locke and Rawls on society and the state. *The Journal of Value Inquiry* 37 (2): 217-31.
- Dubois, Janique. 2015. Métis – Provincial – Federal Relations: Building Multilevel Governance from the Bottom Up. In *The State of the Federation 2013 Aboriginal Multilevel Governance*. Eds. Martin Papillon and André Juneau. Kingston: Institute of Intergovernmental Relations, School of Policy Studies.
- Dubois, Janique, and Kelly Saunders. 2013. "just do it!": Carving out a space for the Métis in Canadian federalism. *Canadian Journal of Political Science* 46 (1): 187.
- Dubois, Janique, and Kelly Saunders. "Rebuilding Indigenous Nations through Constitutional Development: a Case Study of the Métis in Canada." *Nations and Nationalism*, vol. 23, no. 4, 2017, pp. 878–901., doi:10.1111/nana.12312.
- Edgar, Laura, Marshall, Claire and Bassett, Michael. 2006. Partnerships: Putting good governance principles into practice. Institute on Governance.
- Ernst & Young Inc. 2016. *Métis Nation – Saskatchewan Secretariat Inc.: Ernst & Young Inc. Report to the Métis Nation Legislative Assembly*.
- Ernst & Young Inc. 2017. *Métis Nation – Saskatchewan Secretariat Inc.: Ernst & Young Inc. Report to the Métis Nation Legislative Assembly*. Accessed February 25, 2017. <http://metisnationsk.com/ckfinder/userfiles/files/MN-S%20Draft%20report%20for%20MNLA%2015%20Feb%202017%20FINAL-1.PDF>
- Ferlaino, Caterina. "Métis Perspectives on Governance; a Self-Review of the Manitoba Métis Federation's Governance Practices through the Lens of Harvesting Rights." ProQuest Dissertations Publishing, 2008.

- Fusch, Patricia, and Lawrence Ness. "Are We There Yet? Data Saturation in Qualitative Research." *The Qualitative Report*, vol. 20, no. 9, 2015, pp. 1408–1416.
- Gabriel Dumont Institute. 2013. *Our Mission Statement*. Accessed February 19, 2017. <https://gdins.org/>
- Gabriel Dumont Institute. n.d. *5.4 Gabriel Dumont Institute Training and Employment Inc.* <https://gdins.org/about/overview/policy-5/>
- Gereaux, Tara. 2012. *The Métis Nation Registry*. Royal Roads University.
- Giles, David. *Glen McCallum elected president of Métis Nation – Saskatchewan* <https://globalnews.ca/news/3485481/metis-nation-saskatchewan-election-glen-mccallum/> May 29, 2017.
- Graham, John. 2006. *Managing the Relationship of First Nation Political Leaders and their Staff*. Institute on Governance.
- Haight, Lana. *Fraud charges laid*. Regina Leader-Post. 15 November 2008. Accessed December 3, 2017 <http://www.pressreader.com/canada/regina-leader-post/20081115/281530811864831>
- Indian and Northern Affairs Canada. *Evaluation of the Federal Interlocutor's Contribution Program and Powley: Management of Métis Aboriginal Rights Final Report*. 2008. Accessed November 16, 2016. https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/pwl_1100100011946_eng.pdf
- Isaac, Thomas. 2016. *A matter of national and constitutional import: Report of the Minister's Special Representative on Reconciliation with Métis: Section 35 Métis Rights and the Manitoba Metis Federation Decision*. Accessed February 19, 2018. https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ-AI/STAGING/texte-text/report_reconciliation_1471371154433_eng.pdf
- Kearns, Laura-Lee. 2010. *(Re)claiming Métis Women Identities: Three Stories and the Storyteller*. In *Métis in Canada*. Eds. Christopher Adams, Ian Peach, Gregg Dahl, and Canadian Electronic Library (Firm). 2013. *Métis in Canada: History, identity, law & politics*. Edmonton [Alta.]: University of Alberta Press.
- Lampard, Keith. 2004. *A Study to Answer the Question: Was the Métis Election of 2004 run in a fair and democratic manner such that its results can be relied upon by Métis people and the Government of Saskatchewan?* Regina, Sask.: Saskatchewan Ministry of First Nations & Métis Relations.

- Madden, Jason., John Graham., Jake Wilson. 2005. *Exploring Options for Métis Governance in the 21st Century*. Institute on Governance & JTM Consulting.
- Manitoba Métis Federation. 2002. The Report of the Commission on the Métis Laws of the Hunt. Accessed March 2, 2017. <http://www.metisportals.ca/cons/wp-content/uploads/2009/02/metis-laws-of-the-hunt.pdf>
- Manitoba Métis Federation. 2014. Constitution. Accessed December 17, 2016.
- Métis Addictions Council of Saskatchewan Inc. n.d. *Métis Addictions Council of Saskatchewan A New Beginning*. Accessed January 20, 2017. <http://www.macsi.ca/>
- Métis Electoral Consultation Panel. 2006. Métis Governance in Saskatchewan for the 21st Century: Views and Visions of the Métis People.
- Métis Family and Community Justice Services. n.d. *Background*. Accessed January 21, 2017. <http://www.mfcjs.ca/background>
- Métis Nation British Columbia. 2017. *About MNBC*. Accessed December 17, 2017. <http://www.mnbc.ca/about>
- Métis Nation of Alberta. 2018. *History*. Accessed on February 5, 2018. <http://albertametis.com/about/history/>
- Métis Nation of Alberta. n.d. *Bylaws of the Métis Nation of Alberta Association*. Accessed on February 19, 2017. <http://albertametis.com/wp-content/uploads/2014/05/MNA-Bylaws-2016.pdf>
- Métis Nation of Ontario., n.d. *Harvesting: The Facts*. Accessed May 3, 2017. <http://www.metisnation.org/registry/harvesting/>
- Métis Nation of Ontario. 2011. *What We Heard*. Accessed May 3, 2017. <http://www.metisnation.org/media/139138/mno%20registry%20consultations%20-%20what%20we%20heard%20in%20phase%20i%20-final%20jun%202011.pdf>
- Métis Nation – Saskatchewan. *Unofficial list of regional reps and local presidents*. May 31, 2017. Accessed December 18, 2017. [http://metisnation.sk.com/ckfinder/userfiles/files/Regional%20Reps%20and%20Local%20Presidents%20\(May%2031%202017\)%20UNOFFICIAL\(1\).pdf](http://metisnation.sk.com/ckfinder/userfiles/files/Regional%20Reps%20and%20Local%20Presidents%20(May%2031%202017)%20UNOFFICIAL(1).pdf)

- Métis Nation – Saskatchewan. 2017. *News release: Funds reinstated for Métis Nation – Saskatchewan*. June 5, 2017. Accessed December 20, 2017. http://metisnation.sk.com/news/details/fund_reinstated_for_mtis_nationsas_katchewan.html
- Métis Nation – Saskatchewan. 2016. *Governance*. Accessed November 27, 2017. <http://metisnation.sk.com/pages/governance.html>
- Métis Nation – Saskatchewan. 1993. *Constitution of the Métis Nation - Saskatchewan*. Accessed November 27, 2017. <http://metisnation.sk.com/ckfinder/userfiles/files/Constitution%20of%20the%20Me%CC%81tis%20Nation-Saskatchewan.pdf>
- Métis National Council. n.d. *Métis Nation Constitution: The Need for a Constitution*. Accessed March 17, 2017. <http://www.metisnation.ca/index.php/who-are-the-metis/metis-constitution>
- Métis National Council. 2009. *Draft Constitution of the Government and People of the Métis Nation*. <http://www.metisportals.ca/cons/wp-content/uploads/2009/07/draft-constition-of-the-metis-nation-revised-june-8-2009.pdf>
- Moore, Margaret. 2010. Indigenous peoples and political legitimacy. In *Métis in Canada*. Eds. Christopher Adams, Ian Peach, Gregg Dahl, and Canadian Electronic Library (Firm). 2013. Métis in Canada: History, identity
- OECD. 2017, *Trust and Public Policy: How Better Governance Can Help Rebuild Public Trust*, OECD Public Governance Review, OECD Publishing, Paris. <http://dx.doi.org/10.1787/9789264268920-en>
- Poitras, Lisa Michelle. 1992. *Coming full circle: A history of twentieth century Métis political organizations in Saskatchewan*.
- Postmedia News. <http://thestarphoenix.com/news/local-news/mns> Saskatoon StarPhoenix. September 28, 2017.
- Préfontaine, D., and Dorion, L. 2003. *Métis land rights and self-government*. Accessed December 18, 2017. <http://www.metismuseum.ca/resource.php/00725>
- Provincial Auditor Saskatchewan. 2004 Report – Volume 3.
- Rich, John R., and Hume, Nathan E.. 2011. *Band councils, band moneys and fiduciary duties*. Ratcliff & Company LLP, April 4, 2011. <http://www.ratcliff.com/sites/default/files/publications/00513728.PDF>

- Richardson, Cathy. "Metis Identity Creation and Tactical Responses to Oppression and Racism," *Variations* 2 (2006). Accessed February 13, 2017. <http://docplayer.net/24884409-Metis-identity-creation-and-tactical-responses-to-oppression-and-racism-1.html>
- Saskatchewan. 2002. *Métis Act*. Accessed December 13, 2016. <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/M14-01.pdf>
- Saunders, Kelly. 2013. No Other Weapon: Métis Political Organization and Governance in Canada. In *Métis in Canada*. Eds. Christopher Adams, Ian Peach, Gregg Dahl, and Canadian Electronic Library (Firm). 2013. Métis in Canada: History, identity, law & politics. Edmonton [Alta.]: University of Alberta Press.
- Sharpe, Krista. Métis nation of Saskatchewan calling for election. Global News. April 16, 2016. Retrieved February 17, 2017. <https://globalnews.ca/news/2643802/metis-nation-saskatchewan-calling-for-election/>
- Statistics Canada. 2017. *Aboriginal Peoples Highlight Tables, 2016 Census*. <http://www12.statcan.gc.ca/census-recensement/2016/dp-pd/hltfst/abotaut/Table.cfm?Lang=Eng&T=101&S=99&O=A>
- Statistics Canada. 2016. *Classification of Aboriginal Group*. <http://www23.statcan.gc.ca/imdb/p3VD.pl?Function=getVD&TVD=246585&CVD=246586&CLV=0&MLV=3&D=1>
- Teillet, J. 2006. Métis Law Summary 2006. Pape Salter Teillet. Accessed March 21, 2017. <http://www.turtleisland.org/resources/metislaw2006.pdf>
- Teillet, J., & Madden, J. 2013. *Manitoba Métis Federation v. Canada (Attorney General): understanding the supreme court of Canada's decision*. Retrieved on July 17, 2016 from: <http://www.pstlaw.ca/resources/PST-LLP-MMF-Case-Summary-Nov-2013-v02.pdf>
- Teillet, J. & Madden, J. 2016. *Another Chapter in the Pursuit of Reconciliation and Redress: A summary of Daniels v. Canada at the Supreme Court*. Pepe Salter Teillet LLP Barristers and Solicitors. Retrieved on August 15, 2016 from: [http://www.pstlaw.ca/resources/PST-LLP-Summary-Daniels-v-Canada-\(SCC\)-April-27-2016.pdf](http://www.pstlaw.ca/resources/PST-LLP-Summary-Daniels-v-Canada-(SCC)-April-27-2016.pdf)
- United Nations. 2008. United Nations Declaration on the Rights of Indigenous Peoples. Retrieved on September 17, 2017 from: http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

APPENDICES