

# **An Exploratory Study of Métis Nation of Ontario’s “Historic Métis Communities” in Robinson-Huron Treaty Territory**

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## **List of Terms**

### **Algonquins of Ontario (AOO)**

The Algonquins of Ontario is an organization that is responsible for negotiating a comprehensive land claim on behalf of Algonquin people on the Ontario side of the Ottawa River watershed in Algonquin territory.

### **Anishinaabeg/Anishinaabe**

The Anishinaabe people are comprised of the Algonquins, Ojibwe, Odawa, Pottawatami, Michi Saagi, Nipissing, and Chippewa Nations. These Nations inhabit the Great Lakes Region and central Canada and the United States.

### **Anishnaabemowin**

The language of the Anishinaabeg, which is widely spoken today.

### **Bill S-3**

A law passed by the Government of Canada in December 2017 that grants Indian status to the descendants of First Nation women who experienced gender-based discrimination going back to 1869. Generations of these descendants are eligible to regain their Indian status.

### **Effective Control (EC)**

The term Effective Control arises from the *Powley* decision and refers to the fact that a historic Métis community must have emerged prior to Effective European control over a given territory.

### **Métis Nation of Ontario (MNO)**

The political organization that represents the interests of some Métis people in Ontario.

### ***Powley* Decision**

The Supreme Court of Canada's 2003 decision first recognized Métis Aboriginal rights under the Constitution. The ruling also created a test, commonly referred to as the *Powley* test, to identify Métis rights-holders.

### **Relational interpretive framework**

We adopt this framework to examine the social, economic, and political relationships recorded in the historical documentation provided by the MNO.

### **Robinson-Huron Waawiindamaagewin (RHW)**

The Anishinaabeg chiefs inhabiting the shores of Lake Huron signed a Treaty with the Crown in 1850. RHW refers to that treaty and the territory covered by it today. It also refers to the political-territorial organization representing the Anishinaabeg First Nations in Robinson-Huron Treaty territory.

**Section 35**

The Aboriginal and Treaty rights of the Indian, Inuit and Métis peoples of Canada were recognized and affirmed in Section 35 of the Constitution Act, 1982. These Aboriginal Rights mostly revolve around harvesting rights.

**Verified Métis Family Line Assessment Reports (VMFLs)**

Documents produced by the MNO that identify “forebearers,” “Métis root ancestors,” and “root ancestor descendants” that are used to identify a “historic Métis community” and for registration of individual members.

## 1. INTRODUCTION

In 2017, the Government of Ontario and the Métis Nation of Ontario (MNO) formally recognized six new “Métis” communities in the province. The legal and political recognition affirmed that these communities represent section 35 Aboriginal rights-holders, paving the way for the province to set up a new harvesting program for MNO members. Three of these communities were in Robinson-Huron treaty territory (Georgian Bay Métis Community, Killarney Métis Community, and Mattawa-Ottawa River Métis Community), while a fourth was first recognized in the *Powley* decision (Sault Ste Marie Métis Community). The MNO has since emitted harvester cards to its members from these communities, who have harvesting rights throughout most of the province. However, not much is known about the Government of Ontario-MNO recognition process, besides that First Nations in these regions were never consulted along the process. What is also known is that the 2017 recognition of these “Métis communities” has had a harmful effect on First Nation territorial rights across the province.

For example, an increasing number of First Nations have indicated that provincial authorities are now requiring consultations with the MNO in a variety of contexts that fall outside of section 35 Aboriginal rights, including economic development, mining and infrastructure licensing, specific land claims, and treaty land entitlement negotiations. The Government of Ontario has provided the MNO with *de facto* veto power over land-based projects and territorial negotiations involving First Nations, placing undue hardships on them in the process. This remarkable development has led the MNO to charge exorbitant fees for mandatory consultation and to demand various concessions in return for even a basic level of support for First Nation treaty rights. What is perhaps most troublesome is that First Nations had never heard of nor encountered any of the local MNO entities with whom they are now required to consult prior to 2017.

In 2022, Robinson-Huron Waawiindamaagewin (RHW), a political-territorial organization representing the Anishinaabeg First Nations in Robinson-Huron Treaty territory, decided to embark on academic research with the aim of understanding more about the aforementioned 2017 provincial recognition of the four new “Métis communities” in their territory.

This research project has 2 main objectives:

1. to examine general MNO documentation related to registry and citizenship policy, harvesting rights, and self-government development; and
2. to examine MNO reports and materials (including all “Verified Metis Family” Lines) for the following “Historic Metis communities:” Killarney, Georgian Bay, Sault Ste Marie, and Mattawa/Ottawa River.

## 2. OUR APPROACH

### 2.1. Types of Data

Our analysis was tightly focused on examining the major form of evidence shared by the MNO to gain the Province of Ontario's recognition for six so-called Métis communities in 2017: the Verified Métis Family Line Assessment Reports (VMFLs). These VMFLs present the specific "Métis" ancestors used as the basis for each community. Each VMFL reports the same main information:

- whether the forebears or root ancestors were present in the "community" prior to Effective European Control, in following a main criterium of the *Powley* test; and,
- whether individuals in the family were ever recorded with the word "breed," mainly in census or vital records.

Our analysis examines the MNO's evidence for these elements of the VMFLs for the four communities that lie within Robinson-Huron Waawindamaagewin (RHW). For the first point of information, we relied on the MNO's own assessment of the historical record. Despite examining the MNO's evidence on its own terms, we nonetheless found several clear weaknesses that challenge the basis for the existence of distinct "Métis" communities in RHW. Our main focus, however, was on examining the manner in which the ancestors at the basis of the MNO's political claims were identified in the historical record. Such an analysis involved poring over the information on an individual ancestor's identity provided by the MNO in every VMFL, information that documents forebearers, "Métis" root ancestors, and root ancestor descendants for each family. Our analysis focused most on the Ethnicity Chart in each VMFL, which sometimes featured only a single person, but normally featured about fifteen individual ancestors identified as "Documented Métis" by the MNO.

The significance of examining the MNO's claims in the Ethnicity Charts is two-fold. First, we are unaware of any existing review of the MNO's research into its so-called Métis ancestors. We have repeatedly heard from First Nation leaders and community members in Ontario that the MNO appears to be using their Anishinaabeg and Cree family members as the basis of their VMFLs and communities. There are many questions about the VMFLs that remain unanswered, given the lack of transparency in the 2017 recognition announcement. Second, the MNO and Government of Ontario state in their documentation that the individual ancestors featured in the VMFLs are "repeatedly identified as 'half-breeds' – as opposed to 'Indians' – in the historic record for successive generations."<sup>1</sup> As such, we decided to employ the MNO's own methodology to assess whether the "Métis" ancestors they identified in the VMFLs were recorded as "halfbreeds" more often than as "Indian" over successive generations. We found that less than 10% of the hundreds of individual ancestors identified in the VMFLs in RHW were ever identified as "Métis" more often than First Nation or European over successive generations. The MNO simply does not meet the criteria it has claimed to meet in their own documentation.

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<sup>1</sup> Métis Nation of Ontario and Government of Ontario. 2017. "Joint Fact Sheet for Historic Abitibi-Inland Métis Community," p. 4.

Examining the recorded identities of each of the “Documented Métis” ancestors featured in the VMFLs involved verifying the original historical documents that contained an identifier for an individual. Almost all these documents were from the Census of Canada (1861, 1871, 1881, 1891, 1901, 1911, and 1921), though a few other historical documents were referred to in the VMFL Assessment Reports, such as petitions and vital records (e.g., death certificates). The four “Métis” communities under study included 65 unique VMFLs and we examined the recorded identities of 1,083 individuals in more than 5,000 separate historical documents.

## **2.2. Interpretation of Data**

A key aspect of our interpretative approach comes from the fact that we disagree with the MNO’s logic for identifying a “Documented Métis” ancestor. The “Métis-as-mixed” approach employed by the MNO posits that mixed-race individuals in the past were part of a distinct “Métis” people simply due to being mixed. Clearly, because of the devastating impacts of colonial violence on Anishinaabeg, it was common, particularly for Indigenous women, to intermarry with white settlers. Intermarriage, in those cases, did not lead to the creation of a new post-contact people in RHW, but instead, our research confirms that the children of these unions were often raised by their mothers and other Indigenous relations as Anishinaabeg. Since we employ a *relational* interpretive framework that pays close attention to the relationships recorded between and within historical documentation, we read the records quite differently than the MNO.

One clear difference in our frameworks is in our respective interpretations of the word “breed” in census records. In the period under study in the nineteenth and early twentieth centuries, census enumerators and government officials used the word “breed” to denote that an individual was mixed-race (European-Indigenous). Unlike the MNO, we don’t believe that every person identified with the word “breed” in a historical record was part of a distinct “Métis community.” When “breed” is qualified by a word representing a First Nation identity (e.g., Chippewa Scotch Breed or Algonquin French Breed), we interpret it to mean that individual was identified as Anishinaabe. The MNO interprets any use of the word “breed,” even when it’s struck out and replaced with a First Nation identity, as evidence that the individual was the member of a distinct regional “Métis” people. By employing this method to the data, we found repeated instances where only one “Métis root ancestor” or “root ancestor descendant” in the entire VMFL was identified with the word “breed” (e.g., FB for French Breed, SB for Scotch Breed, or OB for Other Breed). In several cases, the rest of their siblings and family members enumerated in the very same year were not identified as such. Often in these cases, most direct kin were enumerated using other identifiers, namely “French” or “White” in Georgian Bay and “Indian” or “Red” in Sault Ste Marie, Killarney, and Mattawa. The following table provides examples of identifiers, with our respective interpretations.



TABLE 1 – Interpretation of Identifiers

<b>Recorded Identifiers</b>	<b>Our Interpretation</b>	<b>MNO Interpretation</b>
Chippewa Scotch Breed	First Nation/Anishinaabe	“Métis”
Ojibway French Breed	First Nation/Anishinaabe	“Métis”
Algonquin French Breed	First Nation/Anishinaabe	“Métis”
Halfbreed of the Chippewa Nation	First Nation/Anishinaabe	“Métis”
Indian <del>Scotch Breed</del>	First Nation/Anishinaabe*	“Métis”
“Red”	First Nation/Anishinaabe*	Omitted 1901 Census category “Colour” unless it’s recorded with word “Breed”

\*In cases where an individual or family is otherwise identified as Anishinaabe.

The last row from the table above documents one other aspect of the MNO’s interpretive work that points to its inherent bias. The 1901 Census is significant because it’s the only source of historical information that provides two categories of relevant data: “Colour” and “Racial or Tribal Origins.” Through our careful examination of all the documentation provided in the MNO’s VMFLs for the four “Métis communities” under study, we discovered that it only ever records the identity of ancestors in the 1901 Census that are marked with the word “breed,” usually under “Racial/Tribal Origins.” What this means is that the MNO purposefully omits recording the identity of individuals who are identified as First Nation, usually as “Red” under “Colour” and primarily for Sault Ste Marie, Killarney, and Mattawa. We have counted 908 times when the MNO completely omits the fact that an individual descended from its identified forebearers and/or “Métis root ancestors” was recorded as First Nation in that one census alone. In addition, the MNO failed to record 1,074 times that an individual was recorded as “White” under “Colour” in the 1901 census. A remarkable 76% of these examples come from the VMFLs in Georgian Bay. Besides these 1,982 cases in which the MNO appears to have withheld key information that undermines their political claims to the existence of a “Métis” community in RHW, we have also found a few hundred cases where the MNO has omitted individuals recorded as either First Nation (“Indian,” “Ojibway,” “Chippewa”) or European (French, Scotch, French Canadian) in preceding and subsequent censuses. Again, this finding is significant because the MNO and Government of Ontario acknowledge in their documentation the importance of identifying ancestors who are recorded as “Métis” more often than First Nation (or European/White) in the historical documentation. Omitting these findings not only contradicts their evidence, but often disqualifies the entire VMFL, and subsequently illustrates that the “Historic Métis Community” in question does not meet the minimum evidentiary threshold that they jointly established.

A generous interpretation of the situation might grant the possibility that the MNO missed the fact that two relevant categories, including “Colour,” were used in 1901.

However, the MNO duly notes the relatively few instances in which the letter “B” was recorded under “Colour” (e.g., FB for French Breed, SB for Scotch Breed, or OB for Other Breed). In that sense, it’s our conclusion that the MNO disregards sound historical research methods, which call on researchers to report the complete historical record, including elements that challenge one’s own opinions about the past, to pick and choose only the pieces of the historical record that support its political narrative. The errors of interpretation caused by its poor use of historical research methods provide an insurmountable obstacle to the 2017 recognition of these four communities by the Government of Ontario.

### 3. EXAMINATION OF FOUR MNO COMMUNITIES

We now turn to an analysis of the four MNO communities in RHW recognized as section 35 Aboriginal rights-holders. For each so-called community, we first include a table that presents a summary of the data obtained in our in-depth examination of the corresponding Verified Métis Family Line Assessment Reports. We then proceed to analyze that data, with an eye on providing relevant examples from our VMFL research.

#### 3.1. Georgian Bay

TABLE 2 – Georgian Bay Summary Grid

<b>Family</b>	<b>“Métis” Prior to Effective Control (1860)</b>	<b>Recorded Identity</b>	<b>Creation</b>
1. Brissette-l’Hirondelle (7001)	No	European = 56 “Métis” = 36 First Nation = 34	2017
2. Gendron-Hallio (7003)	No (1901)	European = 84 “Métis” = 60 First Nation = 44	2017
3. Delaronde (7004)	No (1901)	European = 59 “Métis” = 23 First Nation = 5	2017
4. Craddock (7005)	Yes	European = 28 First Nation = 25 “Métis” = 5	2017
5. Gordon-Landry (7006)	Yes	European = 12 “Métis” = 9 First Nation = 4	2017
6. Charpentier-Martin (7008)	No (1901)	European = 19 “Métis” = 14 First Nation = 9	2017
7. Gaudar (7010)	No	First Nation = 1	2017

		European = 1	
8. Payette-DeValley (7011)	Yes	Halfbreed Petition only	2017
9. Perrault (7012)	No (1901)	First Nation = 2 "Métis" = 2 European = 1	2017
10. Vasseur-Longlade (7013)	Yes	"Métis" = 30 European = 28 First Nation = 26	2017
11. Laramée-Cloutier (7014)	Yes	European = 118 "Métis" = 76 First Nation = 73	2017, amended 2020
12. Berger-Beaudoin (7015)	No (1901)	First Nation = 34 European = 29 "Métis" = 25	2017
13. Cadieux-Evans (7016)	No (1901)	European = 59 "Métis" = 21 First Nation = 14	2017
14. Coture-Jones (7017)	No	European = 12	2017
15. Labatte (7018)	Yes	European = 108 "Métis" = 19	2017
16. St-Onge (7020)	No	European = 62	2017
17. Dusome-Clermont (7023)	No (1901)	European: 263 "Métis": 22 First Nation: 1	2017
18. Longlade (7024)	No	European = 18 First Nation = 5	2017, amended 2021
19. Chevrette-Soulière (7025)	No	European = 278	2017
20. Trudeau-Papanaatyhianencoe (7026)	No	European = 108 "Métis" = 2	2017, amended 2020
21. Solomon (7027)	Yes	European: 102 First Nation: 73 "Métis": 26	2017, amended 2020
22. Desjardins-Lavallée (7031)	No (1883)	European = 90 First Nation = 1	2020
23. Giroux-St. Onge (7032)	Yes	European = 32 Métis = 20	2020

		First Nation = 19	
24. Beausoleil-Giroux (7033)	Yes	European: 33 Métis: 27 First Nation: 3	2020
25. Jones-Blette dit Sorelle (7034)	No	European = 108	2020
26. Leduc-Callahan (7035)	Yes	European = 135 “Métis” = 1	2021
TOTAL	Only 10 of 26	European = 1,842 “Métis” = 418 First Nation = 373	-5 VMFLs added since 2017 -4 amended reports

3.1.1. Georgian Bay Summary Grid Analysis

The MNO’s twenty-six Verified Métis Family Lines for the “Historic Georgian Bay Métis Community” identify five forebearers, sixty-three root ancestors, and 454 root ancestor descendants in their Ethnicity Charts for a total of 522 individuals. Many of the Georgian Bay VMFLs came into present-day Ontario around 1830 as part of the transfer of the British garrison from Drummond Island to Penetanguishene. The mean birth year for the Georgian Bay “Métis” root ancestors is 1824 and there is a considerable range in year of birth.

The Effective Date of Control that the MNO chose for Georgian Bay is 1860, yet this date does not actually align with the historical details that they provide for this geographic area. The Georgian Bay VMFLs consistently note that it is important to locate the “Métis root ancestors” within the Georgian Bay area prior to when Ontario experienced a large influx of *habitants* (French Canadian farmers) from the east in 1840. This argument alone suggests that the date of Effective Control should be at least 1840. It must also be noted that Penetanguishene was developed as an Upper Lakes naval base in 1817, with a naval and military presence until the late 1850s. Indeed, the MNO discloses how many of the Georgian Bay VMLF individuals were included on military paylists in Penetanguishene in various roles and positions.

Given the military presence in 1817, the influx of *habitants*, and the fact that the area under question came under Treaty in 1850, we suggest that a more likely Effective Date of Control is between 1817 and 1840, 20 to 43 years earlier than the MNO’s selected date of 1860. The Effective Date of Control is significant as mentioned previously because one of the legal requirements flowing from the *Powley* decision is that a distinct Métis community must have emerged post-European contact but before the area came under the effective control and influence of European laws and customs.

The MNO also highlights that several root ancestors attached to family lines including Giroux-St.Onge, Longlade, Labatte, Trudeau-Papanaatyhianencoe, Vasseur-Longlade, and Payette-Lavallee signed their names to the 1840 Petition of Penetanguishene “half

breeds” sent to the Governor General. It is important to note that the MNO interprets the Petition as evidence that the signatories were, in fact, Métis, and in most cases, this document is the sole evidence of a recorded Métis identity within the entire VMFL. However, upon close examination of the census materials MNO provides and additional historical documentation, we have confirmed that many of the signatories had no Indigenous ancestry whatsoever. We document these cases in some detail in Section 4.2.1

The Trudeau-Papanaatyhianencoe VMFL identifies only one “Métis root ancestor:” Jean-Baptiste Trudeau, a French-Canadian man from Quebec with no Indigenous ancestry. Besides turning a European settler into a “Métis root ancestor,” the MNO exposes another common flaw in its research methods: it focuses intently on three “Métis root ancestor descendants” while ignoring over 100 others. In this case, Jean-Baptiste’s only son Antoine and two of his children are identified as “Documented Métis” because they signed the petition and were recorded as “F[rench] B[reed]” in the 1901 Census, respectively. The MNO completely ignores that 108 other descendants of Jean-Baptiste’s who were only recorded as a combination of “French,” “Canadian,” and “White” over a span of almost a century. The MNO simply doesn’t adhere to the criterion it claims to follow, in that individual ancestors in their VMFLs are normally recorded as something other than ‘Métis’ more often over successive generations. We discovered this to be the case by combing through the historical documentation provided by the MNO in their VMFLs, since they omitted it from their Ethnicity Charts.

Pointing to another serious flaw in the MNO’s research, there are Georgian Bay VMFLs that provide no concrete evidence that the “Métis” root ancestor and/or descendants were ever identified as Métis. For example, the Coture-Jones VMFL identified only one “Métis root ancestor:” Joseph Coture Senior (b. circa 1821) who married Mary Jones (not in census data or materials provided). The couple had 9 children: Mary, Margaret, Joseph Jr., Frank, John, William, James, Mariah, and Charles. The MNO explicitly states that Joseph was never recorded as Métis and that their only “evidence” of him being Métis is an Anglican clergyman’s journal entry that stated that Couture resided at Squaw Point, “where a light-house is to be erected, you begin to see the houses of sundry French Canadian half-breeds, who have squatted on or near the military reserve, and who chiefly live by fishing and maple sugar making.” The MNO suggests that this journal entry supports the reasonable inference that Coture was Métis. Yet, when one consults the census materials through a relational lens, one finds evidence that challenges the MNO’s interpretation. For example, the 1851 Census for Owen Sound recorded Joseph Coture Senior as “French” and all the individuals recorded on the same census page were marked as born in European or as white settlers. According to the documentation provided by the MNO. Couture was also identified as “French” in four subsequent censuses (1871, 1881, 1891, and 1901) and as “white” in his 1909 death record. The available evidence strongly suggest that Coture lived as a white settler man, despite the MNO’s best efforts to ignore this fact.

The Leduc-Callahan VMFL also identifies only one “Métis root ancestor:” Thomas Leduc (b. 1811 in Canada East). The MNO’s evidence rests on a single mention of Leduc being a “Canadian half-breed” in the second volume of Anna Jameson’s *Winter Studies and*

*Summer Rambles in Canada*, which was published in 1839, and four entries for descendants who were recorded as either French B[reed] or O[ther] B[reed] in the 1901 Census. Like the Trudeau-Papanaatyhianencoe VMFL, when one looks at the data available for all the other “root ancestor descendants” over several generations, one finds the MNO has once again omitted recorded identities that don’t support its conclusions about this family. Specifically, we found 135 times that “root ancestor descendants” of Thomas Leduc’s were recorded as some combination of “French,” “Canadian,” or “white” that the MNO ignores in its own documentation. The Leduc-Callahan VMFL is another example of a family line that is included as “Métis” by the MNO, even though the individual ancestors were over 30 times more likely to be identified as Euro-Canadians than as “Métis,” which holds for multiple generations.

The only “Métis root ancestor” for the Chevrette-Soulière VMFL is Marguerite Soulière Chevrette (born circa 1800 in Fort William). Note that the MNO does not provide any evidence that Soulière was Métis and instead suggests that it can be reasonably concluded that Marguerite had mixed Aboriginal ancestry and “was likely born into a Métis community” because there were no non-Aboriginal women at Fort William at the time of her birth. The MNO notes that Marguerite Soulière Chevrette was never identified as an “Indian” or as a First Nations person in the Historic Record. Further, no enumerator over multiple censuses recorded any of the root ancestor descendants as anything other than “French,” “French Canadian,” or “white.” Indeed, there are 278 separate recorded identities across seven consecutive censuses (1861 to 1921) spanning sixty years of direct descendants of Marguerite Soulière Chevrette, all of which identified them as “French,” “white,” or “French Canadian.” What’s more, J.L. Duquette, the husband of Philomène Chevrette (granddaughter of the “Métis root ancestor”), was the enumerator of the 1901 census in the Penetanguishene area and failed to record his wife or his children as “Métis.” This begs the question of why an actual family member of this VMFL would have not recorded his own kin as “Métis” if they understood themselves as “Métis,” as the MNO argues. The lack of documented evidence for the inclusion of this VMFL is particularly concerning given that the MNO indicates that many of its members use this VMFL for membership today.

Overall, we’ve identified several serious flaws in the MNO’s research practices that call into question the very existence of what is now calls the Historic Georgian Bay Métis Community. Among those flaws are the reliance on a single source of evidence for the determination of an individual’s “Métis” identity; a pattern of omission of evidence that challenges the MNO’s interpretation of historical records; and an unrealistic timeline for Effective Control.

### 3.2. Killarney

TABLE 3 – Killarney Summary Grid

<b>Family</b>	<b>“Métis” Prior to Effective Control (1880)</b>	<b>Recorded Identity</b>	<b>Creation</b>
1. de Lamorandière- Shepherd (4004) -also Sault Ste Marie	No (1881)	Data included in Sault Ste. Marie table	2017
2. Causley-Riel (4006) -also Sault Ste Marie	No (1901)	Data included in Sault Ste. Marie table	2017
3. Corbière-Roy (4019)	No (1901)	First Nation = 75 “Métis” = 15 European = 5	2017
4. Tchimanens (5015)	No	First Nation = 6 European = 2	2017
5. Recollet-Ignace (5026)	No (1899)	European = 61 First Nation = 46 “Métis” = 7	2017
6. Tranchemontagne-Pitawechkamod (5027)	No (1899)	European = 16 First Nation = 14 “Métis” = 1	2017
7. McGregor-Bellemare (5033)	No (1901)	First Nation: 21 European: 18 Métis: 1	2021
8. McLeod-Riel (5034)	No (1899)	First Nation = 36 “Métis” = 8 European = 4	2021
9. Solomon (7027) -also Georgian Bay	Yes	Data included in Georgian Bay table	2017, amended 2020
<b>TOTAL</b>	Only 1 of 8	First Nation = 198 European = 106 “Métis” = 32	2 added since 2017, 1 amended

#### 3.2.1. Killarney Summary Grid Analysis

The MNO’s six distinct Verified Métis Family Lines for the “Historic Killarney and Environs Métis Community” identify nine root ancestors and forty-eight root ancestor descendants as “Documented Métis” in the Ethnicity Charts, for a total of fifty-seven individual ancestors. Remarkably, none of these fifty-seven ancestors was ever documented as “Métis” prior to Effective Control, ensuring that the MNO has failed to document the emergence of an identifiable community according to the *Powley* criteria

for Killarney. For the most part, these families were integral citizens of local Anishinaabe communities, as the evidence provided by the MNO repeatedly demonstrates, including the fact that these fifty-seven ancestors were recorded as “Métis” only about 10% of the time.

The Corbière-Roy VMFL provides perhaps the clearest example of the MNO’s push to find/create “Métis root ancestors” where there simply weren’t any. In this case, the root ancestor couple were both born at the West Bay Indian Reserve (today’s M’Chigeeng First Nation) in 1823 and 1826, respectively. This places them as the children of some of the first Anishnaabeg families to live permanently in M’Chigeeng, after many Anishinaabeg were forced to relocate from the North Shore to Manitoulin Island. In fact, every individual presented in the MNO’s VMFL document – from the root ancestors to some of their grandchildren – are only ever recorded in M’Chigeeng between 1823 and 1937. In addition, three generations of this family are all enumerated as either “Ottawa” or “Chippewa” and speaking Anishnaabemowin in the 1911 and 1921 censuses.

There are two reasons that the MNO has included this well-documented Anishinaabe family as “Métis” for their purposes. In 1901, three generations of the Corbière family were enumerated in M’Chigeeng as either “Ojibway Other Breed” or simply “Other Breed.” Even though these same family members are also enumerated as “Red” under “Colour” – a fact omitted by the MNO – and are recorded as either “Ottawa” or “Chippewa” in at least two subsequent censuses, the MNO nonetheless remakes them into “Documented Métis” ancestors.

In examining the MNO’s own documents using our relational framework, it is clear that this is a Anishinaabe family whose descendants would virtually all be considered Anishinaabeg today. Not only did three generations of the family exclusively live in M’Chigeeng until *at least* the late 1930s according to death records provided by the MNO, but the second and third generation of descendants appears to have mostly married fellow Anishinaabeg individuals from M’Chigeeng or Wiikwemkoong First Nations. Descendants of the Corbière-Roy family line include Anishinaabeg individuals with well-known family names such as Corbière, Debassige, and Bebonang who also married into the Mishibinijima and Manitowabi families. What’s more, at no point did any of the descendants identified in MNO documentation seem to set foot in Killarney, nor do they share any kinship relations, symbolic or otherwise, with any of the other VMFLs for Killarney. In other words, the MNO has transformed M’Chigeeng First Nation into a component of its “Historic Killarney and Environs Métis Community,” under the rubric of “and environs.” Not only is the MNO transforming the identities of Anishinaabeg individuals in the past, but it is also turning reserve lands into a key component of its claims to a historical community.

By cross-referencing genealogical records, we also noticed a pattern among a few of the women descendants of this family line – if they married a non-Anishinaabe man in the twentieth century, they were inevitably recorded off reserve, often quite far from Manitoulin Island. These were the only cases where descendants of this family line were consistently recorded off-reserve. Given the gender discrimination built into the *Indian Act*, such a discovery is unsurprising. The loss of status appears to only have affected Corbière descendants starting around the 1940s, given the high level of in-marriage



prior to that. This would mean that all the living descendants of the Anishinaabeg women who lost status would be eligible to be registered as “status Indians” under the provisions of Bill S-3 (adopted by Parliament and then revised by Cabinet in 2019). This raises a significant issue that we will return to in Section 4: in virtually all VMFLs in Killarney and in Sault Ste Marie, current MNO members appear to be eligible for Indian status as a remedy to historical gender discrimination in the *Indian Act*. The Government of Canada has already recognized the descendants of these women as First Nation through federal legislation, yet the Government of Ontario counter-intuitively recognized some of them as a distinct “Métis” people in 2017.

The McLeod-Riel VMFL provides us with a second example of an important regional Anishinaabe family that the MNO has turned into a “Métis” family for Killarney. We will focus our analysis on Gregor McGregor – a “Métis root ancestor descendant” – since he is the only individual that the MNO documents through five censuses (1881 to 1921). Gregor was enumerated as “Scotch” and living with his parents and younger sister Helen in the 1881 Census for Killarney. The four of them are the only ones on the two census pages for Killarney not enumerated as “Indian” though they live next door to the Chief’s household. By 1891, Gregor was enumerated with his wife Véronique Nigassiwina and their two infant children as “French Canadian” in Killarney. The family appears to be living exclusively among Anishinaabeg families again. His parents Duncan and Mary (née McLeod) were enumerated on the next census page. In 1901, Gregor, Véronique, their four children, and his parents (next door) are enumerated at the “Whitefish Reservation on Birch Island” (today’s Whitefish River First Nation) as “FB” (French Breed) under “Colour” and “Chippewa Canadian” under “Racial or Tribal Origins.” They are all recorded as speaking Anishinaabemowin along with 5 of the 6 remaining households enumerated on this census page. In 1911, Gregor, Véronique, and their eight children were enumerated at the White Fish River Indian Reserve as “Ojibbewa” under “Racial or Tribal Origin” and speaking Anishinaabemowin along with the 27 other individuals on the same census page. In 1921, Gregor, Véronique, and their five children were once again enumerated on the Whitefish River Reserve as “Ojibway” under “Racial or Tribal Origins” and speaking Anishinaabemowin along with everybody else on the census page. Their oldest sons Augustus, David, and William were each married and enumerated in their own household next to their parents, with five of their own children combined. Their eldest daughter, Matilda, was also enumerated on the next census page a few households down from her brother William, living with her husband (Francis St. Germain) and their four children. All thirty individuals enumerated on that census page are identified as Ojibway and speaking Anishinaabemowin.

The only other individual in the McLeod-Riel VMFL family included in the records provided by the MNO for the 1921 Census is Bridget Gaiashk (née Wagosh), Gregor’s niece. Bridget was living with her husband and their four children on the Manitoulin Island Unceded Indian Reserve (today’s Wiikwemkoong First Nation), where they were all enumerated as Ojibway under “Racial or Tribal Origins” and speaking Anishinaabemowin, along with the 44 other individuals on the same census page (many were recorded as “Ottawa”).

All told, the MNO provides compelling evidence that the grandchildren and great-grandchildren of the McLeod-Riel “Métis root ancestors” were all integral members of regional Anishinaabeg communities. According to public documentation produced in February 2023, Gregor McGregor and Véronique Nigassiwina’s descendants continue to be a significant presence in the Whitefish River First Nation, as those with the McGregor last name represent over 16% of its 738 adult citizens.<sup>2</sup>

Overall, we have confirmed a pattern of serious flaws in the MNO’s research practices that call into question the very existence of what it now calls the Historic Killarney and Environs Métis Community. Contrary to the case with Georgian Bay, the MNO omits evidence that the Killarney “Métis root ancestors” and their descendants were Anishinaabeg individuals living among their kin in Anishinaabeg First Nations. The MNO interprets historical documentation in such a manner as to include places such as Wiikwemkoong First Nation, M’Chigeeng First Nation, and Whitefish River First Nation as integral to their “Historic Métis Communities,” an interpretative practice that demonstrates how it erases the presence of the Anishinaabeg from RHW in favour of the “Métis.”

### 3.3. Mattawa

TABLE 4 – Mattawa Summary Grid

<b>Family</b>	<b>“Métis” Prior to Effective Control (1890)</b>	<b>Recorded Identity</b>	<b>Creation</b>
1. Bastien-Sibikwe (5001)	Yes	First Nation = 32 European = 23 “Métis” = 2	2017
2. Bernard-Papineau (5002)	No (1901)	First Nation = 33 “Métis” = 10 European = 5	2017
3. Dorion-McDonnell (5003)	Yes	European = 24 First Nation = 7 “Métis” = 6	2017
4. Ferris-Good (5004)	No (1901)	First Nation = 25 European = 9 “Métis” = 4	2017
5. Commandant- Kijikasowekwe (5005)	No	First Nation = 91 European = 14	2017
6. Laronde-Sauvage (5006)	Yes	European = 79 First Nation = 11 “Métis” = 7	2017

<sup>2</sup> <https://www.whitefishriver.ca/wp-content/uploads/2022/11/WRFN-Voters-List-as-of-February-21-2023.pdf>

7. Laronde-Lanthier (5007)	No	First Nation = 18 European = 16	2017
8. Montreuil-Kakwabit (5008)	Yes	European = 32 First Nation = 14 “Métis” = 1	2017
9. Montreuil-MicMac (5009)	No (1901)	European = 31 First Nation = 7 “Métis” = 1	2017
10. Romain-Brisebois (5010)	No (1901)	European = 74 “Métis” = 4 First Nation = 1	2017
11. Atkinson-Moore (5011) -also Abitibi-Inland	No (1901)	First Nation = 39 European = 13 “Métis” = 1	2017
12. Langevin-Mijakwat (5012)	No (1901)	First Nation = 23 “Métis” = 17 European = 9	2017
13. Belair-Laronde (5016)	No	European = 19 First Nation = 1 “Métis” = 1	2017
14. McGregor-Riel (5023)	No (1904)	European = 20 “Métis” = 7	2019
15. Stoqua (5024)	Yes	First Nation = 37 European = 10 “Métis” = 2	2017
16. Thomas (5025)	Yes	RR Métis, but only enumerated as white in Ontario.	2017
17. McIsaac-Poitras (5028)	No (1901)	European = 11 First Nation = 8 “Métis” = 3	2017
18. Taylor (5029)	Yes	RR Métis, but are only enumerated as white in Ontario.	2017
19. Leclerc (5030)	No (1901)	First Nation: 42 European: 8 “Métis”: 1	2018
TOTAL	Only 7 of 19	European = 405 First Nation = 381	2 new VMFLs post-2017

		"Métis" = 70	
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### 3.3.1. Mattawa Summary Grid Analysis

The MNO's nineteen Verified Métis Family Lines for the "Historic Mattawa/Ottawa River and Environs Métis Community" identify five forebearers, forty-nine root ancestors, and 159 root ancestor descendants as "Documented Métis" in the Ethnicity Charts, for a total of 213 individual ancestors. The mean birth year for Mattawa/Ottawa River forebears is 1805 or about seven generations away. As we can see from the Summary Grid above, the ancestors included in the VMFLs by the MNO are recorded as either European/white or First Nation an equal amount of time, while only being recorded as 'Métis' less than 10% of the time.

We will begin our discussion with the Belair-Laronde VMFL, which is of interest because it only has one individual, Suzanne Laronde, in the Ethnicity Chart. Suzanne, a "Métis root ancestor," was recorded as "Halfbreed" in the 1881 census, "French" in the 1901 census, "Canadian" in the 1911 census, and "Indian" in her 1911 death certificate. She was not recorded in the same way once during her lifetime, which certainly calls the MNO's claim that she was "Métis" into question and goes against its stated approach to only include those individuals who are recorded as "Métis" most often over successive generations. Had the MNO stuck to its own stated methodology, at the very least there would be some consistency in how it assessed an ancestor's past identity. Most notably, none of the nearly ninety root ancestor descendants included in the MNO's family tree were ever recorded as "Métis" in the historical record. The Belair-Laronde VMFL is just one of several Mattawa VMFLs that do not meet the MNO's own threshold for repeated identification as "Métis" over generations. Overall, 17 of the 19 VMFLs include individuals who were recorded as either First Nation (9 of 19) or European (8 of 19) most often. The two exceptions are the Thomas and Taylor VMFLs, both of which include individuals who obtained Manitoba or Northwest Halfbreed Scrip.

Additional information is known about Charles Thomas, the "Métis root ancestor" for the Thomas VMFL. By 1833, Charles, his wife Hannah, and their nine children moved to Golden Lake, where Thomas set up an HBC trading post on the nearby Bonnechere River. Golden Lake was home to a large Algonquin community at the time, one that would become a reserve under the *Indian Act* by 1873. Within a year of Thomas's arrival, Jean Baptiste Otiskwekijik (a.k.a. Chief Makwa), a Nipissing chief with hunting grounds on the Bonnechere River, communicated a complaint to the Indian Department interpreter (Dominique Ducharme) at the Lake of Two Mountains Mission, who communicated it to the Indian Affairs officer at Montreal, James Hughes. Hughes duly referred the complaint in writing to the Secretary of Indian Affairs at Quebec. According to Hughes' letter, Chief Makwa complained about Thomas and his five sons trespassing on his hunting grounds and requested that they and other "white hunters" not be permitted to do so because they were depriving him of his livelihood. According to the letter, despite asking Thomas "to retire and quit his lands or hunting grounds and not rob him of his property," Thomas refused to leave and informed Chief Makwa that he intended to squat the land and establish a farm. Ultimately, Chief Makwa's complaint requested that the Secretary of Indian Affairs order Charles Thomas and family to quit

his lands, which it appears never happened. What's clear is that regardless of Thomas's actual Métis identity, the Algonquins did not recognize the Thomas family as having any specific rights to land in their territory. Given that the Thomas VMFL had no intermarriage with any other Mattawa VMFL, its inclusion by the MNO as one of the founding families of its "Historic Mattawa/Ottawa River and Environs Métis Community" speaks to the weakness of its claims to section 35 Aboriginal rights in Algonquin territory.

The Montreuil-Mic Mac VMFL identifies seven "Métis root ancestors," the children of Léon Montreuil, a French-Canadian man from eastern Quebec, and Mary Anne Mic Mac, an Algonquin woman from the mission at Lake of Two Mountains in Quebec. The primary basis for this family being included as a VMFL is how they were enumerated in the 1881 Census for Mattawa. Léon was enumerated as French and his wife Mary Anne as "Indian." Their children were initially enumerated as "Half Breed," but that identifier was crossed out and "French" was written over it. In other words, the MNO ignores the fact that the root ancestors were ultimately identified as "French" and not as "Métis," a reading strategy we discovered they employ repeatedly in their VMFLs. Even when the opposite is true – when either "French" or "Indian" is overwritten with "French Breed" – they use that as evidence that an individual is "Métis," ensuring that their approach finds "Métis" individuals in the historical record every time that an identifier is struck through. In this case, their approach lacks the necessary reliability and verifiability one would expect of ethnohistorical research of this nature. After 1881, individuals in the family were only ever enumerated as "Métis" once, when Joseph Montreuil was enumerated as "French B[reed]" in the 1901 census. Taking a closer look at this claim, Joseph was enumerated with his parents, Léon and Mary Anne, and while Joseph is identified as "French B" under "Racial or Tribal Origin" he was also marked as "B" for "Blanc" or "White" in the "Colour" column, rather than "R" for "Red" like his mother. It appears that Joseph was simply enumerated as "mixed-race," and not as a member of a distinct "Métis community" as the MNO claims. Otherwise, according to the MNO's own records, the Montreuil family is primarily identified as French. What's of even greater significance is that even if we accept the MNO's biased interpretation of the historical record, the seven "Métis Root Ancestors" were only ever enumerated as "Métis" after Effective Control, meaning that this family fails to meet the threshold set out in *Powley*.

The next example we consider is the Leclerc VMFL, which raises significant problems with the MNO's identification of forebearers. In this case, forebearer Benjamin Leclerc's identity is not discussed at all by the MNO. His wife, forebearer Tenes/Thérèse Kontagishish, was born at the Lake of Two Mountains Mission around 1826. Our research further reveals that her parents were a well-documented Algonquin couple, Marie Anne Pemansikewe and Kiwitakijik (Kapimasikekwe) Francois. Benjamin's parents are unknown, but he was recorded as "Indian" living as an Algonquin in a range of documents, including:

- the 1871 Census of Canada for Deep River, Québec, in which he, Tenes, and their seven children were enumerated as "Indian" along with the eleven remaining individuals on the census page;

- the 1881 Census of Canada for Fort William, Québec, in which he, Tenes, and two of their children were enumerated as “Indian” in a large extended Algonquin community;
- his oldest daughter Cécile’s marriage record (to Samson Commandant) from 16 September 1873 at Fort William, in which he was recorded as present among “other Indians from Fort William;” and
- his daughter Angélique’s marriage record (to John Jakot/Takonens) from 20 January 1872 on Île-aux-Allumettes, in which he and Tenes were recorded as “Indians.”

At no point does the MNO provide any evidence that Benjamin was ever identified as anything other than “Indian” or Algonquin. Further, Benjamin Leclerc is even on the Algonquins of Ontario’s Schedule of Algonquin Ancestors, meaning his descendants are considered non-status Algonquins for the purpose of the largest comprehensive land claim in Canadian history. The first two documents listed above were included in the MNO’s documentation and the rest of the information we discovered is available publicly. Despite the clear evidence that both Benjamin and Tenes were Algonquin, their child Frank is transformed into a “Métis root ancestor” because he was recorded as an “Algonquin F[rench] B[reed]” under “Racial or Tribal Origin” in the 1901 Census of Canada for Mattawa. The MNO omits from the Ethnicity Chart the fact that Frank was recorded as “Indian” in the 1881 Census of Fort William and as “Red” under “Colour” in the 1901 Census, doubling the number of times he was recorded as “Indian” in his lifetime (1891 Census of Canada and 1933 death certificate), ensuring that he was recorded as such four times more than either “European” or “Métis.” Nonetheless, the MNO simply casts aside the overwhelming evidence that the forebearers and their children were Algonquin individuals who were key actors in the regional Algonquin community in favour of their unsupported claims about this family being “Métis.” The Leclerc VMFL illustrates the MNO’s practice of disregarding its own stated policy of only identifying “Documented Métis” ancestors who are recorded as “Métis” more often than either First Nation or European and over successive generations. It also demonstrates that it is willing to use “forebearers” who are only ever identified as Anishinaabeg as the basis for its “Métis” community.

Next, we examine the Commandant-Kijikasowekwe VMFL, which presents a new set of problematics, since none of the twenty-three root ancestors or their descendants are ever recorded as “Métis” according to our interpretation of the identifiers. The family is enumerated as First Nation/Anishinaabe ninety-one separate times with identifiers such as “Iroquois O[ther] B[reed],” “Ojibbewa,” “Chippewa,” “Iroquois M[étis] f[rança]is,” and so on. They are sometimes identified as French. We also have another instance of the MNO interpreting a crossed-out identifier as Métis, even when it has French written over it. That is the case with ten of the root ancestor descendants, where the basis for their so-called Métis identity is a crossed-out identifier in the 1901 census. Another troubling aspect of this VMFL is that both “Métis root ancestors,” Grand Louis Commandant and Mari Anne Kijikasowekwe, are only ever identified as “Indian.” The MNO omits in their Ethnicity Chart that they and their six children were enumerated as Indian in the 1861 Census for the District of Nipissing. The couple was then enumerated

as “Indian” in the 1871 and 1881 censuses. Like the Leclerc VMFL forebearers, the Commandant-Kijikasowekwe VMFL “Métis root ancestors” were never recorded as anything as other than “Indian,” a fact that the MNO fails to acknowledge in its research. Lastly, the descendants of the root ancestors were repeatedly enumerated as First Nation living on the Nipissing First Nation in the 1901, 1911, and 1921 censuses according to the documentation provided by the MNO. Using a relational lens, this family has clearly become an integral component of the Nipissing First Nation today, marrying into local Anishinaabeg families such as McLeod, Beaucage, Amikwobe, Restoule, Laronde, Dokis, Penase, Kodje, and Couchie, to name but a few.

Closely examining the “Historic Mattawa/Ottawa River and Environs Métis Community” VMFLs has allowed us to uncover some of the shifting methods used by the MNO in their research. Besides only relying on ancestors who were recorded as “Métis” after Effective Control in twelve of their VMFLs, the MNO actively ignores overwritten identifiers when it suits their preferred historical narrative, a major red flag in historical research. In addition, we have explained how they select “Métis root ancestors” who have never even been identified as “Métis” or any of the identifiers sought by the MNO, ensuring that their research lacks any sense of reliability or verifiability.

### 3.4. Sault Ste. Marie

The Sault Ste Marie Métis community was recognized in the Supreme Court of Canada’s 2003 *Powley* decision, upon which the court set up criteria for the future legal recognition of any potential historic Métis community. The 2017 recognition of six other Historic Métis communities in Ontario by the Government of Ontario purportedly relied on the *Powley* criteria, though as we have demonstrated so far in this report, the co-called Métis communities in RHW fail to meet the *Powley* criteria in several significant regards. To our surprise, upon close inspection, the Sault Ste. Marie prized by the MNO also does not meet the basic requirements for the recognition of a historic Métis community. It is our firm conclusion that key members of the regional Anishinaabe community are misidentified as “Métis” by the MNO.

TABLE 5 – Sault Ste Marie Summary Grid

<b>Family</b>	<b>“Métis” Prior to Effective Control (1850)</b>	<b>Recorded Identity</b>	<b>Creation</b>
1. Boissonneau (4001)	Yes	Anishinaabe = 104 European = 28 “Métis” = 14	2017
2. Cadotte (4002)	Yes	European = 21 Anishinaabe = 19 “Métis” = 17	2017

3. Cadrant-Clermont (4003)	No (1901)	Anishinaabe = 28 European = 25 "Métis" = 21	2017
4. de Lamorandière- Sheperd (4004) -also Killarney	No (1881)	Anishinaabe = 11 European = 8 "Métis" = 1	2017
5. Causley-Riel -also Killarney	No	Anishinaabe = 3 "Métis" = 3	2017
6. King-Prisque	No (1899)	European = 48 "Métis" = 32 Anishinaabe = 4	2017
7. Roussain-Turner	No (1861)	"Métis" = 4 European = 3	2017
8. Sayer (4014)	Yes	"Métis" = 15 European = 14 Anishinaabe = 10	2017
9. Corbière-Nolin (4020)	Yes	Anishinaabe = 105 European = 14 "Métis" = 1	2017
10. Lesage-Schwink (4021)	No	Anishinaabe = 14 European = 2	2017
11. Desjardins-Prisque (4026)	No (1891)	"Métis" = 7 European = 7 Anishinaabe = 1	2017
12. Lesage-Legarde (4027)	No (1899)	Anishinaabe = 29 "Métis" = 15 European = 8	2017
13. McKay-Daviaux (4028)	No (1901)	Anishinaabe = 43 "Métis" = 13 European = 7	2021
14. Sayer-Labris Connor (4029)	No (1923)	Anishinaabe = 102 European = 4 "Métis" = 1	2021



TOTAL	4 of 14	First Nation = 473 European = 189 “Métis” = 144	2 added since 2017
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*3.4.1. Sault Ste. Marie Summary Grid Analysis*

The MNO’s fourteen Verified Métis Family Lines for the “Historic Sault Ste Marie Métis Community” identify twenty-four root ancestors and 267 root ancestor descendants in the Ethnicity Charts, for a total of 291 individual ancestors. The root ancestors were mostly born along the shorelines and islands of upper Lake Huron, in present-day Ontario and Michigan. The mean birth year for the Sault Ste Marie forebears/root ancestors is 1789 or between six and eight generations away. Unlike the Georgian Bay VMFLs, however, most of these VMFLs married into other Anishinaabe families over generations ensuring that a sizable number of the living descendants of the Sault Ste. Marie root ancestors are Anishinaabeg today. In fact, the individuals in 10 of the 14 VMFLs were identified in census records (1861 to 1921) as living most often in a reserve community, with Garden River the most common for six of the VMFLs, Thessalon First Nation the most common for two, and Batchawana First Nation and Wiikwemkoong First Nation as the most common for one other VMFL each. Besides being consistently recorded living with their Anishinaabeg kin in regional First Nations, 12 of the 14 VMFLs include individuals who were recorded as First Nation/Anishinaabe (9 of 14) or European (2 of 14) most often, further demonstrating that the MNO has once again disregarded its stated threshold for including individual ancestors in their VMFLs. Through thousands of pages of primary documentation, the MNO has provided no evidence that a historic Métis community existed in and around Sault Ste Marie; instead, they have simply demonstrated that families from across Anishinaabe territory – from Wisconsin to Georgian Bay – married into local Anishinaabeg families, creating the core nucleus of regional Anishinaabeg communities such as Garden River, Thessalon, and Batchawana Bay.

Only four of the fourteen VMFLs document an individual as “Métis” before Effective Control, which confirms a “Métis” community did not exist in the Sault Ste Marie area before Effective Control (see 4.1 for more detail). That leaves us with only four VMFLs to consider in our analysis.

The Boissonneau VMFL is clearly an extended Anishinaabe family. The primary reason that the MNO included the family is because forebearer Joseph Boissonneau and six of his sons signed the 1850 Sault Ste Marie Halfbreed Petition. However, our research demonstrates that signatories were seeking to be included as Robinson-Huron treaty beneficiaries, which they eventually were due to intermarriage with local Anishinaabeg families such as Nolin (Nolan), Corbière, Sayer, Lesage, Belleau, and Biron. The fifty-six individuals over four generations included in the MNO’s Ethnicity Chart are almost always identified under the category of First Nation. Notably, the MNO failed to include all the data from the 1901 Census for the family, omitting fifty different times that individuals in this family were enumerated as “Red” under the “Colour” category. If we focus in on the 1901 census returns, virtually all the individuals identified as “Métis” by the MNO are enumerated as living on the Garden River reserve (Micheal Clark,

Théophile Boissonneau and family, Henry Lesage and family, Mary Boissonneau and family, Amable Boissonneau and family, Narcisse Boissonneau and family, James Sayers and family, and Joachim Belleau and family) and speaking Anishinaabemowin. Our relational approach to reading the historical documentation allowed us to identify the descendants of those who signed the 1850 petition living alongside their Anishinaabeg kin as Anishinaabeg people as recently as the 1911 Census of Canada for the Garden River First Nation.

The Cadotte VMFL forebearer is Charlotte Okapeguijigokoue, an Anishinaabe woman born in the early 1760s, likely along the Great Lakes in Wisconsin. Her daughter Mary Ann moved to Sault Ste Marie by 1821. The family was first enumerated as “Indian” in the 1861 census for the Indian Division of Batchawana Bay, then later as “Red” in the 1901 census for Sault Ste Marie Town. The main reason that the MNO has included the family is because the first generation is recorded in a “United States Half Breed Claim” in 1840. However, closer inspection of the document shows that Alexis Cadotte, the eldest son, is recorded as a “halfbreed of the Chippewa Nation,” clearly indicating that he and his siblings were Anishinaabeg. The MNO continues to repeat the same methodological error in its interpretation of historical documentation: as soon as the word “breed” appears, an individual automatically becomes “Métis,” despite ample evidence to the contrary. If we remove the twenty-two references to individuals as “halfbreed” in these U.S. records from the MNO’s tally, then of the forty-two individuals included in their Ethnicity Chart, the majority are recorded as First Nation. The MNO once again failed to include all the data from the 1901 Census for the family, omitting twelve different times that individuals in this family were enumerated as “Red” under the “Colour” category. Another reason for its inclusion appears to stem from Mary Ann’s sons Alexis, Joachim, Joseph, and Charles signing the 1850 petition. However, the descendants of those signatories for whom the MNO provides documentation (Mary Jane Biron, Joseph Biron and family, and John Biron and family) were enumerated as living at the Garden River First Nation and speaking Anishnaabemowin in the 1921 census. In other words, the MNO only provides evidence that the descendants of the petition signatories were Anishinaabeg, further confirming our contention that those who signed the 1850 petition did so as mixed-race Anishinaabeg people asserting their treaty rights.

The Sayer VMFL is one of two Sayer VMFLs for Sault Ste Marie. The forebearer for this one is a Chippewa woman named Obemau-unoqua born in the late 1700s. She had three sons, two (Henry and John Charles) of whom received 640 acres of land on the islands and along the shorelines of the St. Mary’s River in Michigan as part of the 1826 treaty between the United States and the Chippewa. Since the two men were recorded as “halfbreeds” in the treaty documentation, the MNO wrongly identifies them as “Métis” for their purposes, even though the U.S. Government did not sign treaties with any distinct Métis people. Henry’s son Michel Toussaint signed the 1850 Sault Ste Marie Halfbreed Petition, along with other mixed-race Anishinaabe men in the region. Shortly after, in the 1861 census, Toussaint, his wife Margaret, and their six children were enumerated as “Indian” living in the Indian Division of Batchawana Bay. His father Henry was also enumerated as “Indian” in the 1861 census for Mississagua near Blind River where he managed the HBC post. The MNO omits at least twenty times that

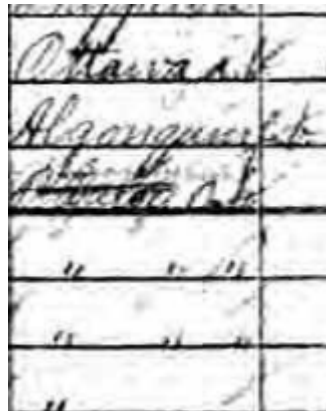
members of this extended family were recorded as Anishinaabeg from its Assessment Report. The pattern in the documentation is for women descendants to be recorded as white and/or of European origins (French or Scottish) over time, suggesting that they either lost status or were categorized according to their husband's identities.

The Corbière-Nolin VMFL is clearly an extended Anishinaabe family. The "Métis" root ancestors for this family are John Corbière and Marie-Madeleine Nolin, both of whom are Anishinaabe born at Garden River First Nation around 1821. Notably, the MNO claims that Garden River First Nation is part of the "Métis Community" in its Assessment Report. The primary reason that the MNO appears to have included the family here is because root ancestor John Corbière signed the 1850 Sault Ste Marie Halfbreed Petition. However, as with the Boissonneau VMFL, John and Marie-Madeleine's descendants were eventually included as Robinson-Huron beneficiaries because they intermarried with other local Anishinaabeg families such as Boissonneau, Lesage, and Boyer. The thirty-nine individuals over four generations included in the MNO's Ethnicity Chart were overwhelmingly identified under the category First Nation. The only example of an individual being recorded specifically as "Métis" provided by the MNO is when the forebear John Corbière signs the 1850 petition. Further, the MNO failed to include data from the 1901 Census for the family, omitting thirty-six different times that individuals were enumerated as "Red" under the "Colour" category. Between the 1881 and 1921 censuses, the family is enumerated almost exclusively at the Garden River First Nation living among other Anishinaabeg families. For example, in the 1901 Census, all thirty-six descendants of the root ancestors included in the MNO documentation are enumerated at Garden River, where thirty-one are also recorded as speaking Anishinaabemowin. In the 1921 Census, 14 of the 17 descendants included in MNO documentation live at Garden River and speak Anishinaabemowin; the only exception is Joseph Corbière and his two children, who are recorded as "French" in Konah Township, but still speaking Anishinaabemowin. Overall, the descendants of Marie-Madeleine Nolin and John Corbière, who signed the 1850 petition, lived alongside their Anishinaabeg kin as Anishinaabeg people over generations. These are the four VMFLs with at least one individual identified as "Métis" prior to Effective Control. Each one is clearly an extended Anishinaabe family turned into "Métis" to support the MNO's political claims.

Before closing this section, we want to turn to one last Sault Ste Marie VMFL to point out some of the interpretive creativity exercised by the MNO. The de Lamorandière-Sheperd VMFL forebearer is Charles de Lamorandière, a mixed-race Chippewa man who was born on Mackinac Island in 1816. Charles, his wife Josette, and their eight children were enumerated in the 1861 census in the Town of Algoma, Provisional Judicial District of Algoma. The MNO only included one of those children, Pierre Régis, in their Ethnicity Chart as a root ancestor because he's the only one referred to as a "halfbreed," in his case in an 1881 correspondence with the Canadian government. Of course, besides the fact that his seven siblings are not considered to be "Métis" by the MNO, being categorized as "halfbreed" by a government employee in no way proves that Pierre Régis or any other members of this family were part of a distinct Métis people. In addition to Pierre Régis, a granddaughter of the root ancestor and her three children (Elizabeth Proulx and Clara, Alexander, and Mary King) are the only other individuals

listed in the Ethnicity Chart. Elizabeth, her husband Charles King, and their three children were enumerated on an illegible reserve in Algoma in the 1901 Census. They're all listed as "Red" under "Colour," a fact omitted by the MNO. Under "Racial or Tribal Origins," Charles is recorded as Ottawa and Elizabeth as Algonquin, while the children's origins are illegible. The image below shows the "Origins" column for Charles King, Elizabeth King (née Proulx) and their four children.

1901 Census Origins for King family



Somehow, the MNO has interpreted the third row above recording the four children's origins as "Algonquin French Breed," which means they consider those children as "Métis," even though their parents are both clearly recorded as Anishinaabe. Our relational approach led us to discover that the forty-five other individuals recorded on the same census page are also recorded as Anishinaabe and as speaking Anishinaabemowin. The King family was clearly Anishinaabe and lived among fellow Anishinaabe. By 1921, Charles and Elizabeth and their eight children were enumerated at Wiikwemikoong First Nation on Manitoulin Island, speaking Anishinaabemowin along with the forty other individuals on the same census page. In this case, the MNO not only omits key information from their VMFL Assessment Report, but they creatively interpret census records to remake historical Anishinaabeg individuals into "Documented Métis" ancestors. Along with most of the MNO's Sault Ste Marie "Métis" families, the de Lamorandière-Sheperd descendants were integral members of the regional Anishinaabe Nation, despite the MNO's efforts to transform their identities.

The MNO's "Historic Sault Ste. Marie Métis Community" is like the Killarney community in many respects. Our relational framework has allowed us to uncover that the five VMFLs that were present in the region prior to Effective Control were clearly Anishinaabeg families who continue to be integral to Garden River First Nation, Thessalon First Nation, Batchawana Bay First, and Wiikwemkoong First Nation. The MNO has failed to produce any evidence of a historic Métis community in the Sault Ste. Marie region.

## 4. GLOBAL ANALYSIS

### 4.1. Effective Control

The question of Effective Control arises out of the Supreme Court of Canada’s 2003 *Powley* decision. The MNO and Government of Ontario explain the importance of Effective Control (EC) in the following manner: “In order for a contemporary Métis community to possess section 35 rights it must have its roots in an identifiable historic Métis community that emerged prior to the time when Europeans established effective political and legal control in the area.”<sup>3</sup> Their joint interpretation makes it plain that one must identify a *community* that emerged before effective European control to meet the time threshold developed in the *Powley* decision. However, our research has uncovered that the bulk of those identified as “Métis” in Robinson-Huron Treaty territory are identified as such only in the 1901 Census, several decades *after* Effective Control in each respective region. It is thus our assessment that the MNO has failed to identify the existence of an “identifiable historic Métis community that emerged prior to the time when Europeans established effective political and legal control in the area” because its flawed methodology mostly points to the existence of mixed-race individuals after the legal timeline set by the *Powley* decision.

In fact, the MNO consistently acknowledges in its Ethnicity Charts that many of the ancestors included in the VMFLs were never identified as “Métis” prior to Effective Control. The table below includes thirty-two VMFLs that explicitly document the first recorded case of a “Métis” ancestor in their lineage *after* Effective Control, suggesting that these families were never part of an already constituted community prior to the legal threshold of Effective Control.

TABLE 6 – VMFLs with no “Documented Métis” prior to Effective Control

<b>Name/VMFL (Community)</b>	<b>First Ancestor Recorded as “Métis”</b>	<b>Date of Effective Control (MNO)</b>	<b>Number of Years After Effective Control</b>
1. Loretta Neveau/Sayer-Labris (Sault Ste. Marie)	1923 Death Record	1850	73 years
2. Charles Davieaux/Cadrant-Clermont (Sault Ste. Marie)	1901 Census of Canada	1850	51 years
3. Mary Ann McKay/McKay-Daviaux (Sault Ste. Marie)	1901 Census of Canada	1850	51 years
4. Joseph King/King-Prisque (Sault Ste. Marie)	1899 Report on Robinson Treaty Annuities	1850	49 years

<sup>3</sup> Métis Nation of Ontario and Government of Ontario. 2017. “Joint Fact Sheet on Historic Abitibi-Inland Métis Community.”

5. Madeleine Legarde/ Lesage-Legarde (Sault Ste. Marie)	1899 Report on Robinson Treaty Annuities	1850	49 years
6. Charles Berger/Berger- Beaudoin (Georgian Bay)	1901 Census of Canada	1860	41 years
7. Michel Boucher/ Delaronde (Georgian Bay)	1901 Census of Canada	1860	41 years
8. Joseph Boyer/Perrault (Georgian Bay)	1901 Census of Canada	1860	41 years
9. Julie Cadieux/Cadieux- Evans (Georgian Bay)	1901 Census of Canada	1860	41 years
10. Edward Charpentier/ Charpentier-Martin (Georgian Bay)	1901 Census of Canada	1860	41 years
11. Angélique Gendron/ Gendron- Hallio (Georgian Bay)	1901 Census of Canada	1860	41 years
12. Charles Longlade/ Dusome- Clermont (Georgian Bay)	1901 Census of Canada	1860	41 years
13. Marie Legris Prisque/ Desjardins-Prisque (Sault Ste. Marie)	1891 Census of Canada	1850	41 years
14. Pierre de Lamorandière/de Lamorandière-Sheperd (Sault Ste. Marie)	1881 Letter to the Deputy Minister of Marine and Fisheries	1850	31 years
15. Peter Desjardins/ Desjardins-Lavallée (Georgian Bay)	1883 Letter from Indian Agent to Superintendent General of Indian Affairs	1860	23 years
16. Marie Louise Bellemare/McGregor- Bellemare (Killarney)	1901 Census of Canada	1880	21 years
17. Henri Corbière/ Corbière-Roy (Killarney)	1901 Census of Canada	1880	21 years
18. Marie Anne Crépeau/ Causley-Riel (Sault Ste.	1901 Census of Canada	1850 or 1880	51 or 21 years

Marie/Killarney)			
19. Marguerite Recollet/ Recollet-Ignace (Killarney)	1899 Report on Robinson Treaty Annuities	1880	19 years
20. Thérèse Betsy Riel/ McLeod-Riel (Killarney)	1899 Report on Robinson Treaty Annuities	1880	19 years
21. Joseph Isidore Tranche Montagne/Tranchemonta gne-Pitawechkamod (Killarney)	1899 Report on Robinson Treaty Annuities	1880	19 years
22. Hannah Atkinson/ Atkinson-Moore (Mattawa)	1901 Census of Canada	1890	11 years
23. Marie Riel Chipakijikokwe/ McGregor-Riel (Mattawa)	1904 Obituary	1890	14 years
24. Justine Dupuis/Ferris- Good (Mattawa)	1901 Census of Canada	1890	11 years
25. Stanislaus Langevin/ Langevin- Mijikwat (Mattawa)	1901 Census of Canada	1890	11 years
26. Margaret McIsaac/ McIsaac-Postras (Mattawa)	1901 Census of Canada	1890	11 years
27. Joseph Montreuil/ Montreuil-Mic Mac (Mattawa)	1901 Census of Canada	1890	11 years
28. Marie Montreuil/ Montreuil-Kakwabit (Mattawa)	1901 Census of Canada	1890	11 years
29. Marie Catherine Papineau/Bernard- Papineau (Mattawa)	1901 Census of Canada	1890	11 years
30. Benjamin Parent/ Leclerc (Mattawa)	1901 Census of Canada	1890	11 years
31. Mary Populous/ Romain-Brisebois (Mattawa)	1901 Census of Canada	1890	11 years

32. Charles Roussain/ Roussain-Turner (Sault Ste Marie)	1861 Census of Canada	1850	11 years
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Almost 50% of the VMFLs identified by the MNO for the four “Historic Métis Communities” in Robinson-Huron Treaty territory do not meet the minimum threshold set by the *Powley* decision calling for the emergence of an identifiable “Métis” community prior to Effective Control. None of the hundreds of individual “Métis” ancestors in these VMFLs were ever recorded as “Métis” prior to EC; on the contrary, they were first recorded as such between eleven and seventy-three years after the year of EC selected by the MNO.

If we set a more historically accurate date of Effective Control for both Georgian Bay and Mattawa, we come up with a slightly larger number of VMFLs that simply do not meet the threshold set in *Powley*. As we suggested previously, EC for Georgian Bay must be set between the building of a British naval base in Penetanguishene in 1817 and the arrival of the first Québécois settlers to the region in 1840. We are prepared to use the mean year of the range, 1829, as the year marking Effective Control in the Georgian Bay region. When it comes to the Mattawa region, a Quebec Superior Court judge selected between 1870 and 1875 as the year of Effective Control in a 2018 court case involving an MNO member who unsuccessfully claimed to be “Métis” in Québec, across the Ottawa River from Mattawa. Again, we are prepared to use the mean year of the range, 1873, as the year of Effective Control for the Mattawa region. Using these two adjusted years for Effective Control in Georgian Bay and Mattawa leads to three other VMFLs no longer meeting the threshold set in *Powley*: Leduc-Callahan for Georgian Bay and Belair-Laronde and Stoqua for Mattawa.

Adding these three VMFLs to the list of those that do not feature any individuals recorded as “Métis” prior to Effective Control means that 35 of 65 VMFLs or 53.9% of the total number for the “Métis communities” in Robinson-Huron Treaty territory do not meet the *Powley* threshold for Effective Control.

Besides the majority of its VMFLs not meeting the legal criteria set out in *Powley*, the MNO also includes several VMFLs whose individual ancestors were never recorded as “Métis” at all, further calling into question their research. The table below documents eight VMFLs for which no ancestor is identified as “Métis,” even in the broad sense used by the MNO.

TABLE 7 – VMFLs with no “Documented Métis”

<b>VMFL/Community</b>
1. Chevrette-Soulière/Georgian Bay
2. Commandant-Kijikasowekwe/Mattawa
3. Coture-Jones/Georgian Bay



4. Gaudar/Georgian Bay
5. Laronde-Lanthier/Mattawa
6. Lesage-Schwink/Sault Ste. Marie
7. Longlade/Georgian Bay
8. Tchimanens/Killarney

Between the VMFLs that include no individuals recorded as “Métis” and those that only identify an ancestor as “Métis” after Effective Control, 43 of 65 VMFLs or 66.2% do not meet a minimum threshold of the *Powley* decision. Another twelve VMFLs only have one example of identification as “Métis” in the records, often in the form of unreliable evidence such as petitions, which we discuss in the next section.

#### **4.2. Misidentification of Ancestors**

Identifying an individual as a signatory of the Sault Ste. Marie “Halfbreed Petition” (1850) or the Penetanguishene “Halfbreed Petition” (1840) in no way represents evidence that they were part of a distinct “Métis” collectivity. In fact, we have documented several instances of white men signing the Penetanguishene Petition and Anishinaabeg leaders signing the Sault Ste Marie Petition. The identity of the individuals who signed a petition must be verified through other historical documentation, particularly primary documents such as census or vital records. Unfortunately, the MNO repeatedly relies on such signatures as the *only* source of evidence for the inclusion of an entire VMFL. In other cases, the MNO uses the descriptions of individuals from secondary sources, such as magazine writing or regional histories, as the only source of evidence for the inclusion of a VMFL. Most of these examples of poor research support the so-called Historic Georgian Bay Métis Community.

##### *4.2.1. Georgian Bay*

The MNO uses one of two problematic documents as the only evidence for the inclusion of no less than twelve of its VMFLs for Georgian Bay: A.C. Osborne’s *The Migration of Voyageurs from Drummond Island to Penetanguishene in 1828*, published by the Ontario Historical Society in 1901 and the 1840 “Penetanguishene Halfbreed Petition.” In the first case, we have found conclusive evidence that at least one individual identified as “halfbreed” in Osborne’s “List of Drummond Island Voyageurs” was French Canadian. Hippolyte Brissette (b. 1796 in Varennes, Quebec), the forebearer for the Brissette-L’Hirondelle VMFL, is easily identifiable as the son of two French-Canadian parents according to the Research Programme in Historical Demography’s (RPHD) genealogical database, the most reliable university-based project of its kind. By tracing his ancestors back five generations, we discovered that he had no Indigenous ancestry. Yet, for the MNO, the fact that he was identified as “half-breed” in Osborne’s book means that Brissette is a “Documented Métis” forebearer to this large family line. The overwhelming evidence available publicly through a few dozen primary documents

presents a different picture, once again casting a wide shadow over the MNO's commitment to basic tenets of historical research.

We have found the same problems with the 1840 Penetanguishene Halfbreed Petition as in Osborne's book. In that case, we discovered that at least three of the men who signed the petition and whom the MNO has transformed into either a forebearer or root ancestor on only that basis were European settlers. For instance, the Jones Blette dit Sorelle VMFL relies on Thomas Jones (b. 1803) as its only "Métis root ancestor." Jones is "Documented Métis" based on having signed the petition, even though none of his children, grandchildren, great-grandchildren or even great-great-grandchildren were ever recorded as anything other than white or European in the historical documentation provided by the MNO, which includes dozens of primary documents spread out over 160 pages. Jones' signature on a petition has overridden the overwhelming evidence presented by the MNO that nobody in the Jones family was ever understood as Indigenous by the broader society, including Thomas Jones himself.

We found the same problems with the identification of Joseph Létard dit St-Onge, the "Métis root ancestor" for the St. Onge VMFL. Using the RPHD database, it was relatively easy to find that he was born in Boucherville, east of Montreal, to two French-Canadian parents (Joseph Létard dit St. Onge and Véronique Bissonnette). The MNO claims that Joseph Jr.s' date of birth is unknown, but there are numerous reliable sources that provide information on his birth date and his parentage and ancestry going back several generations exclusively to France. The same is true of Jean-Baptiste Trudeau, who is the "Métis root ancestor" for the Trudeau-Papanaatyhianencoe VMFL. Our research uncovered that Trudeau was born in Chambly, Quebec in 1773 to two French-Canadian parents (Pierre-Amable Trudeau and Marie-Angélique Pagé). Clearly, the 1840 Penetanguishene Halfbreed Petition is an unreliable source of historical information when it comes to an individual's identity, especially when it is the *only* archival source used to identify an individual as a "Métis root ancestor," as the MNO does repeatedly. The MNO must seek out and share at least 2-3 other forms of corroborating evidence from the hundreds of pages of historical documentation it included in its Assessment Reports for these VMFLs. But the MNO provides no corroborating evidence at all, which may not be surprising since it has produced no proof that its research has passed the academic peer review process.

The Brisette-L'Hirondelle, Jones-Blette dit Sorelle, St. Onge, and Trudeau-Papanaatyhianencoe VFMLs are illustrative of the limitations in the MNO's historical research. Eight other VMFLs are similarly included as "Verified Métis Family Lines" based on a forebearer or root ancestor signing either the 1840 Penetanguishene Petition or being identified as "halfbreed" in Osborne's 1901 book. Several of these VMFLs include no other "Documented Métis" at all, according to the MNO. Notably, all twelve of them include no individual ancestor who was ever documented as "Métis" prior to the MNO's date of Effective Control.

Added to the nine Georgian Bay VMFLs that had no "Documented Métis" prior to Effective Control and the five that had no "Documented Métis" at all, these twelve that rely solely on one unreliable source of information for their inclusion mean that 26 of 26

of the Georgian Bay VMFLs or 100% do not meet even the most basic requirement of sound academic research. It is our contention that the Georgian Bay VMFLs demonstrate the existence of a network of interrelated French-Canadian families settled in Penetanguishene and its vicinity, including most notably at Lafontaine, after the arrival of Québécois settlers in the 1840s. The MNO has failed to demonstrate the existence of a distinct, rights-bearing Métis community in the Penetanguishene region.

#### *4.2.2. Sault Ste Marie*

The main document we want to discuss now is the Sault Ste. Marie “Halfbreed Petition” (1850), as it is called by the Métis Nation of Ontario. Several forebearers or root ancestors are included by the MNO for Sault Ste. Marie on the basis that they signed the 1850 petition.

Joseph Nebanagoching Sayer is the forebearer for the Sayer-Labris VMFL because he signed the 1850 Sault Ste. Marie Halfbreed Petition. The MNO acknowledges that the petition was part of an effort by the local mixed-race Anishinaabeg population to be included in the Robinson-Huron Treaty that was being negotiated at the time. Joseph Sayer was recorded in the petition as an Ojibway Chief, further challenging his inclusion as a forebearer to an already established “Métis” community. In fact, Sayer was only ever recorded as Anishinaabe (or its equivalent) in the historical record: he was enumerated as “Indian” and “head chief” in the 1861 Census of Canada for the Indian Division of Batchawana Bay; as “Indian” and “chief” in the 1871 Census of Canada for Sault Ste. Marie; as “Indian” and “chief” in the 1881 Census of Canada for the Garden River Reserve; and as “chief” in the 1891 Census of Canada for the Garden River Reserve. At no point during his lifetime was he ever recorded as “Métis,” though the MNO interprets his signature to a petition, in which mixed-race Anishinaabeg men were trying to ensure that they and their children were not disenfranchised by the Government of Canada’s racist treaty policy that refused beneficiary status to mixed-race individuals, as the only evidence for his inclusion. Besides its mistaken inclusion of Joseph Nebanagoching Sayer as a “Métis” forebearer, only one of the thirty-three individuals included in the Ethnicity Chart for this VMFL were ever recorded as “Métis:” Joseph’s great-great-granddaughter Loretta Neveau was recorded as a “halfbreed” in her 1923 death record, seventy-three years after Effective Control.

Other prominent regional Anishinaabeg families also had forebearers who signed the 1850 petition. In the case of each of these families, just as with the Sayer-Labris VMFL above, their descendants became integral members of local Anishinaabeg families and communities. For example, the “Métis root ancestor” for the Boissonneau VMFL, Joseph Boissonneau, and six of his sons (Joseph, Magloire, Narcisse, Théophile, François, and Emérie) all signed the petition, as we indicated in section 3.4. Yet, five decades later, the surviving brothers and signatories and their descendants were all enumerated as speaking Anishinaabemowin and living at the Garden River First Nation, clearly establishing them as Anishinaabeg community members. The same is true of the Cadotte VMFL, for which four grandsons of the forebearer (Alexis, Joachim, Joseph, and Charles Biron) signed the petition. As we saw in Section 3.4., all surviving descendants of these signatories featured in the MNO’s own documentation were enumerated as speaking Anishinaabemowin and living at the Garden River First Nation

in the 1921 Census of Canada. Just as the descendants of the petition signatories in the Sayer-Labris and Boissonneau VMFLs, the descendants of the signatories in the Cadotte VMFL all become important members of the Garden River First Nation.

The only other individuals identified by the MNO as having signed the Sault Ste. Marie petition are a son of the “Métis root ancestor” and the “Métis root ancestor” for the Sayer and Corbière-Nolin VMFLs, respectively. We analyzed the inclusion of both VMFLs in Section 3.4., again concluding that both families are fundamental to the growth and development of regional Anishinaabeg communities, particularly Garden River First Nation.

What we discovered in reading the historical record relationally is that the signatories (and their descendants) of the Sault Ste. Marie Halfbreed Petition identified by the MNO in their VMFLs married into local Anishinaabeg families over generations, ensuring that they are Robinson-Huron treaty beneficiaries today. By signing the petition in 1850, they signaled to the Government of Canada that they rejected its obsessive focus on blood quantum and its strategy to cut out as many Anishinaabeg people from treaty as possible. The families, already key members of the regional Anishinaabe nation, ensured their place as treaty beneficiaries not simply by signing the petition, but by engaging in the type of kinship relations that continue to be central to Anishinaabeg lifeways. The fatal flaws in the MNO’s methodology, notably their unquestioned and single-minded reliance on these petitions for the inclusion of easily discernible Anishinaabeg individuals, ensures that their conclusions about historical actors are unreliable.

#### **4.3. Overall Recorded Identities**

As we have suggested throughout, there are significant differences between the four communities under study. The most striking revolve around the recorded identities of the individual ancestors featured in the VMFLs. Most individual ancestors featured in the Georgian Bay VMFLs were recorded as European or white in historical documentation provided by the MNO, while a significant majority of those featured in the Sault Ste. Marie and Killarney VMFLs were recorded as Anishinaabeg. The individual ancestors featured in the Mattawa/Ottawa River and Environs VMFLs were about evenly split between those recorded as European/white and those recorded as First Nation. Despite these clear differences, one constant in our analysis, however, is that individuals identified as “Métis” are only ever a small minority of those included in the MNO’s VMFLs. In fact, as the table below illustrates, they vary between about 10% and 18% of the hundreds of individual ancestors documented by the MNO in Robinson-Huron Treaty territory.

TABLE 8 – Recorded Identities by MNO Community

Community	European	First Nation	“Métis”
Georgian Bay	70% (1,842)	14.2% (373)	15.9% (418)
Killarney*	31.6% (106)	58.9% (198)	9.5% (32)
Mattawa	47.3% (405)	44.5% (381)	8.2% (70)
Sault Ste Marie	23.5% (189)	58.7% (473)	17.9% (144)
TOTAL	54.9% (2,542)	30.8% (1,425)	14.3% (664)

\*Excluding three VMFLs that are shared (de Lamorandière-Shepherd, Causley-Riel, and Solomon).

It is our finding that the MNO has failed to meet the criterium it set for itself: it has not demonstrated that individual ancestors that it included in its VMFLs were recorded as “Métis” more often than “First Nation,” nor has it demonstrated that they were recorded as such over successive generations. In fact, as our global analysis of the 65 VMFLs included by the MNO in the four “Métis” communities in Robinson-Huron Treaty territory illustrates, in only 14.3% of the 4,631 times that an individual ancestor’s identity was recorded were they recorded as “Métis.” These figures clearly establish that the MNO has not provided the evidence required to proclaim the existence of distinct “Métis” communities in the Anishinaabe territory covered by the Robinson-Huron Treaty.

#### 4.4. Indian Women “Forebearers” versus “Metis Root Ancestors”

The MNO’s 2019 Registry Policy attempts to define who is Métis in relation to other Aboriginal people by stating the following: 1) if an individual identifies as an Indian, one is identifying as a different Aboriginal people – not as Métis; 2) an individual is not Métis if they are registered as an Indian or Inuit on another aboriginal registry; and, 3) an individual does not become Métis because one is simply not permitted to register as an Indian or Inuit. Moreover, they also discuss how a registrant must have a genealogical connection to a “Métis ancestor” and – not an Indian or aboriginal ancestor.

There are a few points of concern to make here. Essentially, the MNO is defining the right to self-identity as Métis in an oppositional way to First Nation identity. Despite their reliance on First Nations people in their framing of “Métis” identity, the MNO contends that First Nations (a.k.a. “Indians”) have no say in Métis affairs. Yet, in their own logic and methods in determining, for example, “forebearers” (usually an “Indian” woman who procreates with a settler man), they are themselves engaging with First Nation identity. Indeed, they suggest that the “Métis root ancestors” from several of their VMFLs emerge from the union of an Indian woman and a white settler man yet maintain that an applicant for MNO membership today must have a genealogical connection to a “Métis ancestor” and not solely a First Nation ancestor. It is important

to note that several of the “Métis root ancestors” emerging from the “forebearers” have never been documented as “Métis” nor have any of their descendants over generations.

This framing of Métis as “mixed” affects all Indigenous nations in Canada (in this current research, Anishinaabeg), because this approach centres biological essentialism at the expense of the political consciousness and sovereignty that underwrites Indigenous peoples as nations. Moreover, the reliance on “forebearers” as Indian woman + white settler man born over 200 years ago is highly problematic from a gendered perspective. It implies First Nations women were reimagined as being responsible for creating a new nation at the expense of their Anishinaabe citizenship. This logic is also inconsistent with the political culture of many Indigenous Nations, including Anishinaabeg, as evidenced by the last 50+ years of Indigenous Women addressing gendered forms of discrimination that affected their *First Nation* identities, namely the work led by notable women including Mary Two-Axe Earley, Sandra Lovelace Nicholas, Sharon McIvor, Jeannette Corbiere Lavell, and Lynn Gehl.

## 5. FURTHER RESEARCH

### 5.1. Increase in MNO Membership

The creation of the VMFL Assessment Reports in 2017 as well as the addition of substantially more VMFLs since then has led to a spike in MNO membership. Based on our reading of the recognition documentation that the MNO and Government of Ontario jointly released, the MNO can increase the number of VMFLs without any government oversight. Essentially, this means that the number of Ontarians who are eligible for MNO membership continues to increase.

Table 9 outlines MNO membership at different points in the past seventeen years. Without a doubt, the organization’s membership has grown substantially since 2020, a time frame that coincides with public knowledge of the VMFL system and an increase in the overall number of VMFLs.

TABLE 9 – Number of MNO Members

DATE/YEAR	REFERENCE	NUMBER
December 2006	MNO Voyageur newsletter	12,339
August 2009	2012 MNO Cancer report	14,480
March 2012	Annual Report	15,875
March 2015	Annual Report	18,853
February 2020	“Who is the MNO?” (website)	about 20,000

May 2021	RSGRR report	23,978
January 2022	“About the MNO” (website)	over 25,000
July 2022	“What We Heard Report”	29,000+
February 2023	Plebiscite Overview (website)	31,000+

Another way to visualize this data is to consider the rate of annual increase in MNO membership. Table 3 illustrates that MNO membership grew at a rate of between 3% and 6% per year between 2006 and 2015. In fact, the period between 2009 and 2012 saw a slight drop in the proportion of new members over the previous and subsequent three-year periods. Yet, the number of new MNO members jumped substantially between 2020 and 2022, quadrupling its average annual rate of increase since 2006.

TABLE 10 – Rate of Annual Increase in MNO Membership

PERIOD	NUMBER of MEMBERS	RATE OF INCREASE
2006 to 2009	12,339 to 14,480	5.8% per year
2009 to 2012	14,480 to 15,875	3.2% per year
2012 to 2015	15,875 to 18,853	6.3% per year
2020 to 2021	20,000 to 24,000	20% per year
2021 to 2022	24,000 to 29,000+	20.8% per year
2022 to 2023 (6 months)	29,000 to 31,000	13.8% per year

MNO membership has grown by over 11,000 individuals or 55% in the three years between February 2020 and February 2023. Using an average of the annual rate of growth during this three-year period (18.3%), Table 11 projects the number of MNO members over the next decade. Any additional VMFLs would likely lead to a higher rate of increase in MNO membership in the future, simply because thousands more individuals would be eligible.

TABLE 11 – Projected Number of MNO Members

YEAR	NUMBER of PROJECTED MEMBERS
2024	36,673
2026	51,323
2028	71,826
2030	84,970
2033	118,915

At the current rate of annual increase, MNO membership would reach over 50,000 by 2026 and about 85,000 by 2030. The increase in the number of VMFLs is partly responsible for the large increase in MNO membership. The continued addition of family lines is indicative of a lack of clarity on behalf of the MNO about what and who constitutes the “Historic Métis Communities” in the province, including in RHW.

A significant portion of the MNO’s membership is tied to one of the four “Métis” communities in RHW. The following table uses figures from the “Métis Nation of Ontario Registry and Self-Government Readiness Review Final Report” (RSGRRFR), published in May 2021.

TABLE 12 – MNO Members by Community in RHW

COMMUNITY	NUMBER of MEMBERS	2017 VMFLs	2023 VMFLs
Georgian Bay	6,477	21	+5*
Killarney	341	4	+2
Mattawa/Ottawa River	2,211	17	+2
Sault Ste. Marie	1,285	12	+2
TOTAL	10,314 of 17,014	54 in 2017	65 in 2023



According to the May 2021 RSGRRFR, 60.6% of the MNO total membership (with completed files) descend from one of the sixty-five VMFLs covering RHW. As of their latest announcement in February 2023, the MNO now has 25,600 members with completed files, which means that they likely have nearly 16,000 members tied to one of these four communities. Of course, given that the number of VMFLs for these four bodies has increased by 20.4% in nearly six years and that a significant proportion of the 5,400 members with “incomplete files” live in RHW, then it’s likely that closer to 20,000 current MNO live in and/or practice section 35 Aboriginal rights in RHW.

**5.2. Non-MNO “Métis” Organizations in RHW**

Besides the MNO, there are several self-identified Métis organizations operating in and adjacent to Robinson-Huron Treaty territory.

TABLE 13 – Non-MNO “Métis” Organizations in RHW

<b>ORGANIZATION</b>	<b>LOCATION</b>
1. Anishinabek Solutrean Métis Indigenous Nation	Sundridge
2. French River Métis Tribe	Noëlville
3. North Bay/French River Algonquins	North Bay
4. Métis Nipissing Families, Inc.	Sudbury
5. Montagnais Métis First Nation	Barrie
6. Painted Feather Woodland Métis	Bancroft
7. West Nipissing Woodland Métis	Sturgeon Falls
8. Woodland Métis Tribe	Sundridge

According to figures available in media reports, organizational documents, and the latest census returns for districts in RHW, we estimate that about 20,000 individuals are falsely claiming to be “Métis” or “Anishinaabe/Algonquin” across the region. Unlike MNO members, these individuals aren’t recognized by any level of government as having section 35 Aboriginal rights, though several men in the region have attempted to access such rights through court cases. We have documented eight court cases involving individuals in RHW claiming to be “Métis” since the *Powley* case. In each case, the judge ruled against the individuals.

TABLE 14 – “Métis” Court Cases in RHW

CASE	YEAR	OFFENSE	LOCATION
1. R. V. BURNS	2005	Fishing	North Bay
2. ONTARIO (MNR) V. FORTIN	2006	Deer hunting	Manitoulin Island
3. ONTARIO (MNR) V. GUAY	2006	Moose hunting	Espanola
4. R. V. GAGNON	2006	Ice fishing	Lake Nipissing
5. R. V. PAQUETTE	2012	Moose hunting	North Bay
6. ONTARIO (MNR) V. BLAIS	2015	Logging	Sault Ste. Marie
7. MUKWA V FARM CREDIT CANADA	2021	Tax evasion	Sundridge
8. R. V. LABELLE	2022	Moose hunting	Mattawa

After a glut of ‘Métis’ Aboriginal rights cases immediately following the *Powley* case, individuals have continued to access the courts to be declared “Métis” for the purpose of harvesting rights in RHW territory. None of these efforts have been successful yet.

### 5.3. Algonquins of Ontario vs. MNO

It turns out that the MNO is not the only organization in the province using some of these “root ancestors” to grant membership to individuals with long-ago Anishinaabe ancestry. The Algonquins of Ontario, an organization empowered with the responsibility for treaty negotiations on behalf of Algonquin individuals living in the province, uses at least 12 of the 19 Mattawa VMFLs for their “non-status Algonquin” membership. In fact, a significant majority of the AOO’s non-status membership descends from one of the MNO’s so-called forebears, “Métis root ancestors” or “root ancestor descendants.” The AOO filed a statement of claim against the MNO in Ontario Superior Court on 14 May 2019 seeking a “declaration that Ontario has incorrectly concluded that there is a historic Métis community in the Mattawa region or Mattawa/Ottawa River [and that] any present-day descendants of the mixed-ancestry inhabitants of the 19th century Mattawa region who have Aboriginal rights are in fact Algonquins and not Métis.” The AOO’s claim also sought a declaration that Ontario had breached its duty to consult and accommodate the Algonquin people before recognizing the existence of “Métis”

communities in their territory. Overall, the AOO uses at least twenty-six ancestors that the MNO claims are “Métis” as Algonquin ancestors on their Schedule of Algonquin Ancestors. We have cross-referenced the AOO Voters’ List (2015), which included every non-status member’s Algonquin root ancestor(s), to verify the number of non-status Algonquin individuals who are claiming at least one ancestor from the MNO’s Verified Métis Family Lines for the “Historic Mattawa-Ottawa River and Environs Métis Community.” We estimate that *at least* 3,275 separate individuals are registered as (non-status) Algonquins (and recognized as such by the federal and provincial governments) using Algonquin ancestors remade into “Métis” root ancestors by the MNO. If we consider that in its critique of the AOO membership policy, the Algonquin Nation Secretariat demonstrated that over 30% of the overall AOO membership was non-Indigenous/non-Algonquin and that registered members of the Algonquins of Pikwàkanagàn First Nation account for about a quarter of the AOO membership, than ancestral lines identified by the MNO as “Métis” are used by a significant majority of the AOO’s non-status Algonquin members.

Here’s a table featuring the number of times specific ancestors in the MNO’s Verified Metis Family Lines for Mattawa-Ottawa River are used to become members of the AOO. The figures are based on the AOO’s 2015 Voters’ List. Since 2015, the number of AOO members who are relying on the ancestors below has increased substantially.

TABLE 15 – MNO “Métis” Ancestors Used in AOO Membership

<b>Verified Métis Family Line</b>	<b>Overall Number of AOO members Using this Family Line</b>
1. Atkinson-Moore	13 AOO members
2. Bastien-Sibikwe	268 AOO members
3. Bernard-Papineau	419 AOO members
4. Commandant-Kijikasowekwe	190 AOO members
5. Dorion-McDonnell	312 AOO members
6. Ferris-Good	301 AOO members
7. Laronde-Sauvage	1,006 AOO members
8. Montreuil-Kakwabit	125 AOO members
9. Montreuil-Mic Mac	108 AOO members
10. Stoqua	37 AOO members
11. Thomas	365 AOO members

12. Leclerc	130 AOO members
<b>TOTAL</b>	<b>3,274 AOO members</b>

The MNO’s complete lack of consultation with Algonquin, Nipissing, and/or Anishinaabeg communities in the Mattawa region has meant that its conclusions, particularly about the identities of its “root ancestors,” are exceedingly unreliable. It seems that the MNO transforms the identities of Anishinaabeg individuals in the past and present to suit its political interests.

**6. KEY FINDINGS**

Our research has uncovered just how the MNO’s poor research practices have led it to make faulty conclusions about the historical existence of distinct “Métis” communities in Robinson-Huron Treaty territory. Here is a list of those poor research practices and their impacts on the MNO’s conclusions:

Misidentification of Ancestors

- The MNO identifies historical actors as members of a distinct “Métis” collectivity whenever the word “breed” or the initial “b” is used to record their identity, even when extensive evidence exists in the same or additional documentation that that individual was Anishinaabe or a European/settler;
- The MNO identifies an individual as “Métis” even when that same individual is recorded as either First Nation or European much more often and over successive generations, which is counter to their own stated approach;
- The MNO often relies on historical documentation, normally secondary sources, that have proven unreliable in their identification of historical actors, when more reliable documentation opposes their interpretation;
- The MNO ignores recorded identities that were overwritten with an identity that challenges their own conclusions;
- The MNO fails to verify its conclusions with multiple sources of documentation, usually because the historical record opposes their interpretation;
- The MNO actively omits historical data that calls into question their interpretation; we have recorded over 2,000 times that they engaged in such misleading practices during this study; and
- The MNO even identifies some individuals as “Métis” when they were never recorded as such in the extensive historical documentation they provide.

Effective Control

- The MNO has failed to document the presence of an identifiable Métis community prior to Effective Control in RHW, a key component of the *Powley* test;
- The majority of the individuals it has identified as “Métis” are identified as such *after* Effective Control, in many cases several decades afterwards;
- The MNO’s approach here once again counters that which they agreed to with the Government of Ontario in their joint declaration(s) in 2017; and

- Because of their poor research practices, most of those identified by the MNO as being present prior to Effective Control were never identified as “Métis” in a reliable manner.

The MNO makes these interpretive mistakes because its research is propelled by politics and not by sound research practices; it lacks the reliability and validity of peer-reviewed academic research. It’s our firm assessment – after reviewing thousands of pages of historical documentation meant to act as evidence for the MNO’s political claims – that the MNO has failed to demonstrate that there ever existed distinct “historic Métis communities” anywhere in Robinson-Huron Treaty territory. Our close reading discovered that the historical record proves otherwise – the MNO “communities” do not meet the threshold of Effective Control essential to the *Powley* test and the overwhelming majority of their “forebearers,” “Métis root ancestors,” and “root ancestor descendants” were most often recorded as either Anishinaabeg or as white settlers. Had the MNO reported on the entirety of the historical record involving their VMFLs, their claims about “historic Métis communities” in RHW would be exposed as false. Because of their poor research practices, the MNO has increased the size and scale of its communities by adding a remarkable number of VMFLs since the 2017 recognition announcement. This has the effect of increasing the number of Ontarians who are newly eligible for MNO membership and recognized as section 35 Aboriginal rights-holders.

#### Membership Increase

- The rate of increase in MNO membership since 2017 has ballooned, particularly in the past three years;
- With its current rate of increase, we can expect that the MNO could reach 100,000 members in the next ten years;
- Nearly two-thirds of MNO members or about 20,000 people are tied to one of the four “Métis” communities in Robinson-Huron Treaty territory;
- There’s reason to believe that these MNO members will continue to be a significant majority of MNO membership well into the future; and
- The current rate of increase in MNO membership suggests that there could be over 30,000 MNO members tied to RHW territory by 2026 and over 50,000 by 2030.

Besides the MNO and its members, we estimate that another 20,000 individuals are falsely claiming to be “Métis” in and around Robinson-Huron Treaty territory. Several of these individuals and organizations have attempted to be recognized as section 35 Aboriginal rights-holders by the courts, but their efforts have failed so far. Overall, about 40,000 non-Métis individuals are actively claiming to be “Métis” (or Anishinaabe/Algonquin) in RHW territory, according to our research.

## 7. Researcher Biographies

**Jennifer Adese** (she/her) is otipemisiwak/Métis and was born in British Columbia and raised in the Niagara Region. Her otipemisiwak/Métis family are primarily from Lac Ste. Anne and St. Albert (Alberta). Dr. Adese is the current Canada Research Chair in Métis Women, Politics, and Community and an Associate Professor in the Department of Sociology at University of Toronto Mississauga (UTM). She was previously an Associate Professor and Program Coordinator of Indigenous Studies in the School of Indigenous and Canadian Studies at Carleton University. Dr. Adese has worked with Métis organizations in areas related to Métis Nation history, identity, housing, early learning and childcare, and violence against Métis women, girls, and 2SLGBTQQA+ people. She is also the author of *Aboriginal™: The Cultural & Economic Politics of Recognition* (University of Manitoba Press, 2022), and co-editor of *A People and a Nation: New Directions in Contemporary Métis Studies* (with Chris Andersen, UBC Press, 2021).

**Darryl Leroux** is Associate Professor in the School of Political Studies at the University of Ottawa. He is originally from Sudbury, near the heart of Robinson-Huron Treaty territory, where his parents and grandparents were all born and raised. Their ancestors arrived in RHW following the migration of thousands of French-Canadians from Quebec in the late 1800s, a period when the dispossession and displacement of the regional Anishinaabeg population intensified. Attracted by the Free Grants and Lands Act passed into law by the Government of Ontario in 1868, which actively reneged on the Crown's stated guarantees in the Treaty, they were given "free" land simply for showing up. Over nearly two decades, Darryl's research and writing has focused on the particular forms of racism and settler colonialism initiated and practiced in French-Canadian and Québécois society. As part of that research, since 2015 he has turned to the study of the phenomenon of white French-descendants claiming an "Indigenous" identity. Since the publication of his book *Distorted Descent: White Claims to Indigenous Identity* (University of Manitoba Press, 2019), he has worked extensively with First Nation, Métis, and Inuit governments who are each struggling with upstart organizations making new political claims to their territories and their identities.

**Celeste Pedri-Spade** is an Anishinaabekwe and member citizen of Nezaadiikaang (Lac des Mille Lacs First Nation) located in Treaty 3 territory. Dr. Pedri-Spade is an Associate Professor in the Department of Anthropology at McGill University where she also serves as the inaugural Associate Provost of Indigenous Initiatives. Before arriving at McGill, she was the Queen's National Scholar in Indigenous Studies at Queen's University. Celeste began her academic career at Laurentian University where she served as an Associate Professor and the inaugural Director of the Maamwizing Indigenous Research Institute. Her current research interests include Anishinaabe kendaasawin, critical pedagogies, identity politics, and the role of Indigenous visual/material culture in decolonial praxis. Dr. Pedri-Spade received her PhD in Anthropology from the University of Victoria.

**Sam Restoule** is Anishinaabe and Francophone, born and raised in Sudbury, Ontario. She is a member of Dokis First Nation and a beneficiary of the Robinson-Huron Treaty

of 1850. She completed her undergraduate degree in Communications Studies, Religious Studies, and Native Studies at Laurentian University. In 2021, she completed Carleton University's Indigenous Policy and Administration graduate program. She currently works as Policy Analyst supporting First Nations in the Ontario region.

**Amy Shawanda** is an Anishinaabekwe from Wiikwemkoong Unceded Territory. Amy was born and raised on the traditional territory of the Three Fires Confederacy on Manitoulin Island. She obtained her undergraduate and Master's degrees at Laurentian University and her PhD at Trent University. Currently, she is a Provost Post-Doctoral Fellow at the Waakebiness Institute for Indigenous Health at the University of Toronto. Amy has a focus on strengthening Indigenous ways of being, doing, knowing, and reclaiming.