



## MÉTIS NATION OF ONTARIO - FACT SHEET



# Understanding the Great Lakes Métis as a Regional Métis Community and as a part of the Métis Nation

### The Great Lakes Métis: The Facts of History and Recognition by Crown and Courts

The trial judge in *Powley* found that a distinctive Métis community emerged in the Upper Great Lakes region in the mid-17th century, peaking around 1850:

*It is clear from the totality of the historical documentation and evidence in connection thereto that the Metis people were a recognizable group that was closely associated with the local Indians. The Metis had created a distinctive lifestyle that was recognized by others...In the mid 17th Century, Jesuits and French fur traders appeared in the Upper Great Lakes region. The arrival of the French fur traders soon led to marriages between the Ojibway women in the area with the traders. The resultant family groups of mixed-blood families evolved into a new group of Aboriginal people, now known as the Metis. Although the Metis shared many customs, practices and traditions of the Ojibway, they were distinctive and separate from the Ojibway...The evidence at trial suggests that the visibility of the Metis at Sault Ste Marie waned after the treaty in 1850 and...[s]ometime between 1815 and 1850, [in] the [Upper Great Lakes] area...effective control passed from the Aboriginal peoples of the area (Ojibway and Metis) to European control (paras 59, 78, 81, 93)*

The trial judge was clear that the Great Lake Métis were not limited to Sault Ste. Marie proper:

*The Crown has gone to great pains to narrow the issues in this trial to Sault Ste Marie proper. I find that such a limited regional focus does not provide a reasonable frame of reference when considering the concept of a Metis community at Sault Ste Marie. A more realistic interpretation of Sault Ste Marie for the purposes of considering the Metis identity and existence should encompass the surrounding environs of the town site proper... including Batchewana, Goulais Bay, Garden River, Bruce Mines, Desbarates, Bar River, St. Joseph's Island, Sugar Island and into Northern Michigan (paras 71, 73)*

In *Powley*, the Ontario Court of Appeal further recognized the "Great Lakes Métis":

*In the late 1700s, the mixed-blood families began to evolve into a new and distinct aboriginal people through a process known as ethnogenesis. The high-water mark for the Great Lakes Métis at Sault Ste. Marie was the first half of the 19th century. During this period, the majority of the inhabitants of Sault Ste. Marie were of mixed ancestry, commonly referred to at the time as "half-breeds". ...The trial judge found that there was a visually, culturally and ethnically distinct Métis community in the area in and around Sault Ste. Marie that traced its roots to the marriages between early French fur traders and indigenous Ojibway women... (paras 18, 30, 95)*

In 2003, in Powley, the Supreme Court of Canada reaffirmed the findings that “a distinctive Métis community emerged in the Upper Great Lakes region in the mid-17th century.”:

*The trial judge found that a distinctive Métis community emerged in the Upper Great Lakes region in the mid-17th century, and peaked around 1850. We find no reviewable error in the trial judge's findings on this matter, which were confirmed by the Court of Appeal. The record indicates the following: In the mid-17th century, the Jesuits established a mission at Sainte-Marie-du-Sault, in an area characterized by heavy competition among fur traders. In 1750, the French established a fixed trading post on the south bank of the Saint Mary's River. The Sault Ste. Marie post attracted settlement by Métis — the children of unions between European traders and Indian women, and their descendants...According to Dr. Ray, by the early nineteenth century, "[t]he settlement at Sault Ste. Marie was one of the oldest and most important [Métis settlements] in the upper lakes area"... we find no basis for overturning the trial judge's finding of a historic Métis community at Sault Ste. Marie. This finding is supported by the record and must be upheld (paras 21, 23; see also 40)*

In 2015, the Ontario legislature passed the Métis Nation of Ontario Secretariat Act, 2015, S.O. 2015, c. 39, which states,

*The citizens of the Métis Nation of Ontario identify as descendants of the Métis people that emerged in west central North America with their own language (Michif), culture, traditions and way of life. These Métis people collectively refer to themselves as the Métis Nation, which includes Métis communities within Ontario.*

In 2019, Canada and the MNO signed a Métis Government Recognition and Self-Government Agreement that states:

*WHEREAS Métis communities emerged in various areas surrounding the Upper Great Lakes as well as along the waterways and fur trade routes of what is now known as Ontario prior to the Crown effecting legal and political control in those regions;*

*WHEREAS these historic Métis communities developed their own shared customs, traditions, and collective identities that are rooted in kinship, their special aboriginal relationship to the land and a distinctive culture and way of life that persists to the present day;*

*Upon signing of this Agreement, Canada recognizes that:*

- (a) the MNO is mandated to represent the Métis Communities Represented by the MNO;*
- (b) the Métis Communities Represented by the MNO have an inherent right to self-government over its internal governance that is protected by sections 25 and 35 of the Constitution Act, 1982; and*
- (c) the MNO has been mandated by the Métis Communities Represented by the MNO to implement its inherent right to self-government that is protected by sections 25 and 35 of the Constitution Act, 1982.*

## The Great Lakes Métis: Recognition and Inclusion in the Métis Nation

In 1996, the Royal Commission on Aboriginal Peoples recognized that,

*The ancestors of today's Métis Nation established communities in parts of what is called the Métis Nation homeland in north central North America. The better-known settlements were at Sault Ste. Marie in present-day Ontario, at Red River and White Horse Plains in present-day Manitoba, at Pembina in present-day North Dakota, at Batoche in present-day Saskatchewan, and at St. Albert in present-day Alberta.*

In 2001, the Ontario Court of Appeal concluded the following in *Powley*:

*The historic Métis community of Sault Ste. Marie is considered by the Métis National Council, and was accepted by the RCAP Report, as being part of the Métis Nation, the historic collective of Métis people who lived and still live in the "Métis Homeland" of north central North America (para 18)*

In 2003, the Métis National Council's arguments before the Supreme Court of Canada were:

*The Métis community at Sault Ste. Marie is a part of the Métis Nation. ... The Intervener submits these factors demonstrate the Sault Ste. Marie community's connection to the territory, existence and history of the Métis Nation.*

In 2017, Canada and the "Métis Nation" signed the *Canada-Métis Nation Accord*,

as represented by the Métis National Council and its Governing Members: the Métis Nation of Ontario, Manitoba Metis Federation, Métis Nation-Saskatchewan, Métis Nation of Alberta and Métis Nation British Columbia"

The *Canada-Métis Nation Accord* also recognizes that:

*AND WHEREAS the Governing Members, through their registries and democratically elected governance structures at the local, regional and provincial levels, are mandated and authorized to represent the citizens who comprise the Métis Nation, including dealing with collectively held Métis rights, interests and outstanding claims against the Crown;*

*AND WHEREAS in 2003 the Supreme Court of Canada in R. v. Powley recognized that Métis communities, which emerged prior to effective control, possess Métis rights that are protected as Aboriginal rights in section 35 of the Constitution Act, 1982;*

*AND WHEREAS Canada and the Métis Nation are committed to reconciliation and a nation-to-nation, government-to-government relationship, through regionally tailored exploratory discussions and/or negotiations between Canada and the Métis National Council's Governing Members, in order to renew the relationship through cooperation, to further Métis self-government, while respecting Métis rights and ending the status quo;*

### The Great Lakes Métis Today:

While the *Powley* case focussed in on the Sault Ste. Marie Métis community, there are other regional rights-bearing Métis communities that surround the Upper Great Lakes. These inter-related and overlapping Métis communities that comprise the Great Lake Métis include:

1. the Georgian Bay Métis Community;
2. the Killarney and Environs Métis Community;
3. the Sault Ste Marie Métis Community;
4. the Northern Lake Superior.

The MNO represents the descendants of the Great Lakes Métis, including the Georgian Bay, Killarney, Sault Ste. Marie and Northern Lake Superior communities. The map below shows the locations of these adjacent regional rights-bearing Métis communities as well as their harvesting territories in various shade of green below.



The harvesting rights of these regional Métis communities, which are a part of the Great Lakes Métis and the Métis Nation, have been recognized and accommodated by the Crown (provincial and federal) through negotiated agreements.