

Truth and Reconciliation at the Bay:

Environmental Conservation Discourse, Contested Notions of Human-Creation Relations in Mnidoo Gaamii/Georgian Bay, and Indigenous-Cottager Relations

By

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Abstract

How does environmental conservation land use planning, an endeavour that seeks to provide tools to combat climate change and protect habitat from destruction through development, contribute to the dispossession of Indigenous peoples from their lands/waters in Mnídoo Gamii/Georgian Bay? Through an exploration of the links between environmental planning, cottager conservation activism, and colonialism in Georgian Bay (and North America, broadly speaking), my dissertation explores the ways that conservation land use planning continues the dispossession of Indigenous peoples from their lands. As a springboard for this exploration, I examine particular communities in Georgian Bay - Moose Deer Point First Nation, the nearby cottage community of the Madawaska Club at Go Home Bay, and the Georgian Bay Land Trust with properties along the eastern coast of Georgian Bay – their establishment, influence, and impacts on one another. While the surface layer of this dissertation is focused on environmental conservation planning and Indigenous rights, another layer is focused on how settler and Indigenous ideas of human-earth relations are formed by fundamentally different cosmologies and legalities. For this reason, I interview members of the First Nation, as well as members of the cottage community who are also volunteers for the Land Trust, to gain insight into Indigenous and settler perspectives on human-earth relationships and Georgian Bay and the undercurrents that shape the ways that lands and “resources” are managed through settler land use planning systems. This research provides insight into the impacts of land use planning in Georgian Bay on Indigenous communities, and enhances an understanding of how land use planning undermines processes of truth and reconciliation. My research is guided by Indigenous research paradigms, thus I work to “unsettle” my own settler worldview, exploring one way that decolonisation praxis can look and feel. I situate land use planning within the context of Indigenous ways of knowing, such as Creation stories, ceremony, and rooted law, giving non-Indigenous readers an opportunity to reflect on the ways that endeavours such as environmental conservation, which can seem universally beneficial, can in fact be harmful.

This research adds to the literature by bringing into dialogue two different communities’ stories about identity in relation to land. I explore the historical context and cosmological foundations that help problematise certain assumptions and narratives. Secondly, as I do so, I employ a semi-auto-ethnographic approach, which both reveals my own relationship to this history, and sheds light on my own journey of trying to follow Indigenous research methods. I hope that this research can contribute to the discourse around settler researchers engaging with Indigenous methodologies.

“Those areas of nature which are central to our experience of natural beauty, for example high mountain ranges and the sea, really took on that meaning only through late historical experiences. So the beauty of nature as something untamed and infinite came about only in a world where the social fabric had spread so far that the contrast to this, namely that which had not been completely taken, not completely dominated and domesticated, was properly perceived in its beauty for the first time; and, similarly, it was only the discovery of the principle of subjectivity as something infinite that allowed humans to feel a kinship with the same infinite quality in nature, where it had previously been perceived only as frightening and uncanny.”

Theodor Adorno, *Aesthetics, Lecture No.3, 18th November 1958*, p. 27

“[...] one can do wrong without ever discovering what one has done or why it was wrong. There were sins that were too subtle to be explained, and there were others that were too terrible to be clearly mentioned.”

George Orwell, *Such, Such Were the Joys*, 1939 , p. 1313

“For all of us, becoming indigenous to a place means living as if your children’s future mattered, to take care of the land as if our lives, both material and spiritual, depended on it.”

Robin Wall Kimmerer, *Braiding Sweetgrass*, 2013, p. 9

Dedication and Acknowledgements

This dissertation is dedicated to the memory of Michael (Mike) Isaac, of Moose Deer Point First Nation, who spent the last day of his life exemplifying *mino-bimaadiziwin*, the good life. Mike died suddenly on April 25th, 2019, and was not able to be a formal part of this research. However, the memory of his excitement at the prospect of sharing more knowledge of the lands, waters, and of his community for this research, as well as the knowledge of his acts of reciprocity, provided continual inspiration for this dissertation.

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May my flaws and shortcomings be forgiven, and may my efforts be received where they are needed, and contribute to the healing of relations, both between peoples and between people and all of Creation.

Terminology

Language is constantly evolving, and carries with it the weight and baggage of history. Throughout this dissertation, words and terms are used that contain their own baggage, but which are sometimes impossible to avoid, or are useful for conveying nuance.

When referring to the people whose ancestors have lived on these lands from time immemorial, I endeavour to use a community's specific name when possible. I tend to use the term *Indigenous*, when referring in general to Indigenous peoples. When referring to the laws of Indigenous peoples, I use the term *Indigenous law*; *Aboriginal law* is used when referring to the field of Canadian law pertaining to Aboriginal peoples and their rights. Where the word *Indian* is used, it is in the context of historical documents that referred to Indigenous people as "Indians"; I have tried to keep that nomenclature to quotations.

Given that various historical documents are quoted, "Indian" is not the only dated terminology. In Chapter 7, *man* or *common man* is used often – for the most part in quotations, otherwise I use the word *human*. If there are one or two instances when I, myself, use the word *man* or the term *common man*, it is because I am referring to the perspective of someone writing at a time when that was indeed the group of people to whom they referred, and it would be anachronistic to include women by using the more inclusive word *human*.

Perhaps the most complicated words that I use are the generic personal pronouns *we*, *us*, *our*, etc. I have tried to limit my use of *we* and *us* to instances when I am referring to people living within the settler Canadian state. Perhaps the most contentious context in which I use these pronouns is when discussing the Judeo-Christian foundations of settler society. I believe we are *all*, regardless of cultural or spiritual background, shaped by these foundations – often without realising it. And that is partly my point, that we ought to be exploring these foundations, regardless of our cultural, religious/spiritual, political affiliations, because our collective decisions are shaped by these roots. There are also times when I use *we/us* because I wish to implicate myself in the critique I am making, instead of referring to a group/community I am critiquing by using *they*, thereby implicitly excusing myself of responsibility. I ask the reader to forgive me if it seems I am including you in a group you do not believe yourself to be

included. Perhaps it could be used as an opportunity to empathise with a community you might otherwise view more negatively – it could be an opportunity for bridge-building.

There are some spelling variances, i.e., *Potawatomi/Pottawatomie/etc.*, or *Anishinabek/Anishinaabeg*, which are kept when the context calls for it – for instance, if a publication or organisation is referred to that uses a different spelling. *Doodem* is the more recent spelling of the Anishinaabemowin word for clan affiliation, e.g., marten, eagle, otter, etc. The suffix *e.g.* or *ag* (e.g. *Doodemag* or *Anishinaabeg*) indicates plural.

The term “ECO-system” stands for the epistemological, cosmological, and ontology framework that makes up a societal worldview.

I use a number of words to refer to the environment – earth, land, Creation – and occasionally will list out a number of facets of that environment – e.g., plants, animals, water, rocks, etc. I tend to use the word “Creation” most, because to me it imbues it with a spirit that accompanies proper nouns, which carries weight in a noun-heavy language such as English. I also use this word because I hear many Indigenous peoples using it, and it is one way in which I am letting my language and perception of the world be shifted, even if only slightly. I also choose to use it because it holds rather more spiritual weight than “environment” – for me, at least, that spiritual connotation nudges me to reconsider my own discomfort around engaging with Judeo-Christian spiritual stories in what I would typically perceive as a “secular” context.

You will see obliquely the term “Re-/Creation” used, particularly in Part 2. Although it is somewhat clumsy, it is my attempt to acknowledge at least in some small way that some stories that are at times thought of as origin stories are in fact stories of new beginnings. For example, the story of Skywoman dancing the world into being on the back of a turtle (or indeed Nanabozho or the Great Hare) comes after her Sky world was created. This allows me to generalise somewhat when talking about origin stories and stories of new beginnings.

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Preface

“When listeners know where the storyteller is coming from and how the story fits into the storyteller’s life, it makes the absorption of the knowledge that much easier” (Shawn Wilson, 2008, p. 32).

My Story – A Glance

In the summer of 2017, an anonymous letter from a member of the Northern Georgian Bay Association community was circulated to my cottage community in southeastern Georgian Bay – *Mnidoo Gamii* in Anishinaabemowin, meaning “Spirit Lake” (Corbier, 2021, referencing Brian McInnes’ book *Sounding Thunder*) – regarding a Draft Environmental Study Report on the Boundary Claim proposed land transfer to Wiikwemkoong First Nation. This letter urged the Province to designate the land that was proposed for transfer to Wiikwemkoong as nature reserve *prior* to the transfer, in order to prevent the land from being developed in ways that the letter-writer deemed to be harmful to the environment and to recreation access. The letter was circulated by the Executive Director of the Georgian Bay Association on the community Facebook page for the Madawaska Club at Go Home Bay, with the request that, as fellow Association members, we might consider endorsing this letter. Reading this letter, and seeing the comments endorsing the letter caused me to reflect on the desire and potential ability of the settler-cottage community to shape the provincial process of returning land to Indigenous peoples. It made me think about the significance of my own family’s donation of a portion of our cottage property to the Georgian Bay Land Trust, an organisation with a mandate to protect the “pristine” landscape of Georgian Bay for all generations to come. If these Trust lands are indeed “for all” to enjoy, what are the implications of the Georgian Bay Land Trust land use rules that prohibit picking plants, lighting fires, and camping for the ability of Indigenous peoples in Georgian Bay to enact Indigenous laws rooted in interactive relationships between humans and all of Creation?

With some discomfort, I realised that this very issue – so very personal to me and my family and cottage community – is exactly what I must focus on for the topic of my dissertation. My family’s cottage on Split Rock Island has been in our family since the late 19th century, when it was bought along with a number of other islands by my great-grandfather Dr. James MacCallum, enabled by his wife Cornelia’s wealth. Dr. MacCallum had grown up travelling up and down the shores of Georgian Bay with his father, Joseph MacCallum, who was an itinerant methodist preacher based in Collingwood. Dr. MacCallum had grown to love the landscape, and so he joined a group of his University of Toronto colleagues in buying land from the Crown, eventually joining together in 1898 to establish the Madawaska Club. At the time, people of means were spurred on by the romanticism of the back-to-the-land movement, and sought

opportunities to camp, fish, hunt in places of “wilderness”, and generally find respite from the hustle-and-bustle of the industrial city. In the Madawaska Club, a collection of University of Toronto professors sought to create a community of like-minded families with whom to spend summers, not prohibitively far from Toronto but in a location where they could maintain relative isolation. More than 120 years later, many of the descendants of those university professors remain in the area, as well as newer arrivals to the community.

Dr. MacCallum chose a site on which to build that would become immortalised, along with its views, by the works of the Group of Seven and associated artists. The MacCallums supported the group in the city and invited them to the MacCallum cottage to spend time painting. As a teenager, I felt a sense of pride that my family had supported young artists, particularly a group that played such an important role in shaping the image of Canada. In my mind, they offered a chance to see the beauty of the Bay for those who weren't able to get up to Georgian Bay. Over time, however, I came to understand that there was a dark side to that art – that the work of the Group of Seven and their mostly human-less depiction of landscape was part of a larger narrative that spoke of land that was yet to be discovered, and which largely erased the long and complex history and presence of Indigenous peoples. As I grew older and started to pay attention to the news, and began hearing about settler peoples acquiring land in ways that undermined Indigenous land rights, I began to wonder whether *my* family or community had been involved in taking land from Indigenous peoples. I felt reassured by the knowledge that my great-grandfather had bought land directly from the Crown, because at the time I thought that the Crown's involvement implied fairness had taken place. I was also reassured to know that our community seemed to have good relations with the Indigenous community nearby. My grandparents were some of the very first patrons of King Bay Marina, an Indigenous owned marina at Moose Deer Point First Nation. There are stories in our community of Indigenous women from Christian Island rowing along the shore selling their quillwork baskets, and we would purchase craftwork at King Bay Marina's shop to support the local community. We felt a sense of pride that our cottage community seemed to have such positive relations with Indigenous communities nearby, and supported them through commerce. Yet, the more I learn about the context in which our cottage community emerged, and the dynamics of these commerce relations between Indigenous and settler peoples, the more I can see the dark side of our presence and our patronage.

In 2012, my family donated 20 acres of our island to the Georgian Bay Land Trust. Due to the rising cost of taxes – particularly of capital gains taxes, which increase every 21 years – many second and

third generation cottagers in our community have had to sell their cottages. These second homes represent the homebase for the many families to gather. They sit on land that, for many, was once purchased for very little, but which now present families like mine with a real quandary about how to afford the taxes, let alone the regular costs of cottage upkeep. With my siblings and I having worked largely in the low-paying arts and charity sector, we are not well prepared to deal with this coming financial tidal wave. The donation, in 2012, of a portion of the island to the Georgian Bay Land Trust meant that we avoided having to sell the island. The Land Trust is a charitable organisation, founded in 1991, with a mandate to prevent further development of lands along the eastern shores of Georgian Bay through conservation means. Today, the organisation holds 62 properties (over 7,513 acres) in easements or full ownership, and conducts important ecological research on these lands. By donating a significant portion of our island to the Land Trust, we decreased the burden of the capital gains taxes, and we contributed to conservation efforts that are critical in this time of climate crisis. At the time it felt like an all 'round win. A few years later, I began to wonder if there were some unintended consequences to our donation, and to the work of the Land Trust, and conservation endeavours in general. From our family's initial perspective, the Georgian Bay Land Trust is doing invaluable work; however, as I began learning about Indigenous ways of knowing and perspectives on human-earth relationships, it occurred to me that perhaps what we thought was objectively *good* perhaps had – has – a shadow side.

Truth and Reconciliation as an Emotional Backdrop

I know these rocks well beneath my bare feet. I can drive the boat in the dark, navigating by the treeline, and I dream of the bay during the winter. It is a place of family, of customs, of being closer to “the elements”. It is a place where I feel I can rest, I can exist without a particular purpose and yet feel inherent worth – something I don't necessarily feel in the bustling, “productive” context of the city. This place is home to me – the sense of home feels secure as the age-old granite, far more permanent than any city home I have lived in. And yet, lately the permanence of Split Rock Island for my family seems more like a chimera: in a way, it is simply a parcel of property, the monetary value of which is skyrocketing beyond our means. This impersonal perspective on reality has challenged my own romantic ideas of the place. The process of researching and writing this dissertation, too, has provided an uncomfortable reality check. These reality checks have presented moments of existential crisis that have fundamentally challenged my sense of belonging to place, and turned upside-down my understanding of

my own personal and cultural relationship with the lands, the waters, the plants and animals, the rocks and winds – with Creation.

When I began this research journey, the Truth and Reconciliation Commission of Canada had recently published their report, detailing the devastating history of abuse and cultural genocide wrought by the residential school system. The Truth and Reconciliation Commission's 2015 report provided Canadians with the stark truth about residential schools, and by extension, colonisation of Indigenous peoples and lands in a devastatingly clear way. Learning about the truth is a foundational facet of this nation's "Truth and Reconciliation" journey. Urging all Canadians to learn about these hard truths, the Commissioners called on non-Indigenous Canadians to acknowledge the wisdom found in Indigenous ways of knowing, and to learn from Indigenous perspectives in order to "work together to forge a new covenant of reconciliation" (Truth and Reconciliation Commission of Canada, 2015c, p. 121). As I set out to do this research, it felt inevitable that my research journey would be interconnected with my own journey of truth and reconciliation.

As a settler person who is able to spend time on lands from which Indigenous peoples are increasingly disconnected, a sense of responsibility and a feeling of guilt has been part of the spark for this research. As I delved more into the research and writing, I realised that anxiety around the climate crisis is also part of that spark. While my research is not focused directly on the climate crisis per se, in listening to Indigenous teachings, and following Indigenous methods of self-reflection, I find myself responding to the call of scientists around the world who are urging radical transformation in our relationship with the earth by examining my own individual and the broader socio-cultural behaviours and meaning-making (McPhearson et al., 2021). So, although it does not make much of an appearance again until Chapter 8, nevertheless the climate crisis *together* with the Truth and Reconciliation Calls to Action provides much of the emotional backdrop and impetus for my research.

The Uncomfortable and Discomfiting Work of Following Indigenous Research Methods as a Settler

An emotional approach to research has infiltrated my writing. Throughout the dissertation I chose to include emotional language and reflections on my experience in the moment of writing because partway through writing I realised that doing so allows me to demonstrate something of the experience of being a settler who is endeavouring to follow Indigenous research methods, and of being a cottager who is examining her own community and its impacts. It is not dissimilar to auto-ethnographic research in its

reflexiveness, however I would not call this an auto-ethnography. I did not come to it from that realm, rather I came to this style of writing precisely from following that Indigenous research method, which calls on the researcher to engage in a reflexive process and is open to non-orthodoxy. It has been an uncomfortable journey for me; however, arriving at the other side of this dissertation journey has left me feeling my feet more solidly on the ground, with relationships deepened and bonds strengthened, much like making it through a conflict with a friend, only to find your bonds strengthened and with a sense of safety in the knowledge that you have weathered the storms of conflict with your friendship intact and with beautiful new colours woven into the fabric of your friendship.

The final product of this dissertation is, no doubt, discomfiting to many potential readers. Although I have not named anyone, people I know, acquaintances, friends, and family, will see themselves in this writing. In some cases, this is only in encountering their world and/or work described, while in other cases, it is in recognising ideas and comments from interviews and conversations. It may feel that I am attacking an idea of a place that is sacred, but I lovingly encourage the reader to read on – read on bravely – and know that all of the questions I am asking, all of the critiques I am articulating, I first made towards myself and my own thinking. Although this written document presents my exploration in a way that appears final, my thoughts and critiques continue to evolve and I look forward to continuing this conversation with community members and academics alike *off* the page. The journey of truth and reconciliation is not a comfortable one. The work of radically transforming our relationship with all of Creation is certainly not going to be comfortable. It is my hope that if we prioritise love and compassion for the other, if we respond to anger with curiosity, to fear with connection, that we can move through these challenging conversations and find ourselves in a new landscape of relationship and care for each other and our environment.

A Note About Timing

The bulk of the research and writing of this dissertation took place between 2018 and 2021. In that time, this research, and indeed the world at large, was interrupted by the Covid 19 pandemic. I also welcomed a child into the world. Since completing the first draft, various organisations mentioned in these pages have taken strides in incorporating Indigenous knowledge and perspectives into their work. It is a beautiful thing to explore an idea and find that others are engaged in similar explorations at the same time, although it is somewhat disconcerting to worry that one's critique may be no longer relevant!

PART 1

Chapter 1. Introduction

I. Introduction

i. The Tension

Anxiety about the fate of the planet as a result of climate crisis is an understandable reality in our times¹: when we are faced with unprecedented and unusual weather “events” becoming increasingly normal and terrifying reports about the increasing speed of the warming of the planet pile up. Many who are concerned by the climate crisis and wish to do something about it look to environmental conservation as an effective way to address the problem of the climate crisis. Canada’s Target 1 goals represent one of the methods by which the Canadian government is trying to contribute to international efforts to interrupt the climate crisis, with the goal of transforming 30% of the lands and waters across Canada into conservation lands (Indigenous Circle of Experts, 2018). One of the ways in which these goals are being met is by enlisting environmental non-government organisations such as land trusts to increase land that can be identified as conservation land (Indigenous Circle of Experts, 2018). Land trusts can secure land by transforming private land into conservation land either through easement donations (lands still privately held but now with a long-term, binding conservation land use agreement), or donations that transfer private lands into conservation ownership. Given the widespread anxiety about the climate crisis (Thompson, 2021), it is no wonder that individuals who are concerned about the state of the environment, and who have property in a landscape that is considerably un-‘developed’, would see donating land to a land trust as a way to do their part in battling this climate crisis. If this can be done at the same time as maintaining the privileged privacy of an isolated cottage location, the solution becomes increasingly appealing.

Indeed my own family saw donating a portion of our cottage lands to the Georgian Bay Land Trust as a way to lessen the financial strain of skyrocketing land values, as well as to meet our desire to protect the spectacular wildlife on our island from further development that we worried would likely leave a bigger footprint than our very modest low-impact cottage places already. Many others in our cottage community feel similarly, and some have made (or are considering making) such donations. This

¹ I drafted this dissertation between November 2020 and August 2023, during which time we experienced the global Covid 19 pandemic and worsening weather events such as flooding, heat waves, forest fires, to name just a few. As I finish editing the final draft before it moves on to the dissertation defense, the country is experiencing its most devastating wildfire season, and countless other environmental disasters seem to occur daily around the world.

seemed to be a win-win situation for our family; yet, might there be a dark side to be considered? This thought came to me, as I reflected on a story my father told me: every year, his parents would donate to the cause of Indian residential schools, believing that they were donating to a good, educational cause to help Indigenous children in poverty (they would most likely have referred to “poor Indian children”). While there have been reports since early on in the history of residential schools on the harm they were causing, the societal impact of these reports always waned and whatever outrage had emerged inevitably receded again (Tennant, 2020). My grandparents thought they were doing a good deed. I reflected on this, as I thought about our family’s donation of land to the Georgian Bay Land Trust, and began to wonder “what is the dark side of this? What harm are we causing?”.

It occurred to me then that the land use rules that govern these Georgian Bay Land Trust sites within Anishinaabe territory in fact contravene Anishinaabe law, particularly with respect to human-earth relations. Of course, these Trust lands are private property, so one could argue that Anishinaabe law is irrelevant. Yet the Land Trust argues that it is protecting these lands “for future generations to enjoy” (Georgian Bay Land Trust, 2023) – in a context where there is much talk about Truth and Reconciliation, and living up to Treaty promises, it seems that it would be appropriate to consider Anishinaabe law within Anishinaabe traditional territory. While the land trust prohibits picking any plants, lighting a fire, or camping overnight on most of their properties (Georgian Bay Land Trust, 2023), Anishinaabe law emphasises the reciprocity of human-earth relations, which can take the form of picking medicines, sleeping out on the land for hunting/trapping purposes, or lighting a fire in order to conduct ceremony or simply eat (Kimmerer, 2014). This tension around land use highlights a conflict that lies at the heart of colonisation: the ways that we value land and how we understand human-earth relations to exist have shaped the way that settlers made their home on this land and laid the foundation for the attempted destruction of Indigenous communities and cultures.

Across the world, Indigenous peoples manage lands that hold approximately “80 percent of the planet’s biodiversity and about 40 percent of all terrestrial protected areas and ecologically intact landscapes” (Jerez, 2021). Of the \$2.3 billion that the government has committed to conservation work, \$340 million has been earmarked to support the creation of Indigenous-led conservation areas, such as Indigenous Protected Conservation Areas as a “cornerstone” of these efforts (McIntosh, 2022) (whether or not this funding is sustainable is another matter, which I touch upon below). Although Ontario is the

site of five Indigenous Protected Conservation Areas (four approved, and one functioning²), the province is apparently resisting Canada's intention to move further in this direction, with Ontario's Minister of Northern Development and Indigenous Affairs having stated that such efforts are seen to encroach on the province's jurisdiction (McIntosh, 2022). Is this resistance due to the potential impact of the Indigenous Protected Conservation Areas on Ontario's goals for resource extraction, or does it reflect a deeper resistance to the perceived threat(s) of Indigenous sovereignty?

Looking to Georgian Bay to reflect on this is helpful. Shawanaga First Nation has become the first Indigenous community in Ontario to get an Indigenous Protected Conservation Area off the ground and running, an endeavour that has been supported in part by organisations and initiatives including Conservation through Reconciliation Partnership, Georgian Bay Forever, the Georgian Bay Land Trust, the UNESCO-Georgian Bay Biosphere, the Pointe au Baril Islanders' Association, Shared Values Solutions Ltd., the Township of the Archipelago, and the University of Guelph. This range of partners demonstrates that at least some of settler society is keen to support the creation of Indigenous-led conservation – university researchers, seasonal and year-round residents (and politicians) of the area, and environmental organisations. At the same time, there was that letter circulated around Georgian Bay cottage communities in the summer of 2017 (written by a member of the Northern Georgian Bay Association, and endorsed by members of the broader Georgian Bay Association) that reflected another reality: one in which settler communities sought to interrupt the return of lands to an Indigenous nation, and use conservation as the tool to do so, urging the province to designate lands being returned as nature reserve *prior* to their return to the First Nation. This tension illustrates a significant settler cognitive dissonance: on the one hand, in the support of the Shawanaga Island IPCA we see settler acknowledgment that Indigenous-led conservation is a good thing; on the other hand, the opposition to returning lands to an Indigenous community without first designating them as nature reserve illustrates the inclination of settler society (in particular cottage communities) to resist an increase in Indigenous sovereignty over lands, with the concern that such an increase may spell a decrease in settler access to lands. So let us look more closely at this cognitive dissonance, and see where it takes us.

² Interestingly, the one Indigenous Protected Conservation Area that has been running for a few years, was funded by the Federal government only for its first three years. At the time of drafting this in the fall of 2022, its future funding was uncertain (Shawanaga IPCA Coordinator, phone call, October 2022). It appears that the Coordinator position no longer exists; one wonders how active or effective the IPCA management is able to be.

ii. Three Happenings

Happening 1: 1914-1915

In 1914, after several years of discussing the issue of “Ojibway Indians” camping and harvesting berries, Madawaska Club member Dr. McPhedran requested that the Board “take steps to secure to him the quiet possession of his own site and to take measures restraining the Indians from camping so close to his house” (Madawaska Club, 1923, p. 27). According to the Madawaska Club (1923) history, the Directors had taken it into their own hands to speak with a Chief of the Christian Island Band (now known as Beausoleil First Nation), who had asserted to them that “the Ojibways retained rights and could not be prevented from camping on their accustomed ground” (p. 27). Despite that assertion of rights, in May of 1915 the Madawaska Club Secretary wrote a letter to Indian Agent Picotte, and to the Christian Island Band Chief, requesting the cessation of these activities, though nothing seemed to come of this request. Eventually, after the Board wrote directly to Indian Affairs Superintendent Duncan Campbell Scott, “explaining the situation and the reluctance of the Board to resort to force in order to secure their rights and requesting the Department to intervene”, Campbell Scott directed Picotte to tell the Indigenous peoples, who had been making use of their own traditional lands and harvesting berries, that “they had no right to camp on the property of the Madawaska Club, and that they must discontinue the practice” (Madawaska Club, 1923, p. 28). The Madawaska Club history book points out that “[it] should be remarked that apart from the annoyance of their camp being too close to a member’s cottage, and the fact that they often landed to pick blueberries close to other cottages, no one had any objection to the Indians whose behaviour and character seemed excellent and who were in general very welcome with their baskets and mats as a picturesque and vivid reminder of a vanished era” (p.27). With the direction from Indian Affairs fulfilled by Indian Agent Picotte, “a very delicate and troublesome matter was finally settled” (Madawaska Club, 1923, p. 28).

Happening 2: 2017

In the summer of 2017, a letter was circulated to the members of the Georgian Bay Association, a collection of cottage communities along the eastern and northern shore of Georgian Bay. Circulated by the Georgian Bay Association, it was written anonymously, however, by a member of the cottage community called the Northern Georgian Bay Association, regarding a Draft Environmental Study Report (ESR) on the Boundary Claim proposed land transfer to Wiikwemkoong First Nation. This letter urged the Province to designate the land that was proposed for transfer to Wiikwemkoong as nature reserve *prior* to the transfer, in order to protect the land from potential development that the letter-writer deemed

harmful and inevitable. The letter was circulated on the Madawaska Club's Facebook page, with the request that we, as fellow Georgian Bay Association members, support this petition by endorsing the letter. Within that letter, the petitioner took umbrage with the fact that the "potential uses to be made of the lands and any planning or development decisions are not assessed as part of this Draft Environmental Study Report undertaking to sell or dispose of the lands, as the future use of the property is not assured at the time of disposition" (anonymous letter, 2017). Consequently, the petitioner requested that the Province designate *all* the lands to be transferred as parklands, thereby preventing any potential development, and providing five reasons in this anonymous letter:

- one of the islands in question had, since 1962, been slated to become parkland, as the petitioner explains "in order to protect one of the world's most unique and pristine natural areas";
- it would enable continuous park system, co-managed by the Province and Wiikwemkoong First Nation, providing jobs for the First Nation to boot;
- the ESR did not address the Agreement in Principle being negotiated then between the Northern Georgian Bay Association, the Georgian Bay Association, and Wiikwemkoong First nation;
- the interests of "Other Stakeholders" (kayakers, canoeists, boaters, campers, local residents) were not addressed, nor were they afforded long term access rights;
- given that "Ontario citizens have used these Crown Lands for their enjoyment for more than 100 years [...], primarily NGBA and Other Stakeholders [...] Their rights and privileges must be respected, and a park would achieve this";
- the Province did not provide a high enough dollar-amount when they offered to purchase an island from a private owner, thus resulting in the need for these Alternative Lands to be included in the land transfer proposal (anonymous letter, 2017).

Since the 2017 letter, Wiikwemkoong First Nation, the Northern Georgian Bay Association, and the Georgian Bay Association have entered into an agreement and are negotiating with the province about the establishment of a nature reserve on the land being transferred to the Wiikwemkoong. The outcome of the situation may be that the cottagers achieve their goal of ensuring the lands are parkland, and the First Nation nevertheless receives the land into their territory. While some might see this as a win-win situation, to me the 2017 letter, and indeed the apparent outcome (still to be finalised), seem to be an illustration of how colonialism is not "a settled (read: historical) fact regarding European arrival and indigenous displacement, the *effects of which* are contemporary. [Rather] *Colonialism* is contemporary" (Mills, 2019, p. 2). This reflection caused me to look more closely at this letter, and eventually at two more incidents, which together brought me to the research question that initiated this dissertation.

Happening 3: 2019

In April of 2019, the Georgian Bay Land Trust announced the creation of the Tadenac Conservation Initiative, made possible through a conservation easement donation of “a 5,400 acre protected area of pristine wilderness south of Twelve Mile Bay”, and a \$1,000,000 endowment, primarily funded by the federal government, which provided \$967,000 (Georgian Bay Land Trust, 2019). A description of the Tadenac Conservation Initiative provided by the Board Secretary states that it “creates an ecological buffer on the southern edge of Potawatomi lands, provides ecological connectivity for species movement and geneflux to their lands, and creates an area already rich in biodiversity (30 species at risk) which will remain in perpetuity enhancing the biodiversity on Potawatomi FN [sic] lands” (Beddoe, personal communication, July 2021). Despite this reference to “Potawatomi lands”, the Tadenac Club lands’ immediate proximity to Moose Deer Point First Nation, the so-called “Pottawatomi FN” in question, and Moose Deer Point First Nation’s history of asserting its rights in the area that includes the Tadenac Club lands, no mention is made of Moose Deer Point First Nation in the press release, and the community was not engaged at any part of the process. Indeed, the Easement Agreement itself describes the area as an “undisturbed watershed” that has been “in an almost untouched state for approximately 140 years”, and this “lack of disturbance is a direct result of ownership by the Club since its inception in 1884” (The Tadenac Club, Ltd. and The Georgian Bay Land Trust, 2019, p. 13).

These three Happenings all take place in Georgian Bay, across an area of approximately 300km and over a time period of just over one century, and they touch on myriad issues at the very heart of this inquiry. They provide a window into the links between cottager activism around conservation/preservation of the Georgian Bay landscape, and the loss of Indigenous rights in that area. In the following few pages, I briefly lay out some of the issues that emerge from these three Happenings. These are Emergent Issue 1 – Assertions of rights and the Crown’s fiduciary duties; Emergent Issue 2 – Ideas about wilderness come into question; and Emergent Issue 3 – Land use decisions (how are they made, and by whom?). By touching upon these three issues, they will serve as an anchor for my dissertation. The dissertation takes these questions and ideas and teases them apart, following threads, untying knots, following tangents, and hopefully all of that journeying brings us to some clarity as to the links between settler cottagers, environmental conservation, and Indigenous rights in Georgian Bay.

Emergent Issue 1 – Assertions of Rights and the Crown’s Fiduciary Duties

All three of these Happenings raise the issue of rights, in different ways. In the 1914 Happening, the Chief of the Christian Island First Nation asserted his community’s rights to use these lands, referring to the lands as their “customary” – that is, traditional – lands. The Madawaska Club asserted *their* rights to having these lands free from Indigenous people’s active presence. Ultimately, the Crown supported the settler cottagers’ rights over the Indigenous rights, via the Federal Department of Indian Affairs. In the 2017 Happening, we encounter ongoing efforts of the Indigenous community of Wiikwemkoong Unceded Territory to refuse the Crown’s assertion of rights to lands on and adjacent to Manitoulin Island; the outcome of their land claim is that the Province is transferring land to Wiikwemkoong First Nation. Cottagers in the area, and the cottager advocacy associations the Georgian Bay Association and the North Shore Georgian Bay Association, have been asserting their rights as property owners and people with a roughly century-long history of frequenting these lands for leisure purposes. Settler cottagers are asserting that their rights are on par with those of the Indigenous community, that they have somehow inherent rights and privileges that ought to be afforded to them as a result, to access lands that are proposed to be transferred without designation of parkland to the First Nation. And finally, the 2019 Happening reveals a situation in which Moose Deer Point First Nation (which has been unsuccessful in asserting their rights, despite the fact that an Indian Claims Commission concluded that they *do* have treaty rights) has been excluded from a process of land use change on lands where they hold traditional rights. By donating just shy of \$1,000,000 towards the creation of the Tadenac Conservation Area, the Crown’s direct involvement raises the serious concern about whether or not it has breached its fiduciary duty by not consulting with Moose Deer Point First Nation, given that their rights are potentially impacted by these changes.

These issues raise questions around who has the right to access particular lands, to use those lands in particular ways, and why. As well as the irony of settlers using an argument about their own historical use to deny Indigenous inherent rights (which are grounded in historical use) because of the settlers’ own desire to have their more recent historical use acknowledged, one wonders what is the impact on Indigenous peoples of being denied access to lands that their community has historically lived on? How does that denial impact a community’s ability to pass on culture to subsequent generations?

Emergent Issue 2 – Ideas About Wilderness Come into Question

These three Happenings reveal ideas about how settlers perceive of the lands and waters as “wilderness” and “pristine”, holding ideas about how people should behave in these spaces, and who

belongs. The 2014 Happening reveals this most explicitly, with the cottagers insisting that the Indigenous people be prevented from camping, hunting, gathering in the area, though they are happy to see them come around for the purposes of selling handicrafts and to provide a reminder of times that they see as long-gone. The 2017 and 2019 Happenings both illustrate the settler belief that lands in “cottage country” ought to be free of development activity, which is somewhat disingenuous, given the amount of cottager development that exists. That belief is profoundly tied to the idea of these lands being “pristine” and “wilderness” – both the 2017 and 2019 Happenings refer explicitly to the regions in question as having a “pristine” quality to them, one referring to “wilderness”, the other to “natural areas”. The assumption is that this apparently untouched and wild quality is obvious, that it’s a universally held perspective. It seems clear from all three Happenings that, from the settler perspective of caring for the land, the presence of humans should be observational and leisurely, with occasional productivity (for instance the sale of crafts, or scientific research about wildlife). But *are* these ideas about a “pristine wilderness” in fact universally held? What are such assumptions grounded in, and is there anything that might contradict this perspective?

An additional factor that is revealed in these Happenings, and which I must admit is revealed in my own personal reflection, is that of the desire for seclusion, privacy, and uninterrupted vistas. There is a perception that Georgian Bay cottage country, with its long and often uninterrupted vista of rocky shores and straggly trees dividing the waters from the sky, has less development than Muskoka, for example, where cottages are much closer together (Campbell, 2005). This landscape has been iconised by the Group of Seven paintings depicting this rugged northern Ontario nature or wilderness largely devoid of human presence. Indeed, this landscape art which has become somewhat definitive of Canada has a strong link to this particular part of Georgian Bay. My great grandparents hosted the Group of Seven artists at their cottage, from where they painted the various faces of Georgian Bay that have become so iconic, and have helped reinforce an idea of wilderness that is empty and, as Ontario’s license plate said until recently, “yours to discover”. What are the implications of this characterisation of the environment? What grounds this settler story? What stories are missing? This dissertation explores these emergent issues and questions in ways that hopefully shine light on a possible approach to the path of truth and reconciliation, especially for those who are shaping land use through their involvement in cottage communities and conservation initiatives.

Emergent Issue 3 – Land Use Decisions (How They are Made, And by Whom)

What becomes most clear in these three Happenings, is the desire to settle uncertainty around land use. The cottagers in 1914 wanted camping and berry-gathering in particular, to cease. The Northern Georgian Bay Association member petitioning the Province in 2017 to designate the lands to be designated as parkland *prior* to transferring ownership to the First Nation, took umbrage in particular with the fact that the future use of the lands in question weren't discussed, that they could be developed in some other way should the First Nation decide so. The Georgian Bay Land Trust's 2019 Tadenac Conservation Initiative "enshrines the largest private landholding on the eastern Georgian Bay Coast as a permanent sanctuary for nature", an area that is described as "one of the region's largest undisturbed natural areas" (Georgian Bay Land Trust, 2019). The language used here, in particular "undisturbed", tells us something again about the idea of these lands as being unused, and better kept that way. These three examples illustrate the influence of cottager communities to shape the way land is used: in Happening 1, with direct contact to the Indian Affairs Superintendent; in Happening 2, by connecting with the various cottager associations that have political sway; and in Happening 3, by appealing to the government of Canada's Target 1 goals for protecting lands and inland waters. Indeed, the Georgian Bay Land Trust was first conceived as a planning tool to become part of the Official Plan for Ontario (Georgian Bay Land Trust, 2023d), and while this administrative concept did not come to fruition, we will see later on how the Georgian Bay Land Trust is indeed shaping land use planning alongside other organisations, such as cottager associations for instance, and it is being used by the federal government as a tool to meet their own conservation goals.

There is a particular fear of what Indigenous people will choose to do with lands in the absence of the settler state's direction. In the 2017 and 2019 Happenings we can see a general desire to preserve the landscape in an "undeveloped" form, thus raising a number of questions such as:

- what *is* development?
- how do we value land, for leisure or industry?
- where do these particular ideas of development come from?
- if Indigenous peoples have been living on these lands for centuries, managing them through their practices of harvesting, hunting, and kin-based relationships, can we really say these are "undeveloped" and "pristine" lands?

The ability of these organisations to influence policy and be a tool to fight climate change is a great strength of the settler cottager community. And yet, these questions led me down a research path on which I argue that environmental conservation planning has historically contributed to the dispossession of Indigenous peoples from their lands and waters, in the process undermining Indigenous

legal orders and governance in Georgian Bay. I believe that (perhaps in spite of the best intentions of settler cottagers like myself, and indeed due to some of the worst intentions of society), conservation efforts continue to undermine Indigenous legal orders today in ways both subtle and glaring. In the best case scenario, this could be due to a lack of understanding about the fundamental differences between settler and Indigenous peoples' worldview. However, given that addressing these issues unsettles the status quo and challenges some very foundational beliefs, it seems to me that it is convenient to remain ignorant of the deeper issues that ensure the continuation of settler-colonial violence to Indigenous peoples and communities.

II. The Research Itself

i. Rationale

Conservation organisations such as land trusts are working to protect land from development in an effort to conserve it in as close to its purportedly “pristine” “wilderness” state as possible. However, despite the belief that this work is universally beneficial, some settler efforts around conservation in Georgian Bay continue to undermine Indigenous values around human-earth relationships, thus undermining Indigenous law and rights. In order to respond to the myriad calls to interrupt the still-ongoing process of colonisation, a deeper understanding of the foundational differences between settler and Indigenous perspectives is required. This point, where two opposing value-systems meet and conflict, is a good place from which to embark on a journey of *truth*-telling and *reconciliation* path-making. We need to focus on what grounds us, what values lie at the roots of our planning decisions. Not only does a deeper awareness of these foundations aid in walking a path of truth and reconciliation, it also enables us to respond to the call by climate scientists around the world to fundamentally transform our relationship with what settlers broadly call “the environment” and Indigenous peoples broadly speaking call “Creation”.

The very meaning of such constructs as “nature” and “wilderness” reveal the desire on the part of non-Indigenous peoples for nature to exist outside of us, in the simple act of naming it. Wilderness in Canada has been perceived by settler society largely as empty space, there for the purposes of leisure, tourism, and revivification (Jessup, 2002; Thorpe, 2011). This particular perception of wilderness has resulted in a documented history of settler conservation strategies on Turtle Island that not only dispossess Indigenous peoples from their territories and result in the cultural genocide laid out so

eloquently by the Truth and Reconciliation Commission Report (2015), but have at times led settlers to kill Indigenous peoples (Truer, 2021). Given the nature of settler peoples' relationship with land being tied deeply to private property (Dorries, 2017), and the importance of land return to the process of decolonisation (Tuck and Yang, 2012; Yellowhead Institute, 2019), one wonders if reconciliation is even possible in the context of private property, and if it is attainable when there is a clear lack of historical and intercultural awareness. There is a deep need to re-frame the relationship between people and the environment so that it becomes a physically and spiritually healthy one (Berry, 1988; Scharper, 2012; Kingsnorth, 2018).

The Truth and Reconciliation Commission Report's Reconciliation Principle 8 asserts that "Supporting Aboriginal peoples' cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential" (Truth and Reconciliation Commission, 2015c, p. 4). Within my own cottage community of the Madawaska Club, these issues have emerged in private and in public in discussions about whether or not to incorporate a land acknowledgement into our community's events, for example, or truth and reconciliation discussion groups that have emerged. At the same time, as mentioned above, there are significant contestations between Indigenous and cottager communities like – and indeed, including – my own. Moose Deer Point First Nation, through which many members of my community travel in order to get to Go Home Bay (where the Madawaska Club is located), has been faced with protests over the years as they have sought to grow their land base, with adjacent cottagers wishing to keep the land "wild" and "undeveloped" (Tynan, 2009). At the same time, environmental non-governmental organisations such as the Georgian Bay Association and the Georgian Bay Land Trust advocate for preservation of the environment through scientific management schemes and donations of land in trust. There is a genuine desire on the part of cottagers to care for the land on which they have cottages. And among some of those cottagers, there is a genuine desire to learn from the actions of our past generations who have caused harm to Indigenous peoples. There seems to be a cognitive disconnect, however, between the desire on the part of many settlers to not repeat the "mistakes of the past" with respect to Indigenous peoples, and the seemingly willful ignorance of the same people about the negative impact of conservation planning and land trusts on Indigenous peoples in Georgian Bay. Therefore, as a cottager, as a member of the Madawaska Club community at Go Home Bay, as a member of a family that has donated land to the Georgian Bay Land Trust (for what we believed were good reasons), it is critical for me to explore how conservation land use planning contributes to the

continued dispossession of Indigenous peoples from their lands/waters, and undermines their legal orders and governance in Georgian Bay.

ii. Research Question, Goals, and Objectives

My main research question asks: how does conservation land use planning contribute to the dispossession of Indigenous peoples from their lands/waters? In asking this question, my dissertation explores the relationship between land use planning, environmental conservation, and colonialism, and in so doing it reveals some of the ways that environmental conservation undermines Anishinaabe legal orders and governance in Georgian Bay. This exploration enables a better understanding of the foundations of relations between people and their environment, as well as between settler and Indigenous communities by looking at the undercurrents – exploring the history of cottager-Indigenous relations in Georgian Bay, settler-Indigenous relations in the context of seasonal tourism in Ontario more broadly, and the cosmological worldviews that differ between settler and Indigenous peoples. There are several sets of short-term objectives and long-term goals.

To begin with, the first objective of this dissertation is to examine how environmental conservation has contributed to the historical and ongoing process of colonisation and dispossessing Indigenous peoples from their lands and waters and sovereignty, across Turtle Island. This will help to reveal how environmental conservation has impacted treaties and treaty-relationships, how it serves the interests of settler/non-Indigenous (largely white and land-wealthy) peoples at the expense of Indigenous peoples, and how this impacts the next generations of Moose Deer Point First Nation. The second objective is to examine the various roots found at the foundations of settler colonial perspectives on human-earth relations. There are various philosophical, cosmological, and spiritual foundations to be examined; this dissertation examines the liberal legality that limits our ability to build healthy human-earth relations, and touches upon the opportunities to be had if we de-colonise our understanding of the various cosmological and spiritual roots found at our foundations. The third objective is to explore some of the ways that Indigenous and non-Indigenous peoples differ in understandings of notions such as “development”, “conservation”, “relationships with the land”, and “reconciliation”, and in-so-doing, to better understand the ways in which environmental conservation efforts can overstate the benefits of their work for Indigenous communities, and understate or remain ignorant of the harmful impacts of their work historically and contemporarily. In working towards these objectives, I seek to reveal some *Truths* in my journey of Truth and Reconciliation.

The longer-term goals of this dissertation require that I make use of my knowledge gathering in service of community awareness-building, so this truth-telling and learning can evolve into acts of *Reconciliation*. The first long-term goal is for this research to lay the foundation for the development of resources that will enable and support education in particular for settler-cottagers to learn about Moose Deer Point First Nation, and for renewal of relationships between Indigenous and settler peoples in Georgian Bay. The second is to nudge and inspire cottagers and conservation organisations in Georgian Bay not only to consider more deeply the ways that they – we – have benefitted directly and indirectly from all the land loss experienced by Indigenous peoples, but to explore and pursue tangible acts of reconciliation that look more like mutual aid and that create the conditions for Indigenous peoples’ self-determination.

iii. Chapter Outline

Conservation efforts in Georgian Bay have contributed to colonization and dispossession. This is because these efforts emerge from the settler worldview (grounded in liberal constitutional law), which has created the narrative that Moose Deer Point First Nation doesn’t “belong” in Georgian Bay and so doesn’t warrant rights within settler law, which in turn has led to the denial. Understood through Anishinaabe law, however, Moose Deer Point First Nation does belong in Georgian Bay—and should have rights (such as land access), which may conflict with settler conservation efforts. Thus, despite many cottagers’ beliefs that their conservation efforts align with Indigenous peoples’ interests, these conservation efforts have in fact been enabled by and reproduced settler violence and ultimately undermine reconciliation practices.

Part One (Chapters 1 to 4) of this dissertation prefaces the research and prepares the reader. Chapter 1 has already introduced the impetus for this research, including a collection of case examples in the form of the Three Happenings. Chapter 2 explores the literature that grounds the research, as well as some analytical concepts that provide a lens in order to fill the gaps I identify in the literature. Chapter 3 lays out the methodology, methods, and guiding principles taken up for the research, and the challenges met therein. Chapter 4 presents the research conversations (interviews and focus groups) with the Moose Deer Point First Nation and settler cottagers involved in the Georgian Bay Land Trust who (for the most part) hail from the Madawaska Club at Go Home Bay. In so doing, not only does Part One prepare the reader for the research by laying out the impetus, research context, and guiding

principles, but it also prepares the reader to encounter the concerns of the author within the very body of the dissertation by way of the occasional personal reflection.

Part Two (Chapters 5 to 8) gets to the core content of this dissertation, which can itself be viewed as two parts: the first two chapters of Part Two presents the Indigenous-focused portion, and the second two presents the settler-cottager-focused portion.³ Chapter 5 explores the epistemological, cosmological, and ontological foundations of Indigenous (particularly Anishinaabe, though not exclusively) worldviews, and the concept of rooted law. This provides the context for Indigenous “rooted” understanding of Creation, which will help to illuminate the fundamentally different foundations of Indigenous and settler perspectives on human-earth relations, and thus our respective approaches to environmental conservation. On the basis of these foundations and relations, Chapter 6 attempts to provide an Indigenous-informed historical context for Georgian Bay – Moose Deer Point First Nation in particular, a community that has historically been overlooked, and through whose territory my family and many in my cottage community access the waters of Georgian Bay.

Chapters 7 and 8 examine the history and context of the emergence of settler-leisure communities in Georgian Bay, and their links with environmental conservation. These chapters were *intentionally* placed after the Indigenous-focused chapters, in order to contextualise settler communities within an *already-existing* Indigenous fabric across Georgian Bay and the Great Lakes. In so doing, I seek to interrupt the settler narrative of non-urban, non-built-up landscape as empty and pristine wilderness, which has played out to settler peoples’ benefit across Turtle Island, and in particular within so-called

³ While there exist several histories of Georgian Bay, mostly these are settler-centred, portraying Indigenous peoples largely as a historical presence, and contemporarily marginal, at best. In order to understand how the community at Moose Deer Point First Nation came to be where they are now, I draw on Indigenous ideas of place to situate the community *prior* to using reference points that would be more familiar to me as a settler person. As Borrows (1992a, p. 297-298) points out:

Native society has long been written about from a Western perspective, specifically in the areas of religious life, social customs, economic practices, historical genesis, political routines, and legal customs. These accounts of Native society have often portrayed us in a way that does not capture the active and transformative role that we have played when reacting to settler institutions. We were not passive, objects of colonial policy, but were active agents and creators of our own history”.

And so, when writing about Moose Deer Point First Nation, it is critical to situate them so as to acknowledge their power and agency, rather than present them as simply victims. For, although the Moose Deer Point First Nation community has indeed fallen victim to the evils of seemingly banal bureaucratic machinations, as well as the complex dynamics of race and power in this settler society, yet they have also made choices and enacted sovereignty in ways that ought to be acknowledged more than they are.

“cottage country” in southern Ontario. Finally, Chapter 9 concludes by looking to ways that this particular historical and ongoing process of colonisation can be interrupted, and the steps that settler-cottagers and environmental conservationists can take to become good allies to Indigenous peoples – and in-so-doing, transform our own relationship with the earth.

iv. Scope and Limitations

The scope of this research is broad, in order to illuminate the wide array of factors that shape our understandings of human-earth relations, and therefore inform Indigenous-settler conflict around land use – but also, importantly, might help to enable alliance-building to heal our relationship with the earth. As a result, this research touches upon many issues, each of which could itself present entire dissertations. The geographic location of the study is focused primarily in Mnidoo Gamii/Georgian Bay, but more broadly in the Anishinaabe territory of the Great Lakes. While other Indigenous communities reside in this area, this research primarily focuses on Moose Deer Point First Nation.

The population of interviewees was small, drawn from one Indigenous community and primarily from one cottage community. The interviews and focus groups, conducted in August and September of 2019, were intended to enhance the discussion, highlighting various elements of the argument, rather than to provide data that can represent all cottage communities and all Indigenous communities across Georgian Bay. The interviews were limited to a six-week period, as a result of my pregnancy and the Covid 19 pandemic; follow-up interviews that I might have conducted were not practical until too late.

Due to the scope of the research, it revealed a number of questions that I was unable to address. These include:

- why is Moose Deer Point First Nation not officially a member of any treaties?
- why was Moose Deer Point First Nation not consulted during the establishment of the Georgian Bay Land Trust’s Tadenac Conservation Area?
- In its support of the creation of this new Conservation area, did the Crown breach its fiduciary duty to protect the rights of Moose Deer Point First Nation by neglecting to engage with the First Nation?

While these questions could not be answered in this dissertation, they have already informed ongoing research with Moose Deer Point First Nation, which will take place over the next five-ten years.

v. Contributions

The main contribution of this research is to bring together two different conversations around identity and place – Indigenous communities, on the one hand, and on the other, settler-cottagers – into dialogue. This examination of conservation land use planning and its undercurrents problematises certain ideas that are taken for granted, but also illuminates some of the ways in which these two different communities, with very different foundational cosmologies, can find common ground. It can help those grappling with government decisions around land use – e.g., land use planners, environmental conservationists, landscape designers, government policy analysts, among others – to see that assumptions which they hold as universal ought to be examined and to consider the undercurrents informing their decisions. It can help settler-cottagers – and Canadians at large – to better understand the roots of settler-Indigenous conflict, to look critically at our role in the history of colonisation of this land, and as well (and I think perhaps most importantly) examine the ways in which we have all been colonised and uprooted from our foundational stories. This dissertation can, I hope, also be of use to Indigenous peoples – particularly the Moose Deer Point First Nation community – not just so that their interests can be brought to the conversation table of settler peoples, so that their concerns can challenge settler peoples’ seemingly-settled certainties, but so that Indigenous people can learn more about what motivates settler-cottager communities, and better understand the challenges that Indigenous communities are facing *as well as* the potential for allyship.

I went about doing this research by delving into Indigenous research methodologies that called me to meet Indigenous theory and law on its own terms. By engaging with Indigenous research paradigms and modes of analysis, my research journey led me down an often emotional path of self-examination and exploration of issues that are personally very relevant. In addition to this research contributing to discourses around land use in the professional world, the cottager world, and Indigenous communities, this research also contributes to the literature on research methods, by providing a unique window into the process of a settler-researcher grappling with Indigenous methods for her own research, and the questions – ethical, practical, theoretical – that emerge throughout that process (and for this reason, the methods chapter is particularly lengthy). I hope that this dissertation encourages other researchers to make use of Indigenous methods for their research, when appropriate, as one of many ways to walk down a path of truth and reconciliation.

Chapter 2. Groundings in Relevant Literature and Analytical Concepts

I. Introduction

The Truth and Reconciliation Commission was established in 2008, as part of the outcome of the Indian Residential School Settlement Agreement, regarding the abuses that took place in the Indian Residential School system, which ran from 1879 until 1997 when the last school was closed. In addition to a \$1.9 billion settlement package, a Truth and Reconciliation Commission was established and, over a period of five years, the Commission traveled across the country, hearing from survivors about their experience and the impact it had on their lives. In 2015, the Truth and Reconciliation Commission published its report that concluded with a set of ninety-four Calls to Action. These recommendations called on the institutions and professions across the fields of child welfare, education, health, and justice to address particular challenges that the Truth and Reconciliation Commission set before them, in order to engage with the process of truth and reconciliation. As well as these particular institutions, government and civil society were called on to do their own work of learning the truths about Canada's history – indeed, our foundation – of colonisation, and the myriad harms done to Indigenous people, communities, and culture. As well as learning such truths, we are all called to begin walking a path of reconciliation, that is, to establish and maintain “a mutually respectful relationship between Aboriginal and non-Aboriginal peoples” by holding “an awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour” (Truth and Reconciliation Commission, 2015a, p. 6).

This chapter explores some of the ideas that foregrounded this research. Section II briefly examines the notion of “Truth and Reconciliation”, in Canada and abroad, and considers some of the commentary on the usefulness of this concept. Ultimately, while I accept some of the critiques of this concept, I argue that it is nevertheless useful for instigating important conversations and examinations of assumptions and the status quo. Section III looks at the literature on land use planning and environmental conservation, particularly in light of the sense of urgency that has infused the climate crisis discourse. I argue that while the climate crisis is indeed an urgent issue to address, it has been centuries in the making, and many of the solutions require thoughtful, deliberate consideration of the foundational concepts and worldviews that inform the solutions we look to – a goal at the heart of this very dissertation.

II. Truth and Reconciliation

The Truth and Reconciliation Commissioners explain “reconciliation” as “an ongoing process of establishing and maintaining respectful relationships” (Truth and Reconciliation Commission, 2015a, p. 121), which involves truth telling, reparations, establishing respectful relationships, learning about Indigenous perspectives, and other concrete actions at various levels. While the Truth and Reconciliation Commission was focused on revealing the truths largely about the history and impacts of residential schools, the Commissioners called on institutions in a wide range of professions to respond to its Calls to Action - in particular, within the realms of law, health, religion, and journalism (see Truth and Reconciliation Commission Calls to Action 28, 24, 60, and 86 respectively). These professions were of particular importance because of, respectively, the way that the legal system enabled these residential schools abuses to take place, the impact on the health of children and their families spanning generations, the responsibility of religious institutions for establishing, administering, and condoning these schools, and for the media in its portrayal of the issues.

Canada’s Truth and Reconciliation Commission brought us into an international community of nations addressing their own respective histories of violence, oppression, and genocide. Most well-known, perhaps, is the Truth and Reconciliation Commission of Rwanda, which enabled the Hutu and Tutsi communities to speak openly about the genocide in 1994. However, other countries including South Africa, Congo, Sierra Leone, Chile, Nepal, Norway, Sweden, Germany, and Australia for example, have also commissioned similar processes. Indeed, there has been a “rapid and widespread increase in restorative actions by powerful groups around the world [which perhaps] points to a new moral awareness within the international community” (Allpress et al., 2010, 77). However, while the Truth and Reconciliation Commission in Canada was my own entry-point for this path of reconciliation, and for many other Canadians it was the first eye-opener in that respect, there were previous reports including *The Story of a National Crime: An Appeal for Justice to the Indians of Canada*, a book by Dr. Peter Bryce published in 1922), the Berger Inquiry of 1977, and the Royal Commission on Aboriginal Peoples of 1996, which called out to a broader set of issues relating to our colonial history and Indigenous peoples, signalling the attention of all of Canadian society.

Dr. Bryce’s book had been preceded by a report he wrote in 1907 when he was the chief medical health officer for Indian Affairs, tasked with studying the health of Indigenous children in these residential schools; in it, he was highly critical, blaming the federal government for the harmful neglect of Indigenous children (Tenant, 2020). Bryce’s 1922 book subsequently elaborated on this report, and

articulated more clearly the governments responsibility in the high number of deaths of Indigenous children (Tenant, 2020). In 1977, the Berger Report illuminated an inquiry into the connection between Indigenous communities and the land, as background information for the government decision around whether or not to approve two pipeline projects across the Mackenzie Delta (Indigenous Foundations, 2009). Its conclusions appeared to be a watershed moment that opened the eyes of many Canadians to the failure of the project of assimilation to destroy Indigenous identity, and revealed instead something of the depth of connection still held between Indigenous peoples and the land (Canadian Broadcasting Corporation). Yet although the 1970s did see numerous cases filed against the Crown regarding Indigenous rights, there was not a widespread shift the public's perspective about Indigenous rights.

After the standoff between Royal Canadian Mounted Police and Indigenous land protectors in 1990 at Oka, when a planning decision sparked a conflict as a result of lack of consultation between the municipality and the First Nation of Kahnawake, the Royal Commission on Aboriginal Peoples was established, which published its report in 1996. This too was a moment of awakening for many people, as society had seemingly, as a whole, forgotten about the insights and knowledge revealed through the Berger Report. A decade later in 2007, after the killing of Dudley George by Ontario Provincial Police, the Ipperwash Inquiry publish *its* Report, focused largely on harmful policing practices affecting Indigenous peoples, pointing to the same overarching themes that Bryce's report and book, and the Royal Commission on Aboriginal Peoples, Berger, and later Truth and Reconciliation Commission reports all did: that is, they pointed to the direct impact of the settler state on the disconnection of Indigenous peoples from their lands and communities, negatively impacting Indigenous ways of knowing and doing, and the very existence of Indigenous communities, culture, and life.

This disconnection of Indigenous peoples from their lands and communities as a result of state actions has led to exploitation of land by resource extraction companies, as highlighted in the Berger Report; to broken treaty promises, forced relocation, abuse, and neglect by institutions and government, as highlighted in the Royal Commission on Aboriginal Peoples report; racist policing practices, and problematic management of provincial parks that dispossess Indigenous peoples from their lands and ways of being, as the Ipperwash Inquiry highlighted; and finally, neglect and abuse, and cultural genocide at the hands of state- and church-run Indian residential schools, as detailed in Dr. Bryce's work and the Truth and Reconciliation Commission's Report. Despite the wealth of information found in these inquiries and commissions examining our country's litany of neglect and abuse of Indigenous peoples, and ultimately Canada's responsibility for cultural genocide, the nation was

nevertheless shocked when, in 2021, evidence of bodies was discovered in unmarked graves near multiple former residential schools across the country, assumed to be of residential school children (Meissner, 2021). It seems we suffer from collective amnesia.

Perhaps because of this history of forgetting, the Truth and Reconciliation Commission asks Canadians to engage meaningfully in the process or journey of truth and reconciliation. But just what *meaningful*, or *earnest* reconciliation looks like is certainly debated. On the one hand, there are formal reconciliation processes laid out by governments, courts, commissions, and inquiries; and then there are the informal processes of reconciliation taken on more by civil society – by non-profit groups, corporate companies, schools, banks, etc. There are some who argue that by and large, reconciliation-based relationships between settlers and Indigenous people perpetuate and even reinforce the harms of colonisation, merely creating window dressing for the settler individuals or groups engaged in the performative practice of reconciliation (e.g., Coulthard, 2014; Simpson, 2014). There are many others who see that reconciliation can be meaningful when it has an eye to deeply transformative processes which are more focused on supporting the work of truth telling, de-centring the settler/liberal state apparatus, and enabling the work of Indigenous resurgence (Asch, Borrows, and Tully, 2018). In the introduction to a collection of essays on reconciliation and resurgence, Borrows and Tully (2018) posit that the authors within the book view transformative resurgence and reconciliation as “grounded in Indigenous traditions of regenerating healthy and sustainable, gift-reciprocity relationships”, requiring “careful attention to cultivate the positive and root out the negative in the totality of our relationships, with each other, Mother Earth, and our settler neighbours” (pp. 7-8). Processes of reconciliation require two interlinked paths of reconciliation: reconciliation between Indigenous and non-Indigenous peoples, and reconciliation between Indigenous and non-Indigenous peoples with the earth. According to Tully (2018), *both* these forms of reconciliation are necessary in order for an overall process of reconciliation to have a hope of being successful.

And it always comes back to the land - maintaining and cultivating a tangible connection to the land is a critical facet of the health and well-being of Indigenous peoples (Absolon and Willett, 2004; Johnson, 2007; Tobias and Richmond, 2014; Tuck and Yang, 2012; Weaver and White, 1997), as well as all people more broadly (Li, 2018; McGinnis, 2012; United Nations Human Rights, 2015), and thus must be central to reconciliation efforts. Indeed, one simple yet profound way to understand reconciliation was shared by Tsartlip Elder May Sam who, as Borrows and Tully (2018, p. 13) summarised, pointed out that “reconciliation for her people is a relationship of mutual respect and sharing with Mother Earth

[first] and all our kin – human and more than human – and that we have responsibilities to acknowledge and enact in every breath and step we take” (p. 13). Drawing on Mi’kmaq, Anishinaabe, and Nehiyaw teachings, Kiera Ladner (2018) understands reconciliation to be “a process, an action, [...] an ecologically grounded ethical and political philosophy about how we live together in the best way possible” (p. 245).

Then again, some argue that despite the most well-meaning efforts, the concept of reconciliation is essentially dead in the water. Ladner (2018) points out bluntly that the Canadian state’s vision of reconciliation inherently “negates meaningful reconciliation” because of its highest court’s “unwavering assumption of Crown sovereignty [that] perpetuates the denial of nationhood for Indigenous nations and the continued assimilation of Indigenous peoples as mere subjects of the Crown” (p. 247). Mills (2019) argues that the most progressive arguments around reconciliation efforts nevertheless insist on what he describes as a “constitutional monologue”. That is, reconciliation seeks to reform liberal constitutionalism but not to *transform* it. Given that efforts towards reconciliation are being attempted within the confines of a society that fundamentally views its own lifeway of liberal constitutionalism as universal, and thus within which Indigenous lifeways cannot meaningfully be considered, then ultimately, although the situation might improve for Indigenous peoples, they would still be denied their right/responsibilities to rooted constitutionalism and the earthway. For this reason, reconciliation efforts can be seen as superficial.

While the Royal Commission on Aboriginal Peoples and Truth and Reconciliation Commission reports highlight the colonial history of this country and the harmful impacts of settler policy making on Indigenous communities, they seem unable to go far enough because, as Mills (2019) argues, they are limited by the liberal constitutional framework within which they must operate. Mills (2019) rejects the assumed universality of liberalism, in short, arguing that a law is only coherent within the context of the legality which formed its own existence, thus the argument of the Royal Commission on Aboriginal Peoples that Indigenous and settler governments can share sovereignty within the context of Canada’s federalism is illogical. Rooted laws such as Anishinaabe law cannot be subsumed into the branches of Canadian law, but can only exist within their own respective legality trees. As King (2014) writes, the settler certainty of liberalism enables government the “denial of the very possibility of difference [that] is characteristic of the colonial project, which seeks to reconstitute local diversity as elements of the structures of the Nation. The persistent existence of difference remains the most fundamental challenge mounted against the legitimacy of such powers, who defend their own authority by denying difference” (p. 158).

Yet these various Commissions' reports do indeed move us forward, nudging, prodding, pushing us towards unearthing more truths and engaging in that truth-telling. To engage, even if only superficially, with the particular reality of liberalism, its assumed universalism, and its contrast with rooted legalities, is critical in order to position any discussion about tensions between Indigenous and settler ways of knowing and doing – and in this case, in the context of that tension within environmental conservation land use and in Georgian Bay. Exploring these fundamentally different constitutional realities is part of the exploration of the research questions, along with reflections on what it feels like to grapple with these existential ideas. A journey of truth and reconciliation within a Canadian federal constitution demands of us to engage not simply with the texts of reports such as the Truth and Reconciliation Commission and Royal Commission on Aboriginal Peoples, but also in the discussion of liberalism as a universal idea. Writing and talking about reconciliation from within the context of the settler state, without naming the liberal constitutional reality of that settler state, undermines any efforts towards transformation, and as such an omission “reinforces the false but seeming naturalness of settler supremacy” (Mills, 2018, p. 147). I later examine this liberal constitutional reality alongside rooted constitutionalism to help me understand that the waters in which I swim are the waters of liberalism, not the waters of all people. Furthermore, liberalism implies property, which subsequently implies land use planning. To foreground an examination of how land use planning impacts Indigenous peoples, the following section examines some of the discourse of land use planning and Indigenous peoples, and the urgency of climate change.

III. Land Use Planning and Environmentalism

Over the past few decades, researchers have re-examined established planning histories, shedding light on alternative ones, and exploring the multiplicity of narrative so often omitted from planning history and practice. The end of the twentieth century and the beginning of the twenty-first saw a focus on critiquing conventional planning, highlighting the marginalisation of particular communities, and calling for a rethinking of the role of planning theory in this respect (Sandercock, 1998; Tewdwr-Jones and Allmendinger, 2002). Critiques focused on multiculturalism have highlighted the challenge of planning policies and legislation that often hinder the efforts of planners to make proactive changes in response to such shifting awareness (Agrawal and Qadeer, 2011; Zhuang, 2013). Such critiques focused largely on adjusting conventional planning processes so as to make space for those marginalised others to enter *into* those still problematic planning processes, while others advocated a focus on the ways that those

communities could transform planning processes (Jojola, Natcher, and Walker, 2013). This discourse mirrors the one around the Truth and Reconciliation Commission and the Royal Commission on Aboriginal Peoples, which sees some arguing for incremental change within a system and others arguing for more dramatic rejection of the state structure. In both contexts, the more radical critiques are crucial for pushing the more incremental ones to becoming transformational.

Conventional settler approaches to land use planning have been problematically universalist (Porter, 2010), deeply enmeshed with private property (van Wagner, 2016), and largely contextualised without reference to the impacts on Indigenous peoples (Hibbard et al., 2008) or the role Indigenous peoples have played in shaping how we live on the land today (Borrows, 1994, 1997a, 1997b). Due to the convoluted nature of planning jurisdiction in Canada, which sets planning under the purview of provincial governments (which in turn delegate to lower levels of governments and delegated bodies), and the affairs of Indigenous people under the purview of the federal government, little attention has historically been paid to the intersection of Aboriginal rights and the planning process (Dorries, 2017). There is a need to deconstruct conventional responses to Indigenous concerns within the land use planning realm. Planning scholars are beginning to grapple with what it would mean to incorporate and be led by Indigenous perspectives and ways of knowing (Dorries, 2017; Porter, 2013), and other scholars adjacent to planning are exploring the possibilities for coexistence (McGregor, 2000; Mills, 2016; Porter, 2013; Tully, 1995). Planning scholars and practitioners are being called to work towards such coexistence as part of a decolonising approach, in order to become aware of their own reality, and see that its foundations are not necessarily universal; doing so can create an openness to different approaches to managing the land that we live on and depend on, approaches which are informed by radically different worldviews and which can take dramatically different forms, (Winkler, 2017; Ortiz, 2022; Livesey, 2017).

Indigenous peoples' connection to the land is "vital" to the reconciliation process (Truth and Reconciliation Commission, 2015a, p. 9). Although the planning profession was not called out specifically in the Truth and Reconciliation Commission report, various provincial planning associations nevertheless sought to respond to the Truth and Reconciliation Commission calls to action, producing reports and establishing task forces in order to address these issues within the realm of professional planning. The Canadian Institute of Planners (2018), for instance, produced their Policy Statement on Planning Practice and Reconciliation, and embarked on discussions about how accreditation requirements might integrate knowledge of Indigenous peoples and reconciliation as a core element of planning education. Non-

governmental organisations are emerging to provide support for planners to engage in these issues, such as the Indigenous Leadership Initiative and the Shared Path Consultation Initiative. The Federation of Canadian Municipalities and the Council for Advancement of Native Development Officers co-run the Community Economic Development Initiative, which facilitates relationship-building between municipalities and Indigenous communities, nominally focused on the realm of economic development, but in reality the focus meets the same issues raised by planning. These developments are important, and can certainly be seen to be spurred on, if not initiated by, the Truth and Reconciliation Commission's spotlight onto issues of Indigenous-settler relations. While these examples represent some progress, they nevertheless fall within the tradition of creating space for marginalised communities and voices to find a place *within* an established system, focusing on learning about those other marginalised perspectives, and reflecting on the settler perspective only insofar as to acknowledge the harms done. While this is an important part of the process of a society's journey of truth and reconciliation, examining one's own connection to the land – physical, emotional, and spiritual – is critical in order to become aware of the deep undercurrents that inform our systems and institutions for managing the lands we live on. Without this reflexive process, it is considerably more difficult to conceive of meaningfully different ways of planning.

The Truth and Reconciliation Commissioners tell us that “land, language, culture, and identity are inseparable from spirituality; all are necessary elements of a whole way of being, of living on the land as Indigenous peoples” (Truth and Reconciliation Commission, 2015a, p. 225). The topic of spirituality steps us outside of the conventional bounds of land use planning and demands of settlers a deeper examination of how and why we do the things we do, and how and why we make the decisions we do with regards to the land. While it is important to learn about Indigenous perspectives and traditions, and including Indigenous peoples in symbolic elements of a planning endeavour is a good step, it is by no means sufficient. For Indigenous perspectives to meaningfully shape the way we care for the land, it is critical that those working within the realm of land use planning (among many other realms) take up the challenge to examine their *own* connection to the land with the lens of truth and reconciliation in order to understand some of the foundational differences between Indigenous and settler understandings of human-creation relationships. Later on, I examine the Judeo-Christian foundations for settler society's understanding of human-earth relations. While not every person living in Canada identifies as Jewish or Christian, or even if that is their religious background, they may not view that background as informing their lives or decision-making, I argue that Judeo-Christian spiritual

foundations of the settler state do indeed shape all settler people's lives and decision-making, often in ways that are invisible to us.

As well as examining the spiritual and cosmological foundations of settler society, this dissertation examines some of the myriad ways that land use planning is enacted through informal avenues. Although examining the formal world of planning (for instance, the professional and educational institutions) is critical – and indeed was the initial intent for my dissertation research – I argue that we must also look to the *informal* realms in order to examine the more hidden ways that land use planning contributes to the dispossession of Indigenous peoples of their lands and waters, and thus undermines Indigenous legal orders and governance.

The way that settler peoples hold and acquire land has been crucial to settler-colonialism's so-called success, centralizing property and the planning profession that manages the property regime (Dorries, 2017; Wolfe, 2006). Much as the planning profession would like to de-link the profession of planning with notions of property, it is nearly impossible to talk about planning without inferring property (Dorries, 2022). Increasingly we are learning that through these land management processes, the settler state dispossesses Indigenous peoples of their lands and waters, denying Indigenous political authority, and erasing Indigenous cultural and social life. The impact that homeowners have on planning policy must not be ignored. In what some call cottage country, for instance, the influence on the landscape of urban homeowners with second homes is increasingly noticed (Luka, 2017). The literature on second-home ownership (focused largely in Europe, though sometimes focusing on the North American context), touches on themes of tensions between local populations and second-home owners around land use, in particular environmental conservation (Back and Marjavaara, 2017; Dykes and Walmsley, 2015; Lait, 2018; Nouza, Ólafsdóttir, and Sæþórsdóttir, 2015; Rinne, Paloniemi, Tuulentie, and Kietäväinen, 2015). Some of this scholarship is focused on such tensions in the context of settler-cottage communities in Canada, in particular within the culture of cottage communities in the Georgian Bay and Muskoka areas (Campbell, 2005; Harrison, 2013) and Algonquin (Davidson, 2022). Campbell and Harrison's research focuses predominantly on the settler narratives, touching only briefly upon Indigenous presence. Davidson (2022) looks directly at settler-Indigenous relations in a Frontenac County settler community, looking at the intersection of the Algonquin land claim agreement and land use planning, and exploring how planners could engage more proactively with the process of reconciliation. Other scholars have illuminated the intersection of the emergence of cottage communities and the dispossession of Indigenous peoples in southern Ontario, highlighting the

displacement of Indigenous peoples by early settler cottage communities (Watson, 2017), and the settler-cottager narrative that places Indigenous peoples firmly in the past (Janhunen, 2017).

Howitt and Suchet-Pearson (2006) in their exploration of management (of environments, people, or economies) have identified the interconnection between notions of “management” and Eurocentric notions of “development and conservation” – an intersection which fits into the linear narrative around “movement of progress from an original, wild state to a developed, civilized and domesticated state” of nature (p. 324). They point out that more challenging to identify than the historical processes of “the disempowerment of indigenous institutions” alongside “the creation of property as a function and reflection of state power”, is the ability to observe “that these relationships and processes persist today in the guise, for example, of ostensibly benign processes of research, reconciliation, co-management, collaboration and participation” (Howitt and Suchet-Pearson, 2006, p. 325). The literature about land use planning and truth and reconciliation is largely focused on the professional realm of planning, and the literature about cottage country is largely focused on settler narratives of history, environment, and community. But what if we examine the intersection of those realms, of how cottagers interact with planning and in so doing affect Indigenous communities? This happens in ways that they – and I should say “we”, for I too am a cottager – have known but denied for quite some time? I find myself focused on cottager involvement in conservation, which seems to be a good place to focus given my own experience and reflections around my family’s involvement in a land trust, the experience of the Indigenous community closest to us, and my own commitment to journey along a path of truth and reconciliation.

This exploration of the issues that lie at the foundations of cottager-led conservation has led me down a line of inquiry along which I found myself unexpectedly examining ideas of cosmology, epistemology, and the spiritual foundations of the human-earth or human-Creation relationship. It brought me into contact with the interdisciplinary studies in ecology, religion/theology, and culture. One concept that I noticed often was that it was the Christian notion of ‘dominion’ that created the justification for imperial/capitalist/settler-led degradation. This notion, that Christian dogma held significant responsibility for the degradation of the environment, was popularised by Lynn White Jr. with his 1967 article “The Historical Roots of our Ecological Crisis”, which became “a touchstone for thinking about the relationship of culture and nature for almost a half century” (Whitney, 2013, p. 313). Despite White’s ubiquity, one must also acknowledge the wider interdisciplinary field of study that emerged over the latter half of the 20th century to examine the intersections of such foci as environmentalism,

ecology, culture, religion, spirituality, and theology. Eco-theology is a form of systematic or constructive theological study, which centres on the intersection of religion and nature, especially in light of environmental concerns. A few figures often associated with the emergence of eco-theology include Pierre Teilhard de Chardin (1881-1955), Seyyed Hossein Nasr (1933), and Thomas Berry (1914-2009). De Chardin, a Jesuit priest and paleontologist, wrote about the relationship between science and theology as it related to environmental ethics, though he struggled to publish his work because of restrictions by Catholic leadership (Ludovico and Francesco, 2005). Nasr, an Islamic theologian and scholar, spoke of the connection between environmental degradation and a spiritual malaise in his 1966 lecture for the Rockefeller Foundation Lectures at the University of Chicago (prior to White Jr's influential 1967 article), and is considered the "founding father of Muslim environmentalism" (BouJaoude, 2018, p. 299). And Berry⁴, a Catholic priest, cultural historian, and world religion scholar, researched and taught about religions from around the world, and critiqued the "progress" story, arguing that the drive towards progress undermined the spiritual cosmologies that enabled humans to make sense of the world and the pain of the human condition (Berry, 1971).

Since its emergence in the 1960s, this interdisciplinary field – often referred to sweepingly as eco-theology – has blossomed and diverged into wider ranging of points of departure. Writing in the late 1960s, H. Paul Santmire's book *Brother Earth: Nature, God, and Ecology in a Time of Crisis* (1970), lays out Santmire's reflections in response to those of de Chardin, among others, and are a result of his reaction to learning of the close relationship between his "beloved" Lutheranism, nature theology, and Nazism (illustrated through that infamous phrase "Blut und Boden", or "blood and soil") (Santmire, n.d). Santmire sought to address the apparent disconnect between nature and culture by a theological exploration of the idea that "Nature and civilization are kin" (Santmire, n.d). Decades later, Stephen Scharper explores this idea further, in *The Natural City: Re-envisioning the Built Environment* (2012), a collection of essays (including his own, exploring the "biotic and cosmological perspective" of the city). Earlier, in *Redeeming the Time: A Political Theology of the Environment* (1998), Scharper provides a helpful overview of ecological modes of thought as they had evolved up to the end of the 20th century, loosely categorising them into apologetic, constructive, and listening approaches, and calling the reader to see the need for "a more explicitly political, transformative expression of ecological theology" in order to answer questions such as "What is our role as humans?", "What does progress mean?", and

⁴ Berry took pains to identify as a *geologist* not a theologian, arguing that "ecothology" was too narrow a term for his work (The Thomas Berry Foundation, 2023), a move which also enabled him to publish without such censures as de Chardin experienced.

“What *on earth* are we doing?” (Scharper, 1998, p. 51). Scharper looks to the galvanizing power of liberation theology for inspiration on how to move a broad group of people into action.

As well as scholars of Christian backgrounds, the realm of eco-theology has involved scholars of other faiths as well. Jewish scholar Roger Gottlieb, in *A Greener Faith: Religious Environmentalism and Our Planet's Future* (2006), argues that religious environmentalism can offer things that secular environmentalism cannot, such as a vocabulary and cosmological vision that restores and motivates humanity towards caring for the earth. Moreover, and particularly relevant for this dissertation, Gottlieb argues that environmentalism has its very roots in religious and spiritual aspects of human existence – it cannot be disentangled from that foundation. With *A Greener Faith*, Gottlieb makes the compelling case that religious environmentalism is of immense value, with its ability to bring attention back to those things “which we might prefer to ignore, such as our mortality, our moral failings, and our place in the cosmic order” (Litfin, 2008). Tanhum Yoreh argues, in *Waste Not: A Jewish Environmental Ethic* (2022), that much of Eco theology reads meaning *into* religious texts, often anachronistically (though he acknowledges this is often done openly); instead, Yoreh seeks to draw meaning *from* the text. Indeed, Yoreh’s point of departure is a discussion of Lynn White Jr.’s sweeping critique of Christianity as the culprit for rampant domination of the environment, and Yoreh describes the accompanying discourse of religious texts as shallow. This dissertation is, of course, *itself* only a shallow dip into the waters of environmental scholarship, and doesn’t even touch the realm of deep-ecology and the formative work of scholars such as Arne Naess (1973), Bill Devall and George Sessions (1985), a movement which pushed for humans to cease viewing nature as a resource, and instead as something with inherent value. And this doesn’t even touch on the field of deep ecology, and the work of its seminal figures such as Devall and Sessions (1985) or Arne Naess (1973), or those in land use planning who are engaging with this spiritual dimension, such as Bjelland (2003) and Benstein (2002).

What seems to emerge in this exploration of cottager-led environmental conservation is that there is a distinct spiritual dimension to the conversations about what is important about access to this landscape in its apparently “undeveloped” state, yet there seems to be a distinct lack of addressing that dimension, nor even the spiritual foundations that inform many taken-for-granted ideas about nature or the environment and the morality of the conservation discourse. The discourse related to the spiritual foundations of the human-earth relationships seems to be largely left to the somewhat niche fields of eco-theology or deep ecology, for example. While it is important for me to acknowledge the wealth of scholarship within such interdisciplinary studies of ecology, environmentalism, theology, and culture, I

feel that this research ought not to be situated within those fields. I approached this examination of settler-cottager conservation and its impact on Indigenous sovereignty from Indigenous research methods and land use planning, and I will continue mainly drawing from that realm of scholarship, though I will dip into various other fields where appropriate.

IV. Truth and Reconciliation and the Urgency of the Climate Crisis

In their report “We Rise Together”, the Indigenous Circle of Experts – formed in response to Canada’s adoption of the 2020 Biodiversity Goals and Targets for Canada – discusses their recommendations around the formation of Indigenous Protected and Conserved Areas. They preface this discussion by pointing out the reality that Indigenous peoples are “hesitant to (re)build or establish relationships of trust with non-Indigenous governments. The usurpation and dispossession of lands, territories and waters still resonates in the lived realities of Indigenous Peoples across Canada” (Indigenous Circle of Experts, 2018, p. 6). This long history of dispossession, forced removals and relocations, broken treaties, and genocide is starkly and thoroughly chronicled in the Royal Commission on Aboriginal Peoples and Truth and Reconciliation Commission reports, among others as outlined earlier. Both the Royal Commission on Aboriginal Peoples and the Truth and Reconciliation Commission Reports call for a societal transformation in the relationships between Indigenous and non-Indigenous peoples, as well as between people and the earth. This transformational process is encompassed in the Truth and Reconciliation Commission’s Principles of Reconciliation, in particular, Principle 1 – “The United Nations Declaration on the Rights of Indigenous Peoples is the framework for reconciliation at all levels and across all sectors of Canadian society”; Principle 3 – “Reconciliation is a process of healing of relationships that requires public truth sharing, apology, and commemoration that acknowledge and redress past harms”; and Principle 6 – “All Canadians, as Treaty peoples, share responsibility for establishing and maintaining mutually respectful relationships” (Truth and Reconciliation Commission, 2015, p. 3-4). The Indigenous Circle of Experts (2018) points out that, given its complicated, charged, and emotional nature, the meaning of ‘reconciliation’ will vary between communities; and “reconciliation means identifying the appropriate healing process for restoring relationships: first, between Crown and Indigenous peoples [...] and second, between all peoples (Indigenous and non-Indigenous) and the lands” (p. 7).

Using a journey of truth and reconciliation as our crucible, we ought to begin with some truths before approaching any reconciling efforts. Relations between settler-cottagers and Indigenous

communities have been increasingly tense in regard to land use, over the past several years in particular. The family cottage is an iconic symbol for Canadian settler-culture, representing “escape from the cares of the world, immersion in a natural landscape that is dedicated to pleasure, relaxation, and tranquility” (Stevens, 2018). However, developments that challenge this cottager idyll have been coming to the fore lately. For example, Wiikwemkoong First Nation, located on the southeastern edge of Manitoulin Island, in northern Georgian Bay, has been asserting its rights to land and rejecting the Robinson-Huron Treaty since its signing. Currently, the Province of Ontario and Wiikwemkoong are negotiating a land claim, involving an area where cottagers engage in recreation. As we saw in the 2017 Happening, cottagers in northern Georgian Bay advocated that the Province designate the land that was intended for transfer to the First Nation as “nature reserve” *prior* to transferring it to the First Nation – they were concerned that the land might be developed with intentions other than conservation and leisure. In another example, members of the Williams Treaty nations exercising their treaty rights to plant and gather wild rice have come up against cottager protestations that the rice beds are undermining their property values and access to water (McDowell, 2018; Stevens, 2018). This issue was – is – so contentious that it inspired the multi-year run of the play *Cottagers and Indians* by Drew Hayden Taylor (2018). In yet another example, cottagers renting land from Sakimay First Nation, east of Regina, took the First Nation to court in response to Sakimay First Nation raising rents (Leo, 2018). At the centre of these tensions are values around land use, the relationship between humans and the lands, waters, and creatures that live there, and who makes the decisions around land use. More specifically, these conflicts reveal tensions about who may make decisions about land use, and where it is appropriate for land to be kept for the purposes of leisure, and where it can be developed with built infrastructure. And these tensions manifest, of course, within the discourse of conservation land management.

In the wake of dramatic funding cuts to Ontario’s Ministry of the Environment in the 1990s, conservation movements worked to fill some of the gaps in environmental protections, in particular through the emergences of land trusts as a mechanism for preservation and protection of the environment (Gerber, 2006; Igoe and Brockington, 2015; Logan and Wekerle, 2008; Wekerle, Sandberg, and Gilbert, 2013). When government slashed budgets for conservation work, concerned citizens stepped in to fill the gaps by establishing land trusts as a way to ensure the protection and conservation of land in lieu of government efforts. In the process of connecting the protection of nature to specific plots of land, however, various scholars have argued that the use of land trusts as an environmental protection tool has contributed to the commodification of nature, and by extension the privatization of

space (Logan and Wekerle, 2008; Katz, 1998; Castree 2002, Dempsey, 2017; Buscher and Fletcher, 2020). Indian historian and environmentalist Ramachandra Guha (2003) argues that conservation biologists in particular, are primarily concerned with the species they study more than “the legitimate interests of the less fortunate members of their own” (p. 142). Guha (2009) considers conservation as one of what he refers to as the four Cs of imperialism: Christianity, commerce, civilisation, and conservation. In his critique of conservationism in the context of the “third world”, Guha (2009) elucidates one of the central challenges for conservation, that is, the struggle with where the human belongs in the equation. For western scientific-based understandings of good conservation work, the human largely does not live in relationship with the land, but simply stewards it – if it must be involved in the landscape at all. Yet Guha (2009) points to research that indicated in 1980s India that dwindling biodiversity accompanied, if not resulted directly from, this anti-human approach to conservation of lands. This examination into the importance of human relationship with the earth for biodiversity continues to be affirmed today, in the face of continued resistance from conventional approaches to conservation (Moola and Roth, 2018).

These explorations importantly problematise conservation movements, and the emergence of land trusts in particular, for the implications of the entanglement of conservation with neo-liberal economic regimes. Such critiques of conservation can illuminate the intersection of conservation movements with the dispossession of the inhabitants of these lands from their lands and waters. While the conventional approach to conservation, which sees humans as visitors into the landscape of wilderness, continues to animate the undercurrents of settler approaches to conservation, the waters are moving in a direction in which human relationships with the land are deemed valuable. The federal governments Pathway to Canada Target 1 policy acknowledges the importance of Indigenous presence on the lands through its adoption of the Indigenous Protected and Conserved Areas (IPCAs) as a “cornerstone of its strategy” (Moola and Roth, 2018). Indeed, through a study of 169 publications on conservation strategies, Dawson et al. (2021) have demonstrated that where local knowledge – in particular, of Indigenous peoples – is incorporated at the heart of the conservation strategy, there conservation *and* well-being have positive outcomes, in contrast to efforts that are externally controlled and present with relatively ineffective outcomes for conservation *as well* as well-being. The Indigenous Circle of Experts (2018) provided recommendations and guidance regarding Indigenous protected conservation areas, to be used by Indigenous, federal, provincial, and territorial government bodies, arguing that “the time has come for Indigenous knowledge systems, legal traditions, and customary and cultural practices to be appropriately recognized as equally valid and binding versus other frameworks.”

Georgian Bay is now the site of one Indigenous Protected Conservation Area (Shawanaga Island led by Shawanaga First Nation), and three other First Nations (Moose Cree First Nation, 2021; Kitchenuhmaykoosib Inninuwug First Nation (Rinne, 2019), and Grassy Narrows First Nation (Youdelis et al., 2021) are conducting plans in order to establish their own IPCAs.

These Indigenous Protected Conservation Areas represent a small but important step that the Canadian state is taking in shifting the direction of conservation towards promoting biodiversity through enabling human-earth relations. Yet there are of course still instances when the federal government reinforces a conventional approach to conservation. In 2019, for example, the federal government provided funding to the Georgian Bay Land Trust when it received a donation of land from the Tadenac Fishing Club, in the form of an easement, and created the Tadenac Conservation Area. This was done without any involvement of Moose Deer Point First Nation, the Indigenous community located adjacent to the affected area, in any of the discussions about this change in governance of the land. That the federal government did not engage with the Indigenous community that has traditionally hunted, fished, and trapped on these lands now owned by the club and partly managed by the Land Trust brings us back to the discussion above, of civil society stepping in when government downloads its responsibilities for the environment.

While it is important that government efforts engage non-governmental organisations that are perhaps more in tune with the needs and activities of local communities, this also opens up opportunities for problems. In the example of the Tadenac Conservation Area, it put leadership into the hands of an environmental non-government organisation that does not hold any legal responsibility to engage with Indigenous people, as it is not a representative of the Crown. While the Crown has a duty to consult and accommodate any Indigenous peoples whose rights might be affected by a project or a decision, a non-governmental body such as a conservation group or a land trust does not have this responsibility (Newman, 2009).

As it stands now, environmental non-government organisations such as the Georgian Bay Land Trust can leave such concerns to the government and cherry-pick when and how to engage with Indigenous communities. Given the sense of urgency to address the climate crisis, particularly in the face of increasing extreme weather events, it is unsurprising that cottagers in Ontario, who have long been enmeshed with environmental efforts, are keen to push forward with conservation efforts. However, in the urgency to move forward, we risk running roughshod over Indigenous rights (Ryser, 2022; Tsuji, 2021; Deranger, 2019; Mulrennan and Brusières, 2020).

Conclusion

In order to slow down the urgency and make time and space for thoughtful reflection on how we go about this work, we need to unsettle our assumptions about many of the things we deem to be universal, including ideas about how to address climate crisis through conservation. Kyle Whyte, a Pottawatomi-American professor of environmental justice, Indigenous studies, and philosophy, argues that the very way we are approaching the crisis of climate change is repeating the process of colonialism. Whyte (2021) posits that the conventional way of describing climate change takes a linear fashion, one which is largely geared towards creating a sense of urgency in order to get people motivated and mobilised (07:05). Using an analogy of speed-chess vs. non-timed chess (in which speed-chess requires the player to rely on muscle memory, while non-timed chess allows space and time for thoughtful reflection), Whyte (2021) points out that decision-makers tend to take the speed-chess approach to renewable energy policies, relying on the muscle memory of settler communities, which is of course colonial processes that have historically displaced, oppressed, and eliminated Indigenous peoples and cultures. In contrast, we could take the non-timed chess approach to climate change policy-making, and thus provide time and space for “thoughtful considerations of issues such as deep/immemorial time, seasonal change time, kinship time, dystopian time” (Whyte, 2021, 08:05). While this immediately opens the door for objections regarding the urgency of the climate crisis, that may necessitate a faster paced approach, Whyte (2021) suggests we interrupt that urgency narrative, the touchstones of which are found only in very recent history (e.g., increase in emissions during the Industrial Revolution, being able to measure changes in carbon dioxide levels in the atmosphere in the 20th century, for example), and instead consider Indigenous living heritage, which illustrates the longevity of Indigenous climate knowledge across Turtle Island.

This perspective of climate and time reminds us that Indigenous communities have dealt with constant change and complexity over thousands of years in this land, and have constantly adapted (Whyte, 2021, 12:00). Indigenous law is often about sustainability, telling us stories of climate crisis in order to warn and guide people. Whyte (2021) tells us that such adaptation has looked like moving to different locations and re-establishing societies in very different landscapes, as well as restructuring political relations, for example. Settler understanding of the urgency of the climate crisis is partly a result of our perception of time being somewhat limited to the Industrial age. In Indigenous stories about climate crises, the moral of the stories are never that societies found innovations and implemented them with great urgency; rather, the stories focus on the reason for the crisis, which was usually that people (human and/or non-human) forgot what it meant to be reciprocal, trustworthy,

consensual, accountable (they forgot those qualities of mutual responsibility or kinship relationships): remembering those qualities and ways of relating was what eventually brought the community through to the other side of the crisis. Indigenous communities today are drawing on their deep memory of dealing with climate crisis to inform how we address the current crisis in a *just* way. Given that the current time is seen as dystopian time from an Indigenous perspective, preservation or conservation of the environment in recent memory is in many ways unwanted (Whyte, 2021, 20:40).

A shift in perspective is needed not only with respect to conservation, but regarding the legal orders and foundational stories that provided the historical and ongoing reality of dispossession of Indigenous lands. While we are seeing a call for radical transformation in order to address climate change (McPhearsan et al., 2021; Buscher and Fletcher, 2020), how to go about this radical transformation in a very practical way is perhaps still unclear. In the following chapter, I lay out the various methods that I took up in order to grapple with embarking on such transformative ways of knowing and doing. If we are committed to being guided by Indigenous ways of knowing, or at least listening to what they have to say, we must grapple with what that could look like.

Chapter 3. Methods - Unsettling My Settler Self Through an Indigenous Research Paradigm

“Indigenous methodologies require exploration of identity, an ability to be vulnerable, a desire for restitution, and an opening to awakenings”

Margaret Kovach, 2018

I. Introduction

Examining the links between my own settler-cottage community’s efforts around environmental conservation and Indigenous peoples’ ongoing loss of sovereignty in Georgian Bay has been a highly unsettling process for me. After all, as my research question asks, how conservation land use planning contributes to the dispossession of Indigenous peoples from their lands/waters, given my own family’s donation of property to a conservation land trust, I am personally implicated in this critique! The topic emerged as a result of entering into the realm of Indigenous research methodology, through a reflexive practice, and it became clear to me that Indigenous research methodology was the only way I *myself* was going to walk this research journey and emerge transformed, though that journey itself has been far from straightforward. When addressing issues impacting Indigenous peoples specifically, non-Indigenous researchers must take on a research agenda that focuses on reconciliation, and “draw upon Indigenous research paradigms which privilege Indigenous worldviews, epistemologies, and knowledges as productive elements in the way forward” (McGregor, 2017, p. 1). This dissertation journey has taken me on a long and sometimes meandering journey about how land use planning is shaped and the foundational ideas that inform our relationship with the earth. It has been guided by an Indigenous research paradigm, which has gently but insistently pushed me to think more deeply about Indigenous worldviews, epistemologies, and knowledges, both to understand Indigenous approaches to conservation but also to better understand settler ones. As a result of being guided by an Indigenous research paradigm, this process has been profoundly unsettling right to the end – given the unsettling expectations of decolonisation theory (Tuck and Yang, 2012; Held, 2019), I interpret that experience as meaning that I am indeed doing *something* right.

This chapter lays out my understanding of Indigenous methodologies, how I grappled with the tensions that emerged when deciding just how I would “draw upon” Indigenous methods as a settler

researcher, and how that approach to research manifested in the dissertation itself. In Section II, I examine methodology, beginning by discussing my reasons for choosing Indigenous research methods, and some guiding principles. In Section III, I explain the methods by which I conducted my research, first by laying out how constructivist grounded theory met my research needs, secondly by discussing Indigenous research paradigms and looking in particular at Margaret Kovach's (2009, 2021) Indigenous conceptual framework⁵, and third by introducing an analytical tool that helped me in my critique. In Section IV, I present the central research activities.

II. Methodology: Finding My Place Within Indigenous Research Methodologies

i. Decolonisation and Indigenous Research Paradigms

In leaning into Indigenous research methodology, as we are called to do by the Truth and Reconciliation Commission (2015), a critical element of Indigenous inquiry is a decolonising lens (Kovach, 2009). Any work that attempts to engage with Indigenous research frameworks must address the history of colonisation and take on a de-colonising approach to that research. For a decolonial lens to be deeply meaningful, it must be taken beyond discourse into action (Tuck and Yang, 2012): it must involve repatriation of land, and for those in power to “dislodge” their power and privilege. Decolonisation is indeed not be used as a metaphor (Tuck and Yang, 2012). This assertion sits heavily with me. My research inquiry requires that I examine whether and how my own family has been, and perhaps continues to be, complicit in the process of colonisation of Indigenous lands through our ownership of a cottage in Georgian Bay. Indeed, I find it almost impossible even to write that sentence. It is a painful, shameful reality to name, even as I am not yet clear about the multifaceted ways this may indeed be true. I wonder, is the outcome of this dissertation that I come to believe that my family must give up the land that our cottage is on, and give it back? To which First Nation would we “return” it to? What kind of conflict might that set off? Our family would then be disconnected from the land that brought us into a dialogue about truth and reconciliation in the first place – would we then lose the ability to affect change within an influential community, one that has the potential to become deeply powerful allies to Indigenous peoples? I don't yet know the answers to these many questions, but I know that my own understanding of decolonisation must involve asking such questions, and not simply rhetorically. It must *mean* something when I pose these questions. My own journey of truth and reconciliation must include

⁵ I primarily drew on the 2009 edition of Kovach's Indigenous Methodologies, however, I drew from the 2021 edition during the editing stage of writing.

a decolonising lens, and it must transform *something*. Me? My family? This land? I can see how easily the decolonising focus turns away from the Indigenous communities, and towards the settler.

While a theory of “settler-colonial”, “anti-colonial” or “decolonial” studies appears to be an appropriate lens through which to examine the role and impact of non-Indigenous peoples, it is important to note that the decolonisation is not *itself* the basis of knowing for Indigenous methodologies (Kovach, 2009), nor can it be the centre of one’s research (Tuhiwai-Smith, 1999). When decolonisation becomes the centre of the research, it continues the privileging of settler perspectives over Indigenous ones, thus reinforcing the marginalisation of Indigenous perspectives. Thus, I use the word “decolonisation” with caution.

My reflection⁶: The discovery of buried remains suspected to be children who died while in residential schools has stirred up the public discourse around truth and reconciliation, particularly within the realm of social media. I noticed “decolonisation” used frequently, and with dramatic effect in terms of re-tweets and shares. Such popularisation gives me pause, however. I often wonder how far this social media activism with dramatic language actually goes, and whether the language of decolonisation in these contexts serves more to inflame than to inform, to contribute to a performance of virtue signalling, to centre problematic narratives of dispossession and marginalisation.

Such concerns about engaging Indigenous methodologies can lead to a reluctance on the part of non-Indigenous researchers to take up calls to take up Indigenous and reconciliation research paradigms. Indeed, I constantly feel this pull away from Indigenous research paradigms, given that my own worldview is grounded in Anglo-protestant-liberal perspectives and values, and doubt whether I am engaging with Indigenous research paradigms in the way that I understand the likes of Kovach (2009, 2021) and Tuhiwai Smith (2021) to be writing of these methods; I understand those authors to be primarily writing for Indigenous readers, encouraging them by validating Indigenous forms of knowledge production. As a non-Indigenous scholar with a decolonising agenda seeking to create space for Indigenous peoples’ efforts towards restoration of their own cultural practices and knowledges, I struggle with the concern around appropriation of Indigenous knowledge, as have many others (Carlson, 2017; de Leeuw et al., 2013; Haig-Brown, 2010). I grapple with the conundrum of seeking to learn from, to lift up, and to draw on Indigenous research paradigms, without traipsing into the realm of cultural appropriation. As Kovach (2021, p. 49) argues:

⁶ Throughout this dissertation, I include text-boxes within which I share my reflection, to provide another layer to this research. In this way, I hope to open a window onto the experience of a settler doctoral student grappling with the decision to take up Indigenous research methods, and the emotional and practical outcomes of that decision.

“Too often Indigenous methodologies have been equated with the inclusion of particular methods, such as sharing circles, community-based partners (e.g., Indigenous advisory circles), or autoethnographic study, alongside a statement on ethical guidelines involving research with Indigenous people and/or communities. While these approaches attempt to consider Indigenous ways of knowing with the research, methodologically, they are problematic because the conceptual framing propelling these methods is often embedded in a normative, thus invisible, Western intellectual tradition”.

Indeed, there is much to draw from settler-colonial/anti-colonial theory, such as critical approaches for those who feel they are not culturally situated to take up Indigenous methodologies (Carlson, 2016; Fortier, 2017); shifting perspectives to centre Indigenous lands, sovereignties, and resurgence (Davis et al., 2017); challenging notions of “good intentions” (de Leeuw et al., 2013); and confronting settler aspirations for “certainty” that ultimately undermine Indigenous goals of repatriation and sovereignty even within a discourse of decolonisation (Mackey, 2014). Questions and issues along these lines emerge throughout the chapters of this dissertation. However, avoiding the use of Indigenous methodologies felt like I was re-centering settler-colonialism.

There is a range of approaches to Indigenous research, some of which see Indigenous research paradigms as coming into conversation with western research paradigms, and others which argue for Indigenous research paradigms to stand on their own (Held, 2019). There is a clear tension here when it comes to non-Indigenous researchers grappling with such paradigms. Though I am not rooted in an Indigenous epistemology, I am nevertheless keen to engage with Indigenous research paradigms, and I have found reassurance in the notion that decolonization is necessarily an unsettling enterprise and therefore “cannot easily be grafted onto pre-existing discourse/frameworks” (Tuck and Yang, 2012, p. 3). My worldview and beliefs about knowledge production are profoundly unsettled now; adopting Kovach’s (2021) framework *somehow* feels like the only way to make visible that reality.

A research paradigm, or framework, provides a way to “make visible” the researcher’s worldview and her beliefs about knowledge production (Kovach, 2009). For Kovach (2021), Indigenous epistemology, which grounds an Indigenous framework encompasses “multiple sources of knowledge, more commonly recognized as *holism* (scope)”; “a tangible and intangible *animate* world that is process orientated and cyclical, such as that expressed in verb-oriented languages (e.g., with *ing* endings)”; and “a web of interdependent, contextual *relationships* over time, such as with place, family, and community (basis)” (p. 68). Graham Hingangaroa Smith (2003) posits that an Indigenous research paradigm (which he refers to as “Indigenous theory”) involves research that is:

- Located within a culturally contextual site;
- Born of organic process involving community;

- The product of a theorist who has an understanding of the cultural epistemic foundations of an Indigenous worldview;
- Focused on change;
- Although not universal, portable to other sites;
- Flexible;
- Engaged with other theoretical positionings (i.e., it is not an isolationist theory);
- Critical;
- Workable for a variety of sites of struggle; and
- User-friendly – people can understand what the theorist is talking about.

Whether such an approach is called an Indigenous *research paradigm, theory, or framework*, there seem to be general features that can be drawn from them altogether. Held (2019) sees, in her survey of Indigenous research methodologies, that an Indigenous research paradigm frames research with four basic beliefs: 1) that there are multiple understandings of reality, informed by different social and historical contexts, and that these realities are shaped by different relationship structures; 2) knowledge is relational; 3) respectful relationships and reciprocity are critical, and provide accountability; and 4) the methodology is participatory, liberatory, relational, and transformative. Leroy Little Bear (cited in Kovach, 2021, p. 68) writes of Aboriginal philosophy, saying that its “existence consists of energy. All things are animate, imbued with spirit, and in constant motion. In this realm of energy and spirit, interrelationships between all entities are of paramount importance, and space is a more important reference than time”. As the commonly uttered phrase within Indigenous spheres goes, it really *is* all about relationships. These relationships of knowledge aren’t simply between the researcher and the research participants, or between the participants themselves, but with Creation, “with the cosmos, it is with the animals, with the plants, with the earth that we share this knowledge. It goes beyond this idea of individual knowledge to the concept of relational knowledge” (Wilson, 2008, p. 74, as cited in Held, 2019).

As a settler drawing on Indigenous methodologies, I must reflect on the matters of place, capacity, and relationality (Panofsky, Hartwick, and Buchanan, 2023). Kovach (2021) suggests that a researcher ask herself two questions: 1) “Do I have a relationship with the Indigenous community with whom I seek to conduct research, the community I seek to represent through my researcher’s voice?” 2) “Am I trusted by that community?” (p. 39). This type of reflexivity is itself critical for research that seeks to explore the lived experience of marginalized groups. For some time, I resisted engaging an Indigenous research methodology because of my concerns around cultural appropriation, as a non-Indigenous researcher; how could I possibly step into that realm? Other settlers have helpfully grappled with such questions (Panofsky, Hartwick, and Buchanan, 2023; Skille, 2021), reaching out to their Indigenous

mentors who encouraged them on, assuring them that research collaboration done in a respectful and reciprocal way is crucial. With encouragement from Indigenous mentors, and despite my own (ongoing) anxiety about it, I decided to “adjourn disbelief and, in the pause, consider alternative possibilities” (Kovach, 2021, p. 29), and “turn to” Indigenous theories (Latulippe, 2017). This called me to reflect on my position as a researcher. I must be clear about who I am, in relation to the communities that are the focus of my research, and why I am doing this research (Kovach, 2021). It helps me to consider what researcher Sarah Panofsky (2023) articulates, that “there can be no final “arrival” in being a white settler engaging in Indigenous research” – it’s a journey, and the journey’s partly the point.

At the start of the research, I did indeed have a relationship with both communities that are the focus of the research. Although my relationship with Moose Deer Point First Nation was somewhat superficial to begin with, this research process has deepened that relationship, bringing complexity to it. The process took me into conversation with community members, who provided me with guidance around what to focus on. When I began this research, I organised a number of focus groups in the community, to let them know about the research I was hoping to conduct, and to ask them for their thoughts and comments, and to see if they had any specific requests for what my research might explore. After all, “Indigenous research works best when the community asks for the research” (Kovach, 2021, p. 110). Out of these sessions emerged two key questions:

1. What is the impact of the Georgian Bay Land Trust on the next generation of Moose Deer Point First Nation?
2. How can we build better relations with cottagers and the GBLT?

Over time, trust has been built as a researcher and as an ally. After a few years, they asked me to help them write material to support their own community engagement work, and have since invited me to work for them as they develop their Lands department. At the start of this dissertation, of course, I did not know these opportunities for reciprocity and employment would arise. They came about, however, as a result of following an Indigenous methodology. My research, reciprocity, personal relationships as well as paid work with this community have shifted my position from one that is explicitly outsider, to one which is greyer, where trust has been built and thus opens up creative opportunities for more reciprocity and collaboration.

As a cottager, I am indeed an *insider* with respect to the Madawaska Club and the Georgian Bay Land Trust in particular, but also more broadly speaking with respect to the wider Georgian Bay cottage community. This insider position made it relatively easy to enter into conversations with other

cottagers, including current and past board members of the Land Trust. However, being a cottager complicates my feelings about the research, and about the language I use to write, as I desire to conduct this research with compassion and care. I take myself and the reader into what, for many, are challenging waters, and with relationships at the core of the methodology, that places a complex demand on me as a researcher – namely, how to present the findings with honesty and clarity, while at the same time, understanding that the truth element of truth and reconciliation can be painful.

When I grappled with terminology and continually question whether or not I really should make use of an Indigenous framework, I find Borrows and Tully's (2018) discussion of the reconciliation and resurgence discourse helpful: they suggest that the researcher must abandon "the illusion that it is possible to stand above the field and, from this transcendental view from nowhere, define the essence of these terms" (p. 7). Instead, I find my way "in the dense forest of uses and the activities into which they are woven. This consists in listening carefully, asking questions, using the terms oneself, always listening and speaking truthfully, making mistakes, and learning from them. Then, through practice, gradually [learning] to use the terms as others use them, but also [I must] enter into contests over different uses with others in a self-critical way, and to advance proposals for their refinement, revision, or transformation that are understandable and responsive to others" (Borrows and Tully, 2018, p. 7). Indeed, this approach is what I am attempting to follow in order to grapple with doing research within an Indigenous conceptual framework – what it feels like as a researcher, what it looks like on the page, where research gets stuck and where it feels smooth, and taking a more holistic approach that uses not only the mind, but the body, the spirit, and the heart. Through my research and work, I am learning what I can about Indigenous epistemologies and seeking guidance by way of Indigenous scholarship and community leaders. This research unsettles my ideas *about* research and about relationship with land, by making use of an Indigenous conceptual framework.

ii. Reconciliation and Guiding Principles

My research makes use of a layered collection of principles providing ethical and practical guidance and a lens through which to examine the undercurrents of land use planning and governance in Georgian Bay. As stated in the Executive Report of the Truth and Reconciliation Commission (2015c, p. 184), "reconciliation must become a way of life". Through my work and personal life, I endeavour to make reconciliation my own way of life. With this dissertation, I am seeking to make reconciliation a way of research, too. To do so, I look to the Truth and Reconciliation Commission, as well as the Royal

Commission on Aboriginal Peoples and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which altogether provide a set of principles for walking along a path of reconciliation, and caring for relationships – both renewed and newly-established – through this research process. Notwithstanding the critiques highlighted in Chapter 2 about the concept of reconciliation and the limits of the reports’ recommendations, I believe such work is nevertheless important for my approach to this dissertation, enabling me to point the reader back to these commissions, principles/declarations.

The Royal Commission on Aboriginal Peoples’ Report put forward a vision for a renewed relationship between Indigenous and non-Indigenous peoples in Canada that was based on four “Principles of Renewed Relationship”: *mutual recognition, mutual respect, sharing, and mutual responsibility*. Mutual recognition requires that non-Indigenous Canadians recognise and explicitly acknowledge Indigenous peoples as “the original inhabitants and caretakers of this land” with “distinctive rights and responsibilities that flow from that status” (Royal Commission on Aboriginal Peoples, 1996, p. 645). Additionally, mutual recognition requires that Indigenous peoples accept that non-Indigenous peoples “are also of this land, by birth and by adoption, and have strong ties of affection and loyalty here”, and it involves principles of equality, co-existence, and self-government (Royal Commission on Aboriginal Peoples, 1996, p. 646). Mutual respect requires “the quality of courtesy, consideration and esteem”, and requires of non-Indigenous peoples that we take the time to learn about Indigenous ways of approaching relationships, both between people, and with “all members of the circle of life – to animals, plants, waters and unseen forces” (Royal Commission on Aboriginal Peoples, 1996, p. 649).

Sharing requires engaging in reciprocity, which the Commissioners of the Royal Commission on Aboriginal Peoples (1996) posit can be guided by five principles: recognition of basic rights, and respect for cultures and institutions; greater acknowledgement in settler society of the importance of sharing at the foundation of our own federation and economy; restitution of land to Indigenous peoples; creating conditions for equality, i.e., addressing the inequalities between Indigenous and non-Indigenous societies in health, housing, income, over-all living conditions, etc.; and supporting processes that work towards self-reliance, rather than reinforcing relations of dependency. Mutual responsibility requires that the colonial guardian-ward relationship be transformed into one of genuine partnership – this goes for relationships between humans, and between humans and all of Creation (Royal Commission on Aboriginal Peoples pp. 643-657). These four principles partly constitute the foundation of my theoretical framework: through this research I strive to contribute to my own settler community’s ability to

recognise and *respect* Indigenous peoples and governance in Georgian Bay, *share* in the governance of the land, and shoulder our *responsibilities* as outlined through treaties and our own constitution, with a deepening understanding of responsibility by learning about Indigenous ways of knowing and doing.

The Truth and Reconciliation Commission also provided a set of “Principles for Reconciliation”, within which I focus in particular on Principles 6, 8, and 10. Principle 6 calls Canadians to acknowledge their position as treaty peoples, and “share responsibility for establishing and maintaining mutually respectful relationships” (Truth and Reconciliation Commission, 2015c, p. 3). Principle 8 calls Canadians to support Indigenous people in their efforts towards cultural revitalization, and for us to integrate “Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process” (Truth and Reconciliation Commission, 2015c, p. 3). Finally, Principle 10 calls Canadians to engage in “sustained public education and dialogue” about Treaties and Aboriginal rights (as well as residential schools), and to learn about “the historical and contemporary contributions of Aboriginal peoples to Canadian society” (Truth and Reconciliation Report, 2015c, pp. 3-4). The Truth and Reconciliation Commission’s ten principles draw and expand upon the Royal Commission on Aboriginal Peoples Principles of a Renewed Relationship and provide a helpful justification for the various points of focus within this dissertation.

The Truth and Reconciliation Commission Principles for Reconciliation raises up the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by calling for its adoption as the first of its ten principles. For a country that holds the United Nations in high esteem and holds other countries to account with respect to UN declarations, it would behoove us to follow our own lead and adhere to UNDRIP. There are several UNDRIP (UN General Assembly, 2007) Articles that have a particular bearing on this dissertation, in particular, Articles 8, 10, 13, 25, 26, and 29 (see Appendix A for excerpted UNDRIP Articles). This dissertation touches upon issues addressed within these Articles, though it cannot, of course, “solve” the issues. These Articles address the importance of the state preventing actions which dispossess Indigenous peoples of their lands/territories (Article 8.2.b), and of promoting the notion of free, prior, and informed consent regarding removal of lands alongside just compensation and where possible, return (Article 10). UNDRIP (2007) declares the rights of Indigenous peoples to be able to pass on traditional knowledge to future generations, and have those rights protected by government (Article 13.1 and 13.2). UNDRIP calls for the rights of Indigenous peoples to maintain a spiritual relationship with their traditional lands/territories/waters in order “to uphold their responsibilities to future generations in this regard” (Article 25), and to be able to

own/use/develop/control lands they traditionally occupied or used (Article 26.1 and 26.2). Finally, Article 29.1 declares that “Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources” (UN General Assembly, 2007). By making the connection between these UNDRIP Articles and the various points of examination throughout this dissertation, I hope to make visible the very real connections between everyday actions and seemingly lofty goals of national and international declarations and statements of principles.

III. Methods: Going About the Research

i. Constructing Theory

While the three sets of principles described above provide broad guidance, they are not *alone* sufficient to change the settler-Indigenous relationship. Practical work is needed, which can be *guided* by such principles, but which requires practical tools. Where better to look than Indigenous methods? Given the topic and spirit of this research, I cannot justify using a *non*-Indigenous framework. While there are certainly some other theoretical frameworks and approaches that could have enabled this research (including, for example, feminist theory or liberationist dialogue), it was Indigenous theory and Indigenous voices that led me down this path and guided me. Indeed, the Commissioners of the Royal Commission on Aboriginal Peoples (1996, p. 589) see Indigenous ways of knowing and ways of governing individuals and society as key tools to for survival in a post-industrial society. I have drawn on Margaret Kovach’s (2009) Indigenous conceptual framework, which offers a decolonising theoretical approach that acknowledges the role that “an allied Western conceptual tool for creating change” can play in creating a research process guided by Indigenous principles and epistemologies (p. 48).

a. Indigenous Conceptual Framework

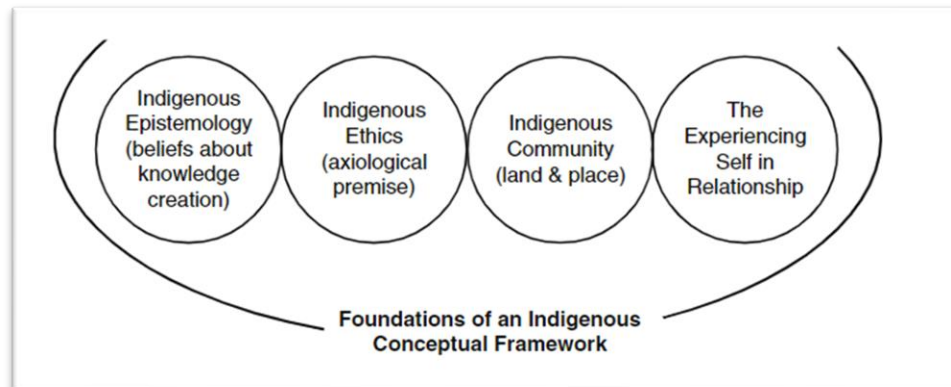


Figure 1. Four Foundations of an Indigenous Conceptual Framework (Kovach, 2021, p. 47)

These four foundations help me to see my *own* ways of knowing and doing, and they unsettle me and provide guidance around how to live life in a good way, or *bimaadiziwin*. For the first foundation, ensuring that my research is shaped, at least in part, by Indigenous epistemology has led me to various Indigenous voices who make my own epistemology visible to myself. For the second foundation, the ethics of this research have been shaped practically-speaking by the Tri-Council Policy Statement II (TCPS-2) on research ethics, which includes a chapter focused on research with Indigenous peoples. The TCPS-2 was itself guided by a council of Indigenous people, who helped the Tri-Council to comprehend something of the fundamental difference between Eurocentric research and Indigenous research, broadly speaking. This section was shaped by Indigenous voices, and in that way, as well as with the guidance of community members, my research is shaped by Indigenous ethics. However, the ethic of *mino-bimaadiziwin* and reciprocity, examined in later chapters and continually reflected on as I learn from Indigenous researchers and community leaders, shapes my work continually.

The third foundation of Kovach's Foundations of an Indigenous Conceptual Framework, Indigenous community – the land, the place, and the people – that grounds this research can be spoken of in different ways. One way would be to look at the Anishinaabeg as a nation, covering the Great Lakes region, from where the focus of this research emerged. The Indigenous community could be spoken of more particularly as the Moose Deer Point First Nation, the people of which identify in multiple ways, including as Pottawatomi, Ojibwe, Odawa, Anishinaabe, European, French-Canadian, squatters, native, Indigenous, Christian, Catholic, Evangelical, atheist, vegan, among many others. The geographic area is Georgian Bay, sometimes referred to in Anishinaabemowin as *Mnidoo-gamii* (The great lake of the spirit) or *Waaseyagami wiikwed* (shining waters), in a spot along the southeastern shores sometimes

referred to as *Mitaawbik* (bare rock). The “Experiencing Self in Relationship” is the fourth of Kovach’s ICF Foundations. My position as an outsider/insider/somewhere-in-between-er has made this research possible, and in turn the research has enabled more depth and nuance to my relationship with the Indigenous community, as well as within my own community. It has complicated some relationships, and simplified others. I am being changed by these relationships, by this research, and indeed my relationship with Creation has shifted ever-so slightly.

b. Adapting Kovach’s Indigenous Conceptual Framework

With the four foundations, Kovach (2009, 2021) shares her Indigenous conceptual framework. Keeping in mind that each person’s use of this framework will differ, based on her own epistemologies, I have adapted Kovach’s framework to reflect my position as settler researcher seeking to unsettle my own ways of knowing and doing (see Figure 2).

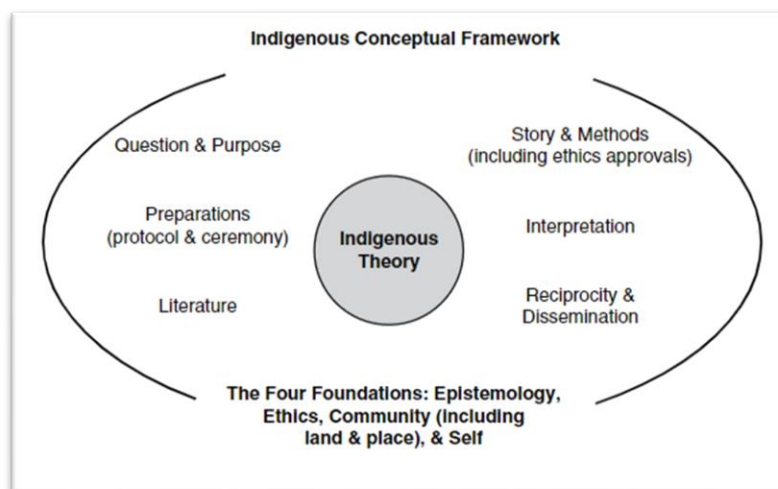


Figure 2. Kovach’s (2021) Indigenous Conceptual Framework

The circularity of this multi-layered diagram has created a research process that is constantly in motion, reflected in my own adapted model (presented below in Figure 3). The question and purpose of my dissertation emerged from the reflexive approach to Indigenous research, which creates the space for me to look directly at my subjectivities and draw on them. The literature partly brought me to the research question, but the reflexive approach to research sent me back to the literature to learn more about my research topic and Indigenous methods, as well as truth and reconciliation. As a result of following Indigenous methods, I realised that my preparation had to include ceremony (for me, this was

mostly from with my own Anglican faith, but it sometimes involved entering into an Indigenous ceremonial space), and my engagement with people had to include protocols such as offering *semaa* ('sacred tobacco' in Anishinaabemowin), for instance to an Elder I am speaking with, or someone of whom I ask to share knowledge.

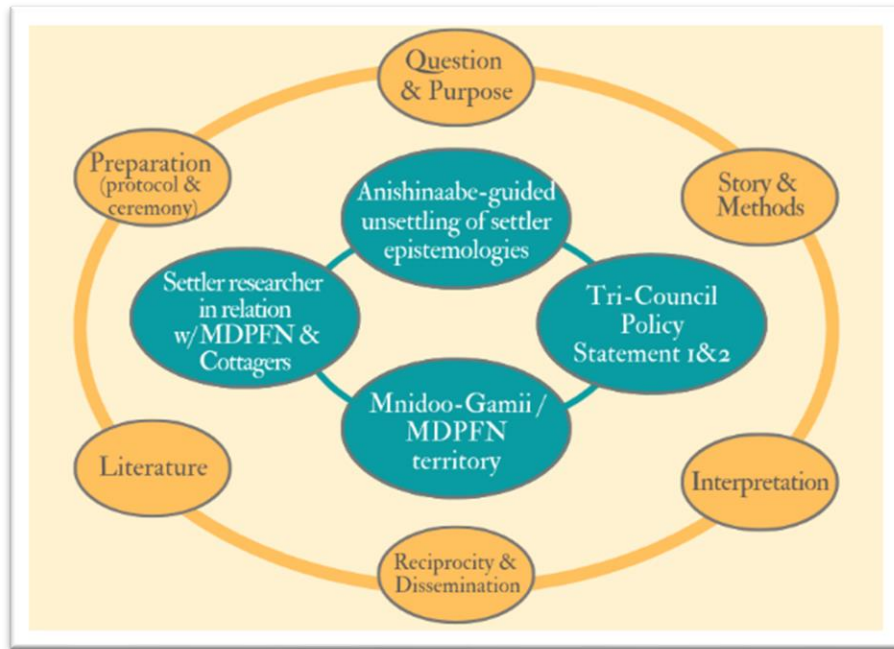


Figure 3. My adaptation of Kovach's (2009) Indigenous Conceptual Framework

As a non-Indigenous researcher engaging with an Indigenous research paradigm, the most prominent tension has been when I worry around the idea of problematic appropriation. The ways in which I automatically begin to interpret things – comments, ideas, stories, methods, etc. – are continuously challenged by what I have been learning from Indigenous ways of knowing and doing. While I am always already thinking and doing in a way that is fundamentally shaped by my own epistemology as a settler/liberal/Anglican/Scottish/Irish/Canadian/female/woman/mother/sister/daughter, I am now continually challenging what I think and do as a result of Indigenous ways of knowing and doing. Taking into account the problematic history of research on Indigenous peoples in North America (CIHR et al., 2014; Drabiak-Syed, 2010; Garrison and Cho, 2013; Mosby, 2013), and adhering to the Tri-Council Policy Statement-2, which seeks to ensure that academic research on topics relating to Indigenous peoples is conducted in an ethical manner, the adapted Indigenous conceptual framework guides my research and me as the researcher to do research in a good way.

ii. The Legality Tree: A Rooted Analytical Tool for Decolonising Ways of Knowing and Doing

a. Why Use the Legality Tree Analytic?

If we want to understand why a particular land use rule is in place (say, for instance, prohibiting the lighting of fires, or harvesting of plants), and to understand why that land use rule might conflict with Anishinaabe laws (say, for example, picking sweetgrass or berries to honour their responsibility to nourish humans and to enable them to flourish), we must understand the very roots of these rules and the logic in which that rule can make sense. As part of my effort to ground this exploration in Indigenous methods, I draw on Dr. Aaron Mills' (2019) dissertation "Miinigowiiziwini: All That Has Been Given for Living Well Together - *One Vision of Anishinaabe Constitutionalism*". Mills methodically lays out his understanding of Anishinaabe, or "rooted"⁷ constitutionalism, as well as liberal constitutionalism to plainly expose the fundamental differences between settler and Indigenous worldviews, so as to better critique the settler state's oppression of Indigenous ways of knowing and existing. Through examining legal constitutionalism, Mills (2019) reveals deep foundations in our thinking that inform decisions in all areas of life. This is one of the gifts of Indigenous cultural revitalisation, offering up opportunities to learn from Indigenous law.

There are numerous Indigenous scholars one could look to in order to learn about Indigenous law. John Borrows' body of work helps us to understand law as a living thing that is breathed into being by people and society, not simply by documents. Borrows (1991) shows how Indigenous legal systems provide full and robust frameworks for governance in ways that might not be read as such by settlers. Through his innovative approach to legal education (as I experienced at the Anishinaabe Law Camp in 2015 through Osgoode Law School at Neyaashiniigaming First Nation), Borrows draws on western legal analytic strategies to enable settlers to learn about law from Indigenous stories – as do Val Napoleon and Hadley Riedland (2016). Throughout his body of work, Borrows is deeply critical of the Canadian

⁷ Mills uses the term "rooted" more than "Anishinaabe" or even "Indigenous". Although he approaches the exploration and explanation of rooted law from an Anishinaabe perspective, drawing heavily on Anishinaabe Elders, knowledge keepers, and scholars, he also draws on non-Anishinaabe Indigenous scholars, hoping to show that while he is not speaking for all Indigenous legalities, he suggests that it may be possible for this analytic of rooted constitutionalism to be relevant and "workable" for other Indigenous peoples (Mills, 2019, p. 67). In addition, by referring to "rooted" rather than "Indigenous" law, Mills provides a practical opening for non-Indigenous people such as myself to imagine the possibility of exploring constitutional possibilities other than what is found in liberal constitutionalism – one needn't be Indigenous to place to become rooted. In referring to "liberal" legality, Mills acknowledges that he is glossing over a wide range of interpretive variations on understandings of liberalism; however, he specifies his understanding of liberalism as "contractarian", for it is in the idea of the social contract about a shared sovereign where liberalism finds its origin story.

state, and makes it clear that the Canadian constitution cannot fully be understood without the context of Indigenous laws (2010a), and in doing so, he helps us to grapple with the possibilities of reconciliation. Aimee Craft (2013) teaches us about the critical element of kinship for understanding the nature of treaties – though she uses Treaty One as her focus point, her exploration of Anishinaabe laws, which are enmeshed with human-earth relationships and rooted in kinship relates more broadly to treaties across Canada with Indigenous peoples. Heidi Kiiwetinepinesik Stark's (2010) research draws our attention to the international political context of treaty rights across the Canadian and US border. These and other scholars have helped me to better understand Indigenous law and ways of knowing, and in so doing, have helped me to transform my understanding of settler ways of knowing. I found that Mills' (2019) legality tree analytic helped me to digest the ideas of these other scholars,⁸ and provided me with a useful tool for critically examining the structures within our world – in this case, settler approaches to environmental conservation.

To understand how we conceive of law in the first place, and what purpose it should serve, we must look to the foundations of law, that is, the lifeworlds that inform law. Mills (2019) posits that we must first reveal the roots of our constitutionalism – he uses a metaphor of a legality tree in order to explain Anishinaabe law and uses it also to critique liberal constitutionalism. The Canadian metaphor of the Living Tree, wherein the trunk of the tree is formed by the Canadian constitution (see Brouillet and Gagnon, 2018), and the growth of new branches can make room for multiculturalism, attempts to fit Indigenous law into its canopy of branches. Mills (2019) introduces his legality tree analytic in order to examine both rooted legality and liberal legality, and ultimately, he argues that rooted and liberal constitutionalisms are structured in fundamentally different logics – entirely different trees - and they cannot be blended.

Given that I am taking up the idea of reconciliation as a critical part of my own research and life journey, I feel I must engage with the argument that liberalism is inherently problematic and undermines any efforts towards reconciliation between non-Indigenous and Indigenous peoples, as well as between all peoples and the earth. This is no small task, for, in Mills' words:

Colonialism hasn't 'failed' to respect the principle of constitutional dialogue; it has deliberately sought to eviscerate it: to not only replace, but also annihilate indigenous constitutional orders so that they can't be practised, recognized, or even whispered about; so that settler interests can

⁸ Mills's legality tree also provides an extremely helpful rollcall of Indigenous scholarship, making it a go-to for people looking to find a broad overview of Indigenous thought on law – from both scholars and non-academic thinkers alike.

settle permanently, absolutely, and unjustifiably, atop them. At best, Canada thinks reconciliation demands attention to indigenous law in carefully constrained ways which avoid exposing indigenous constitutional erasure. I don't see how the era of reconciliation, if it is to have integrity, can bear such violence (Mills, 2019, p. 194).

Tully (2015), too, has argued along these lines, reflecting that he came to learn that “processes of reconciliation set in motion were also superficial – in the sense that they served to integrate indigenous peoples even further into destructive and unsustainable processes of economic, political, and cultural modernization” (p. 7). And so, I introduce the legality tree analytic, which will then form part of the analysis throughout Part 2.

b. The Legality Tree Analytic

Mills' (2019) legality tree analytic is made up of four building blocks, which each empower and constrain the others. The roots are the lifeworlds, the trunk is the lifeways, the branches are legal traditions, and the leaves are the law. With proper space and nourishment from water and soil minerals, the roots both empower the growth potential of the tree and constrain it with limits. Mills (2019) clarifies that though the leaves “may change with prevailing winds”, the roots “remain affixed tightly to and in the earth. Though they may deepen their reach in time, they're constant. And should the anchor roots be severed, the entire structure will collapse” (p. 41). Here I provide an explanation of its four elements of the legality tree analytic, as the legality tree analytic informs my analysis in later chapters.

The Roots: Lifeworlds

Mills (2019) refers to this deepest level a number of ways. This is where the creationism of a constitutional logic appears. The origin stories disclose what he calls the ECO-systems of the legality tree: a people's particular epistemological-cosmological-ontological systems, which can otherwise be known as the “lifeworlds” of a culture. Both terms reveal “a society's distinct ways of knowing and being in the world” (p. 24). Origin or Creation stories inform people of what to expect of themselves and of the world around them. Within rooted legality in particular, Creation stories inform people of the gifts they have been given in Creation. *Miinigowiziwin*, which translated means “that Creator's bestowal of sacred gifts to each being renders an order inherent in creation”, establishes the context for Mills' (2019) “humility thesis”, which means that a community can order itself around “a practice of gift-ordering – a giftway – in which humans feature centrally” (p. 68).

For Mills (2019), what is central to understanding a society's legality is the belonging analytic: 1) how personhood is understood; 2) how freedom is understood; and 3) how belonging is understood. Belonging is found within this logic, through the concept of radical interdependence – upholding both the responsibility to share their gifts, and the humility to share their needs – and freedom is found in that dualism of responsibility and humility (gifts and needs). Re-/Creation stories (which we look to in more detail in Chapter 5) illustrate this radical interdependence and co-creativity, and the structure for both is found in mutual aid. Someone is understood to have personhood by his or her relationship with another (and personhood is not exclusive to humans). The radical interdependence and co-creativity of the giftway is where we find freedom. The bestowal on all persons (human and non-human) of the responsibility to share their gifts *as well as* the humility to offer up their needs means that freedom is found when “respect for persons turns on the capacity of persons for *creative contribution*” (Mills, 2019, p. 84).

Kimmerer (2014a) speaks to this as “the inescapable tension between honoring life around us and taking it in order to live [which] is part of being human” (p. 177). To acknowledge that one has gifts, as well as needs, and that one has a responsibility to share one's gifts *and* to receive others' gifts, a person is then “contributing to creation itself” and thus we can become “co-creators” (Mills, 2019, p. 84). In this context, we cannot refer to non-human beings (animals, plants, water, etc.) as “resources”, thus emphasizing only their use to us humans; rather, rooted law teaches us to name non-human persons as kin, thereby centring our relationship in our actions towards them. For Kimmerer (2014a), “the honor of giving and the humility of receiving are necessary halves of the equation” (p. 381). There is always that understanding that perhaps this time you will receive gifts, but next time it may be your turn to give. To enter into a place and not receive the gifts of its residents is to act with disrespect, as would it be to not offer one's own gifts. Preventing Anishinaabe peoples from harvesting and hunting interrupts a medicine plant-person's responsibility to offer up her gift, and interrupts the Anishinaabekwe's humility to offer up her needs, and in so doing interrupts the circle of reciprocity. This reciprocity has significant implications for belonging, in the context of kinship – indeed, for Mills, it is the very *structure* of rooted constitutionalism – as well as for relationships with the land. To prevent these kin from honouring their own responsibility for sharing their gifts and offering up their needs means that we undermine the logic of rooted law. Interrupting the giftway undermines the foundational logic of Anishinaabe culture – to cut off the roots means the whole tree will collapse. These ideas become particularly relevant in Part 2 when we explore the differing foundations to human-earth relations

between Indigenous and settler peoples, and in particular when we examine the Georgian Bay Land Trust land use rules.

Liberalism's belonging analytic tells an origin story that makes meaning of the world by placing "heavy moral weight on one's freedom from the interference of others" (Mills, 2019, p. 56). Again, central to understanding a culture's legality is to understand the belonging analytic as 1) how a culture understands persons; 2) how freedom is understood; and 3) how belonging is understood. Within liberal constitutionalism, at the foundation, persons are understood as autonomous individuals, that is, humans having the ability to make decisions of their own accord. Whereas rooted constitutionalism understands persons to be those beings that exist in relationships of gift and needs with others, liberal constitutionalism understands persons as only humans (and only recently *all* humans)⁹. Freedom is understood as the inviolability of individual autonomy (to be free to make choices), as well as equality (being valued the same as other individuals). For liberalism, then, when both principles are adhered to, "autonomy will be unimpaired, and persons, thus, are free" (Mills, 2019, p. 57). When we see ourselves as persons because of an unimpaired autonomy, our freedom is inherent in disconnection, and it becomes easy to expand that disconnection from other persons to all of Creation – it becomes easy to extract resources to grave excess. We return to this issue in Chapter 7 as we examine the foundations of settler society's understanding of human-earth relationship.

The Trunk: Lifeways

Now, we look to the trunk, which forms the heavy structure of the tree. Anchored by those roots that encompass the Creation stories which disclose the ECO-systems or lifeworlds of a society, the trunk encompasses the lifeways, providing the framework of social mores, guiding us as to how we ought to behave or relate to others, in order to live a good way. For rooted constitutionalism, this is manifested through the logic of mutual aid, which we can understand through the relational structures of reciprocity and kinship. The giftway – knowing that one has been given gifts from Creation, and that one has a responsibility to share those gifts with others and, moreover, must have the humility to share one's needs with others too – means that the idea of personhood is inextricably enmeshed with community. Lifeways emerge as a consequence of lifeworlds, that is, a lifeway is the lifeworld constituted into reality, transforming persons into a community of a specific structure. For rooted constitutionalism, that structure is mutual aid, which is animated through reciprocity and kinship.

⁹ And of course, corporations are a legal entity within liberalism, given the same rights and obligations as a "natural" person. (Canada, 1985).

For Kimmerer (2014a), the idea of reciprocity began with learning about gratitude in ceremony. When she was young and out in the woods, her father began the day by pouring the first few sips of coffee down to the earth, offering it up to the “gods of Tahawus”, the Algonquian name for the mountain they would often camp on. Despite her self-conscious reservations that such ceremony was illegitimate since it didn’t involve their Pottawatomi language, which had been lost to them, Kimmerer (2014a) eventually concluded that nevertheless, it was legitimate ceremony, introducing her to the practice of beginning the day with gratitude, thus grounding her day in the acknowledgement that the earth had gifts to offer and she was worthy of receiving them. Kimmerer (2014a) came to understand ceremony as a “vehicle for belonging – to a family, to a people, and to the land” and though she was at first embarrassed by the mundane simplicity of her father’s act, she realised that this very humble character of the ceremony illustrates “the power of ceremony: it marries the mundane to the sacred. The water turns to wine, the coffee to a prayer. The material and the spiritual mingle like grounds mingled with humus, transformed like steam rising from a mug into the morning mist” (pp. 37-38). This structure of gratitude informs our personal lives, but it also has political and environmental ramifications.

The Haudenosaunee Thanksgiving Address, translated from Onondaga as “The Words That Come Before All Else” (Kimmerer, 2014a, p. 107) is a rather elaborate gratitude prayer, that was first used to remind warring Iroquois tribes that they have this gratitude in common, enabling them to come together into the Haudenosaunee alliance. These ceremonies show us how to engage in “cultures of gratitude”, which is critical for entering into “cultures of reciprocity” in which people become aware that they are “bound to every other in a reciprocal relationship. Just as I have a duty to care for to all beings, so all beings have that duty to me. An animal gives its life to feed me, I am in turn bound to support its life. When I receive a stream’s gift of pure water, I am reminded that I am responsible for returning a gift in kind” (Kimmerer, 2014a, p. 115). That may be as simple as offering my gratitude back to the water, or remembering that both these gifts *and needs* hold up a circle, and that “returning the gift” looks more like a passing of the gift throughout the wider circle, rather than an exchange between two beings. While the oft-quoted biblical verse, that “it is better to give than to receive” (King James Version, Acts, 20:35) might suddenly come to mind as an objection, within the Anishinaabe context the importance of being in need makes perfect sense. Mills (2019) points out that the “bare fact of need is not to be lamented but celebrated: needs are vital and necessary for a good life. In fact, to honour the humility thesis, and thus to live within the earthway, acknowledging our needs is essential” (p. 104). Within the

balance of a rooted society, the lifeways of reciprocity (the gift economy/the earthway) hold needs and gifts in the delicate balance of mutual aid.

Mills (2019) explains reciprocity within the framework of mutual aid, which he refers to as the essential logic of rooted constitutionalism. He illustrates this within “a tripartite analytic of *extension* → *reception* → *response*”, of which there are two manifestations: “a positive formulation for when a community member is presented with a gift” (gift→ gratitude→ reciprocity) “and a negative formulation which begins instead with a need” (need→ responsibility→ reciprocity) (Mills, 2019, p. 100-103). When a person receives a gift, she is compelled towards gratitude, and that gratitude then inspires the act of reciprocity; when a person offers up a need, he is compelled towards responsibility to share with others something of the gift he received, thus again inspiring reciprocity. Mills (2019) points out that often enough interactions of mutual aid begin with the presentation of a need, including in the context of treaty negotiations (p. 103). Radical interdependence, in particular as seen through mutual aid, is not simply about the fact of intertwined material conditions (a definition more aligned with a liberal understanding of interdependence), but rather that the notion of *how* humans are interlinked within in a circle of reciprocity *requires* that we talk about the rest of Creation (Mills, 2019, p. 81).

To understand how we manage those relations within Creation, we must look to the second part of the logic of mutual aid: kinship. Amongst Anishinaabe peoples around the Great Lakes, kinship serves as a central organising framework for relationships (Johnston, 2006, p. 6); indeed, this is the case for most Indigenous communities (Mills, 2019). However, it is not simply a private matter of importance to know who one is related to. Rather, kinship in the context of rooted law provides the constitutional structure within which mutual aid enables the work of law and governance (Mills, 2019, p. 113). Mills (2019) puts it simply when he points out that “kinship sets out the relationships through which community members present and receive their gifts and needs” (p. 114). The relationships of mother/father/brother/sister/etc. hold significant meaning, not simply for blood relations, but also as markers of relationship structure for non-blood relatives, and these particularly named relationships have implications for how gratitude and responsibility must manifest. (Mills, 2019, p. 114).

Finally, the goal of mutual aid, or the orientation of rooted constitutionalism, is to establish and enable harmony. As Mills (2019) puts it, drawing on the teachings of Basil Johnston and others, “individuals endowed with gifts and needs, common and unique, interact with one another in ways which endeavour to align the former with the latter. The particulars of each interaction are governed by kinship, actual or metaphorical” (p. 126). This structure is such that legal processes are thus “embedded

within cultural practices more generally” (Mills, 2019, p. 131). There is a weightier responsibility for each person and each community to pay attention to the structure of kinship, and to regulate one’s life according to this structure, in a good way or, in Anishinaabemowin, *mino-bimaadiziwin*. Mills points out that this is manifested in *bimiwinitiziwin*, which we can understand as “knowing where you are, how to behave yourself. It’s about ourselves first and knowing who we are” (Elder Bessie Mainville, quoted in Mills, 2019, p. 159). This understanding, then, depends on the fact that personhood is defined in rooted constitutionalism as knowing oneself and knowing one’s relationships to others. “When persons are radically interdependent (I *am* my relationships) and a community’s logic of belonging is mutual aid (the circular reciprocity of free gift), then one’s careful self-governance is also always a form of direct participation in community governance” (Mills, 2019, p. 159).

For liberal constitutionalism, too, the trunk provides the logic upon which liberal societies plant their institutions and laws, with that same constitutional logic of relational behaviour: *extension* → *reception* → *response*, within liberalism the constitutional logic can be understood as *offer* → *acceptance* → *internal correspondence*. While the logic of rooted constitutionalism can be found in mutual aid, the logic of liberal constitutionalism is the social contract. Liberalism’s extension of an offer is manifested when a member says (metaphorically speaking) *I will consent to form/sustain a political community with you on the following conditions*. The reception of acceptance is manifested when a person responds, when she “accepts (or is imagined to have accepted) the terms of the others, consenting to enter the community negotiated for” (Mills, 2019, p. 59). And finally, the response of that internal correspondence can be understood to be that the consent offered is for the consent of all, and, according to Mills, that *reflects* an internal correspondence. This constitutional logic thus illustrates the direct reciprocity between the offer of consent and the acceptance of the conditions. Unlike the mutual aid form of reciprocity, which sees reciprocity as being an all-encompassing circle, the negative freedom of liberalism’s “freedom from” logic manifests in a direct form of reciprocity, which we mostly conceive of as a form of contract. And indeed, Mills argues that “contract is a centrally important device in organizing and fulfilling Canadians’ private lives, and property and contract law regimes [...] work together to create a robust legal infrastructure for free markets, all of which has private autonomy at its centre” (Mills, 2019, p. 61).

While in theory Canada makes space for Indigenous rights in a communitarian form of liberalism, “*in practice* minority and indigenous rights are prohibited from impairing the negative liberty interests of Canadians generally” (Mills, 2019, p. 62). Furthermore, communitarianism assumes that

individuals and their communities coexist based on consent, reflected in shared history and culture. Mills (2019, p. 54) argues that communitarianism doesn't provide a genesis point for itself, and he rejects the idea that he lives within a community/society which represents consent of all (even if only thinly): Indigenous peoples have, for a long time, refused to consent to the erasure of their constitutional orders, and continue to do so today. For Mills (2019), the single most important problem for liberals is indeed the issue of consent, that is, the consent to be in this society under a shared sovereign, a consent that Indigenous peoples did not give. Instead, a contractarian understanding of liberalism, according to Mills (2019), is more relevant regarding Indigenous rights than communitarian due to its assumption of consent.

The idea of consent requires Canadians "to justify not only the ongoing exercise of their political sovereignty, but also how they acquired it" (Mills, 2019, p. 55). A contractarian understanding of liberalism assumes an origin story, as seen in Hobbes's *Leviathan*, in which the cowering individuals consented to be governed by the absolute power of a sovereign. Thus, contractarianism inherently gives room for Indigenous peoples to say "no, that is not our genesis story", and in so doing, this version of liberalism inherently demonstrates that there *is* a separate constitutional order that exists on this land that is not captured by liberalism (Mills, 2019, p. 54). Indeed, the Charter of Rights and Freedoms (Part I of Canada's Constitution Act of 1867) has been referred to by the Supreme Court of Canada as "the new social contract" and this is where the structural features of liberalism are given form in "the architecture of the state" (Mills, 2019, p. 61). While rooted constitutionalism sees its constitutional logic manifest in the structure of mutual aid (for example, kinship networks), within liberalism we see this logic manifest in the structural feature of the state as the form of political community, and the separation of state powers into the executive, legislative, and judicial branches of government. These branches each function to provide the "coercive authority necessary to ensure compliance with the terms of union" (Mills, 2019, p. 59), and citizens may not enact justice themselves. The communication between state and citizens takes the form of democracy, which is the contemporary manifestation of the consent offered up in the constitutional logic analytic outlined above.

Within liberalism, the idea of a contract understood "increasingly [as] formalized in a written document [and] externalized as 'a' constitution" provides a sense of certainty, implying that the way community members understand their belonging to one another is a settled matter (Mills, 2019, p. 59). This certainty is reflected in the apparently settled nature of our relationship with the land – as it exists as property and as governed through property law, and through ideas of how to protect what we call

“the environment”, separate from human civilisation and culture. We shall return to this idea later; for now, let us move onto the penultimate feature of the liberal legality tree analytic.

The Branches: Legal Traditions

Emerging from the trunk are the branches of the legality tree, which represent the legal traditions. A legal tradition is the means by which a society generates, changes, and applies law, and it is both empowered and constrained by the constitutional order beneath (Mills, 2019, p. 62). Given the nature of rooted constitutionalism, Mills’ (2019) explanation of the branches is rather shorter than for the trunk and roots. Rooted legal traditions are found in the everyday life of an individual and her community, and they depend on her reasoning and judgement, grounded in the rooted constitutional structure of mutual aid, which in theory she has been immersed in her whole life. As Mills (2019) puts it, “the work of rooted legal traditions is to teach community members what healthy, workable relationships are, to give them the tools and training necessary to realize them, and thus to *live* good relationships through and for others” (p. 129). They do so by way of capacity-building strategies that develop and train legal judgment (e.g., sacred stories, puberty rites, learning on the land) and by strategies for deploying judgement (e.g., shake tents, round houses, pow wows). Often, a capacity-building tool can also provide the application of judgment (Mills, 2019, p. 130). These legal traditions cannot be summarised in writing, rather they must be engaged with through discussion and through practice in order to be properly understood and embedded within everyday life (Mills, 2019).

My reflection: Yes, I see the irony of my efforts to summarise something which cannot be learned through summary; however, one can be shown that another legal reality exists, and then it is the work of the individual to learn more and to seek out opportunities to experience this law in practice. I, myself, am finding my own work and life impacted by this logic, in ways both subtle and transformational. I believe that is why Mills went through such pains to write down his understanding of rooted constitutionalism, despite his knowledge that understanding such a reality necessarily depends on engaging with it within one’s life. Mills’ (2019) dissertation is meant to shine a light on rooted constitutionalism, and my dissertation is meant to draw the conversations around settler conservation efforts into that light.

The branches of liberal constitutionalism, its legal traditions, can be broken down into three broad spheres. The first is the legislature, which creates the laws to meet particular aims. Second is the judiciary, which is reactive, developing case law (at least, in the common law tradition). Third is the executive branch, which is where administrative work and decision-making take place. It is within this third sphere that we see the work of tribunals and ministerial decisions, including in particular “the creation of regulations as enabled by legislative acts” (Mills, 2019, p. 63), including, for example, planning institutions. And it is here where citizens interact directly with liberal constitutional structures,

for instance by way of protest or letter-writing campaigns, and by way of non-governmental organisations and associations. The actions of citizens are constrained by “the aspect of the executive branch empowered to exercise violence over citizens, where necessary, to enforce conformity with the terms of the union” (Mills, 2019, p. 63), a system informed by the Creation story such as the *Leviathan*.

The Leaves: Decisions and Documents (Laws)

Finally, out of the branches of this legality tree analytic sprouts the canopy, the leaves of which make up the decisions and actions that guide individuals and society towards living a good life. For rooted constitutionalism, individual agency is central. It may seem counterintuitive to say this of a legal reality in which relationships between individuals provide the foundation, and which Mills (2019) explains is fundamentally different from liberal constitutionalism in which individual rights are the grounding idea. However, the *function* of this individual agency is perhaps the helpful thing to focus on – in rooted law, individual agency functions to uphold relationships. At the level of the roots, one comes to understand that we are each co-creators; at the level of the trunk, one learns that we hold rooted community together through “our individual movements from gift/need to gratitude/responsibility to reciprocity”; at the branches, one learns to live in relationship with one another, “through processes and institutions that guide appropriate behaviours” (Mills, 2019, p. 135). Finally, at the canopy, one acts on one’s own ability for legal reasoning (the learning received from the legal traditions), thus centring our own agency (Mills, 2019).

The centrality of kinship becomes increasingly clear at this point, when Mills (2019) points out that rather than an expression of law through rules that are finite and binding (as with liberal legality), in rooted law we find “a particular form of judgment about how to exercise responsibilities organized in relational (and specifically, kinship) categories like grandfather, younger sibling, or stranger” (p. 135). Its logic is found in a discourse of responsibilities, and kinship forms its structure.

For liberal legality, in stark contrast with rooted constitutionalism, the nature of law is intensely formal. Despite the centrality of the individual when it comes to defining rights within liberalism, individual agency is *not* central at this level. The three branches of government encompassed within the branches of the legality, each have their respective form of legal expression: 1) the legislature produces bills that eventually can become acts; 2) the judiciary produces decisions, leading to case law; 3) the executive branch makes decisions and drafts regulations, and tribunals produce decisions (Mills, 2019, p. 63). The outcomes of these processes manifest as rules, and those rules are generally agreed to be a defining feature of (liberal) law. Sometimes rules are needed “simply [to] serve the end of efficient

social coordination”; where freedom of persons are at stake, however, “rules take the unique form of *rights*” (Mills, 2019, p. 64). Regardless of whether or not something is for a person’s own good or not, if that person can claim to have a right to that thing, then that right trumps the benefits analysis.

In contrast to rooted constitutionalism, where we see that the responsibilities found in mutual aid and kinship laws trigger informal responsibilities prompting consideration about one’s actions and one’s corresponding responsibilities, with liberal constitutionalism responsibilities are found in “a formal obligation that compels compliance” (Mills, 2019, p. 64). That is, rights are demanded, not requested. Citizens are thus expected to respect the rules of liberalism, and when those rules are not respected, or when those rules appear to not respect the individual’s autonomy, the work of citizens (to respect the rules) transfers to the professional elite who then examine the facts and interpret the law, in order eventually to “decide the immediate matter in one party’s favour” at which point “certainty will prevail” (Mills, 2019, p. 66).

Indigenous peoples refuse the assumed universalism of liberal constitutionalism. Knowing this is critical for grappling with Indigenous sovereignty, and for understanding the violence of liberalism to Indigenous peoples and society. Mills (2019) suggests that there are three ways in which liberal constitutionalism enacts violence against Indigenous peoples: 1) settler violence against Indigenous persons, targeting individuals’ bodies, minds, hearts, and spirits (e.g., police killings of Indigenous people, for instance, Dudley George); 2) settler violence against Indigenous peoples, attacking languages, ceremonies, economies, oral traditions, child rearing practices, medicinal practices, the patterned mobility of communities, and earth interactivity (e.g., Indian residential school system, which sought to eradicate the Indigenous lifeworld from the child, and send an assimilated person back into society, devoid of Indigeneity); 3) settler violence against Indigenous worldviews, asserting instead settler supremacy in an attempt at erasing the possibility of other ways of understanding the world. An examination of legal ideas, even as briefly as in this chapter and Chapter 3, is important for a discussion about how we make decisions about land use planning and environmental conservation. By exploring the whole of this legality tree, we can better understand the relationship between humans and our environment.

For Indigenous peoples, who are increasingly focused on their own cultural revitalisation processes, it is critical to understand how settler state government policy is created, that is, “how their laws were made, how their constitution was made, where were those things coming from. If you don’t understand, there can never be balance or reconciliation, so you have to understand them as well;

otherwise one group is going to dominate” (Elder Harry Bone, quoted in Mills, 2019, p. 55). This work is also critical for non-Indigenous, settler folks – it is the work of unearthing the “buried epistemologies” that shape every part of our daily existence, but of which for the most part we remain unaware (Braun, 1997). Without seeing this liberal legality set alongside one that is fundamentally different – for instance a rooted legality – someone who exists within that liberal context will run the risk of not noticing how the waters within which she swims inform the movement and shape of everything around her. The waters (liberalism) become invisible with their apparent ubiquity. Without doing this work of unearthing, we cannot hope to address what ails us.

Unearthing such buried epistemologies – in this case, with the help of Mills’ legality tree analysis – aides us in perceiving how radically different a rooted worldview is from a liberal one. Once that difference is perceived, then the enormity of settler violence can be understood better, and the ways that civil society participates in that violence in an ongoing fashion can be illuminated, even through such seemingly-benign practices as land use planning and environmental conservation. Through learning about how settler/liberal and Anishinaabe/rooted law are fundamentally different, we can think about how that law differently informs the relationships that people have with the land and with their non-human kin, thus enabling us to see the harmful side of settler approaches to environmental conservation. Developing this understanding helps respond to my third research question about how Indigenous and non-Indigenous peoples differ in their understandings of key notions around conservation and relationships to land.

As I explore in later chapters, the decisions that settler society makes about how we manage our environment and those features that we typically view as its resources, are informed by our understanding of our relationship with that same environment. The legality tree analytic enables us to see more clearly what is happening where settler visions of environmental care conflict with Indigenous visions, and thus impinge upon Indigenous sovereignty. By exploring this legality tree analytic, we can see that these conflicts take place at the level of the leaves (the laws) and the branches (the legal traditions), and in order to even have a hope of being able to see these conflicts around land use and sovereignty, let alone address them, we must examine also the trunk (the lifeways) and the roots (the lifeworlds). The roots of the liberal legality tree are fundamentally different from Anishinaabe or other rooted legalities (the ideals of liberalism are not universal, despite their ubiquity), therefore settler decisions made about caring for the land, even if they appear to be aligned with indigenous interests,

are informed by radically different legal traditions, lifeways, and cosmology, and thus may not in fact be in alignment, as shown in Part 2.

iii. Research Activities

a. Gathering Knowledge from Various Sources

My work draws on a range of sources for this research – literature, case examples, and conversations. The literature, of course, includes peer-reviewed academic articles and books, dissertations, panel presentations. It also includes non-academic literature (e.g., essays and novels) and ceremonial stories (e.g., Creation stories). Most of that material was read, though some of it was listened to. I draw on primary (interviews, reports, archival materials) and secondary documents. I also draw on a number of case examples to examine the tension between settler and Indigenous ways of doing. The first set of case examples are the “Three Happenings” outlined in Chapter 1. These Happenings provide multiple glimpses into the ways that the issues raised within this dissertation have manifested throughout the time that cottage communities have existed in Georgian Bay. As I reflected earlier, it was my reflection on these three Happenings that pushed me to focus on land use planning in a way that hit so close to home.

To take a more detailed look at the tension between settler and Indigenous ways of knowing, I focus on two communities, the Anishinaabe community of Moose Deer Point First Nation, and the settler-cottager community in the area. My particular focus on the cottagers falls onto three sub-communities: the Tadenac Club, located adjacent to the Moose Deer Point reserve, and overtop of their traditional territory; the Madawaska Club, a community of cottagers (including my own family), many of whom traverse Moose Deer Point territory and reserve to access Georgian Bay; and the Georgian Bay Land Trust, to which many cottagers (including my family) donate money and land, is run entirely by cottagers, and which influences land use decisions in Moose Deer Point’s traditional territory. It was from these two overarching communities that I drew for my interviews and focus groups. Altogether, these examples provide a focus for the research, and they are also a reflection of the relationships at play in the research. Given that research is relational within an Indigenous conceptual framework, conversations are a central part of this research. Conversations created space for ideas that led to this research, and the research in turn affected myriad relationships through conversations.

b. Establishing a Structure for Developing Theory

Grounded theory provides a simple approach to research, asking the researcher to begin gathering data immediately and to lay the groundwork for theoretical sampling through an ongoing coding process (Glaser, 2004), rather than beginning with a study of grand theory and methods, as with conventional positivist methods. Typically, the grounded theory researcher begins with open coding, constantly assessing the data and codes in order to be receptive to emerging themes, through a comprehensive process of ongoing analysis and writing. The researcher continues to evaluate the data, and new codes are applied based on the emerging themes and thus begins the process of theoretical sampling. In doing so, the researcher develops a theory tailored specifically to this particular research, rather than from “preconceived concepts or hypotheses” (Charmaz, 1996, p. 32).

Constructivist grounded theory (CGT) emerges from the critique that while conventional grounded theory relies “substantially more on the observer’s concerns and interpretations of the research participants’ behaviour” (Charmaz, 1996, p. 31). CGT instead “relies on knowledge from the ‘inside’” (Charmaz, 1996, p. 30). Whereas grounded theory contends that themes simply jump out at the researcher, Charmaz (1996) posits that for CGT, data categories (themes) “reflect the interaction between the observer and the observed” (p. 32). CGT is a more relational methodology that provides space for the researcher to position herself honestly in relation to the research. In describing an Indigenous research paradigm, Kovach (2010) asserts that “critically reflective self-location is a strategy to keep us aware of the power dynamic flowing back and forth between researcher and participant” (p. 112). Therefore, as I grappled with how to be guided by an Indigenous research paradigm as a non-Indigenous researcher, I looked to the constructivist approach to grounded theory for practical guidance on gathering and analysing data, as it seemed to align with an Indigenous research paradigm, given its rejection of positivism’s so-called neutral, objective observation. Charmaz (1996) warns that one particular hazard of constructivist grounded theory is “aiming to define the analytic story at the expense of the participants’ story” (p. 5). To keep myself accountable, I try to notice when my body reacts to what I am learning – whether it’s in reviewing the interview transcripts or notes on the literature. My reactions, whether they be to scoff, or to cry, or to feel a sudden aversion, point me to dig deeper, and examine those reactions.

I made use of constructivist grounded theory initially in order to help me tease out the implications of the Three Happenings. My preliminary research involved discussion groups and information sessions in the Moose Deer Point First Nation community as well as my own cottage

community. However, in typical CGT fashion, these conversations then shaped the rest of my research journey – they shaped my choice of who to invite to participate in formal interviews. The themes that emerged from these interviews informed my subsequent literature review, and the structure of the dissertation itself, and ultimately the questions that I pose and the challenges that I lay bare as I conclude each section and the entire dissertation. While I struggled between the conventional impulse towards objectivist research, constantly trying to establish a clear analysis, I found that making use of CGT helped provide a clear focus notwithstanding the inner turmoil and the unfamiliar research terrain.

c. Conversations

Conversations With Humans: Interviews and Focus Groups

I conducted one-on-one interviews and focus groups (essentially multi-person interviews) to explore some of the ideas emerging from the literature, as well as to build relationships with the communities involved in the research. I chose to conduct interviews *and* focus groups for a number of reasons. I knew that some folks would be comfortable with speaking to me one-on-one, but from conversations with the Moose Deer Point First Nation band administrator, I realised that others would be more likely to engage in fruitful conversations about the questions posed if they were with others they knew. A focus group setting also made for a better context for speaking with a group of youth, giving some of them the space to choose not to speak, and others a welcomed opportunity to talk to me and amongst themselves. In the cottage community, focus groups created the space for families to speak together, which was important given that all of the people interviewed made use of their cottage with their family, whether that be their children and grandchildren, as well as that of their siblings.

My reflection: It became clear quite early on that having multiple participants prompted memories and thoughts in some of the other participants, thus creating knowledge flow that might otherwise not have occurred in the context of an individual interview. It was up to me as the researcher to honour the “more exploratory approach” of creating space for storytelling in these interviews, and I tried my best at “not interrupting a story to ‘get back to the question’” (Kovach, 2009, p. 125). The conversations in the focus groups tended to branch off in many directions, revealing a greater depth of perspective in the answers to the questions I had asked, as a result of the back and forth between participants.

These group conversations provided the most context and nuance in response to my questions. The conversations within the individual interviews tended to stay closer to the line of questioning, though they did not always end up addressing each of the questions. In one case, the interview participant was feeling under the weather, and as a result that conversation was quite short and superficial. In another, the interview participant interpreted some of the questions differently than as I had intended, nevertheless providing me with insight into the overall topic. It was clear from most of the interviews that participants were really keen to talk about these issues. In the Moose Deer Point First Nation community in particular,

there was a clear sense of desire for knowledge transfer across generations, and a concern about the loss of knowledge as a result of knowledge keepers and Elders dying, and the gradual but continued erosion of Anishinaabe knowledge. At the same time, however, it was also clear that there is revitalisation work happening, particularly among the youth.

In order to find interview and focus group participants, I took a multi-pronged approach. First, I chose the two case example groups: the Moose Deer Point First Nation and my own cottage community. Drawing on constructivist grounded theory, I chose a small handful to talk with informally in order to help me understand the question I was trying to form. When I was ready to conduct formal interviews and focus groups (and with ethics approval), I looked back at these groups and narrowed the scope for the cottagers in particular. The reason for this narrow focus was that I wanted specifically to speak with cottagers who were clearly thinking about and involved in conservation, and thus thinking about the ideas that I was planning to explore. I looked to the Georgian Bay Land Trust website to find a list of their Trust properties, which displays the name of the donor and the Land Steward, and after locating those properties donated and/or stewarded by members of the Madawaska Club, I contacted eleven individuals by phone or in person, and invited them to participate. Nine agreed to participate. What was initially a purposeful approach to sampling evolved somewhat into snowball sampling, when individuals suggested others to speak with, thus leading to one interview with a cottager from outside of the Madawaska Club area (hailing from the Cognashene Cottagers Association), recommended because of his past involvement as Chair of the Georgian Bay Land Trust board of directors.

Though I was mostly able to speak with those I contacted, two individuals declined my invitation to participate in an interview. Although he responded to my inquiry with some basic information (some of which was not found on their website), the Executive Director of the Georgian Bay Land Trust declined my request for an interview. He offered to take my emailed-interview questions to the Georgian Bay Land Trust board, however my multiple emails following up on that offer ultimately went unanswered. I also requested an interview with the President of the Tadenac Club; however, although we met to speak informally, and although he agreed in passing to participate in a formal interview, my attempts to organise that interview ultimately went unanswered.

All but one of the participants were already known to me. Two participants are in fact related to me – my mother and aunt. At first, I thought I should omit them from this research – I simply could not wrap my head around how this could constitute legitimate research. Moreover, I wondered if this presented an ethical problem – would I be less critical in my analysis of their responses to my question

because I am related to them, and we share property? Indeed, I would surely be implicated in any answers or comments they would provide. On the other hand, when I considered the implications of *not* including them in the research, I concluded that excluding them would enable me to distance myself from my own personal culpability as a settler whose family owns a cottage and land in Moose Deer Point First Nation's (and other Anishinaabe peoples') traditional territory, and whose family has donated to the very conservation organisation that I am examining. Kovach (2009, p. 51) points out that "having a pre-existing and ongoing relationship with participants is an accepted characteristic of research according to tribal paradigms". In acknowledging the legitimacy of this intimacy with the research, I am reminded of how a person can be both an insider and an outsider, that "we all carry our own experiences and knowing about our culture, and while we can share some general insights with each other we are also outsiders" (Kovach, 2009, p. 51). Ultimately, I chose to include the focus group with my mother and aunt – after all, I *want* to make plain the close connection that I hold, as researcher, to these questions and issues. Before I even began conducting this research, I met with my immediate family members with whom I share a family cottage to let them know that I was about to embark on this research, and to receive their blessing. We discussed the possibility that members of our community might not like my critique, and discussed how this could present problems for us as a family in this close community. In the end, we agreed that this research is important to do, perhaps *because* we are so enmeshed with the implications.

The details of these research conversations (including more on the discussion about ethics) are presented in more detail in Chapter 4, where I share some of the demographic information, present the questions posed, discuss the use of constructivist grounded theory methods, and explore the results of the interviews. All of the cottager participants had the issue of property ownership informing their responses to my questions, and they were mostly (all-but-one) from my own cottage community, so their responses may become known by other community members. All participants consented to participate, despite this possibility.

Conversations With Other-Than-Human-Persons: Learning to See Plants and Animals as Kin

Through my research I am learning to understand my relationship with Creation differently (see Chapter 5). I am beginning to understand that I have relationships not only with fellow humans, but also with animals, plants, water, rocks, etc. I am learning to see them as kin and, in so doing, to open up a space for conversation with other-than-human species understood now instead as persons. This awareness

has manifested in multiple ways. Early on, I began to take semaa, and lay it down in gratitude to Creation for all the gifts we have been given.¹⁰ For much of the writing process, I began my days with a ceremony that included a prayer to acknowledge treaty (including sacred treaties made with Creation), and voicing prayer that I have the wisdom to share my gifts when they are needed, *and* the humility to offer up my needs, so that I can enter into and uphold a circle of reciprocity as best I know how. “As best I know how” is not insignificant, for my knowledge of the gift economy or reciprocity is limited, and sometimes I reflect that the best I can hope for is that my intentions are good.

This learning has manifested in other ways since the birth of my son in March of 2020. As he began to speak, I pointed out animals and tried to use a language that acknowledges them as kin, as person (“he” or “she” or “they”), rather than identifies them as an “it”. This new practice seems a good way to teach him a different way to be in the world, for when we refer to plants and animals as “it”, they become an object in our eyes, making it much simpler to absolve “ourselves of moral responsibility and [open] the door to exploitation” (Kimmerer, 2014a, p. 57). Then again, Kimmerer (2014a, p. 57) points out that “toddlers speak of plants and animals as if they were people, expending to them self and intention and compassion – until we teach them not to”. So, perhaps it’s my son who is teaching me, not the other way around. I have also begun to show him about semaa and giving thanks to Creation, for as Kimmerer (2014a) points out, “ceremony is a vehicle for belonging – to a family, to a people, and to the land” (p. 37). This experience of stepping into ceremony and shifting my perspective of my own relationships has accompanied the research, thus transforming what would have been a largely intellectual process from a western-scientific approach, into an embodied process.

d. Writing

The ultimate purpose of this dissertation research is to elucidate the reality of settler colonialism, and the dispossession of Indigenous peoples from their lands as a result of settler ways of being, prior to, or perhaps more accurately, *alongside* attempting the work of reconciliation. To do so, I engage in dialogue

¹⁰ I have access to sacred tobacco grown for the Chapel Royal at Massey College, in Toronto. In 2017, the Chapel at Massey College received the Royal designation from the late Queen Elizabeth II. With this designation, the Chapel became a Chapel Royal, and was given the Anishinaabemowin name Gi-Chi-Twaa Gimaa Kwe Mississauga Anishinaabek Aname Amik (The Queen’s Mississauga Anishinaabek Sacred Place). The Chapel Royal sacred tobacco is grown in ceremony, and is made available to users of the Chapel, as well as given in tobacco bundles on special occasions: Chief LaForme of the Mississaugas of the Credit First Nation and former Chief of the Assembly of First Nations Bellegarde sent Chapel Royal tobacco to King Charles on the occasion of his coronation; the Principal of Massey College has presented Chapel Royal tobacco to Chief LaForme and Elders of the Mississaugas of the Credit. For several years, I was a member of the Chapel Royal committee, and I wrote much of this dissertation in the basement study carrels of Massey College, spending time for prayer and reflection in the Chapel.

with my own community in such a way that they open up to the possibility of self-critique, rather than close down and turn away. Given the deeply emotional and complicated nature of this research, and the various and interconnected relationships that may be strained in the process, it was critical for me to take great care in the way that I communicated in the interviews and focus groups – through how I spoke, as well as how I listened.

In her work on decolonising the cultures of planning, Libby Porter (2010) wrote of the “necessity of a radical politic of love” (p. 153); the more that I see polarity in the politics of our society, and in our inability to engage in challenging conversations compassionately, the more I believe that a radical politic of love really is necessary. The interviews with cottagers brought out an underlying tension for cottagers of the concern expressed for Indigenous peoples, a desire to walk down a path of truth and reconciliation, with shame and guilt around lack of knowledge about Indigenous peoples in Georgian Bay. A sense of shame and guilt can arise in such conversations, even when a person was not directly implicated in the moral violations being spoken of (Allpress et al., 2010). This experience of guilt and shame can be useful, particularly when it takes place at a group level. Allpress et al. (2010) found that shame and guilt at the group level, which they call “essence shame”, when seen as having “violated an important moral standard,” (p. 77), when the effect of these actions can be recognised by individuals in this group, and when these individuals believe such actions reflect poorly on their group, can lead to changes in behaviour that are seen to improve the group’s moral standing (pp.78-82).

In the case of cottagers seeking to address the harms of colonisation and to engage in a process of truth and reconciliation, I anticipate that this experience of essence shame may emerge, thus I wish to respond with compassion so as to ensure that this experience of shame or guilt can lead to deeper learning. Indeed, that is the goal for the knowledge mobilisation that I intend to embark on after this dissertation. For this reason, I draw on the practice of nonviolent communication to help guide my process of gathering knowledge from people. Nonviolent communication was developed by psychologist and mediator Marshall Rosenberg initially as he grappled with mediation in the context of civil rights activism in 1960s Detroit (Centre for Nonviolent Communication, 2016). The nonviolent communication practice presents a way of speaking and interpreting that identifies and focuses on the emotions, values, and experiences of the other and oneself, rather than blame, judgement, and domination, in order to foster empathy, build connection, and work towards reconciliation (which, as mentioned above, looks different depending on the individuals or community). Nonviolent communication offers an approach to

communication that does not push aside the reality of wrong-doing and harm, but rather, fosters compassion such that conversations can be had in a more healing manner (Lawrie, 2000).

In the context of structural violence such as planning systems that alienate Indigenous peoples from their lands and waters and thus prevent them from passing on their culture and way of life, nonviolent communication must not be conflated with non-violent forms of resistance (Ben-Abba, 2016). While certainly not an elixir, nonviolent communication may however provide a way-in to those challenging conversations. Even though I may still be unsuccessful in drawing in those settler peoples who are unwilling to listen, by making use of nonviolent communication as a tool for dialogue, there is perhaps more of a chance that this *could* happen. Moreover, as a researcher with a close personal connection to the subject matter and communities involved, nonviolent communication helps me to manage my own experience of engaging in emotionally challenging discussions.

This relationship-centred approach, focused on building and maintaining connection between people in dialogue, aligns with what many Indigenous writers have shared. Stan McKay (Cree Elder, and past Moderator of the United Church of Canada) encourages an emphasis on the interdependence and interconnectedness of life, pointing out that “‘respect’ is central to our movement into harmony with other communities. Respecting others means we accept diversity within the unity of the Creator. We can then engage in dialogue in a global community that does not fall back on defensive arguments to protect any one truth. Instead of making dogmatic pronouncements, we can share stories. Instead of just talking, we can listen” (McKay, 1992, p. 31). Moreover, drawing on numerous Indigenous researchers, Wilson (2008) contends that for research to fit into an Indigenous research paradigm, it “must use relational accountability, that is, [it] must be connected to a part of a community (set of relationships), if it is to be counted as Indigenous” (p. 42). Indeed, as McGregor (2000, p. 207) concluded in her study of traditional ecological knowledge in the forestry industry, one cannot stress enough

the importance of relationship building and assisting Aboriginal people in reconstructing their nations. Based on the insight gained through the words and experiences of the planning participants engaged in this research, relationship building will come to be the primary mechanism through which Traditional Ecological Knowledge is applied in sustainable forest management.

McGregor is writing of an Indigenous context; however, this is good guidance for settler communities too. It is this compassionate approach to communication that I believe is necessary in order to meet the shame and guilt that often emerges when discussing colonisation with settler people, particularly white settler people, which did indeed present itself in the interviews.

Conclusion

Throughout this research journey, I have repeatedly circled back to my decision to take up an Indigenous research methodology and questioned that decision. I have deeply enjoyed exploring these ideas in conversation with others, holding things in tension in my mind, and exploring the ideas from various perspectives. It seemed that once I went to type the words onto this “paper”, eventually to be printed, my body would react viscerally. Even in that fact, I can see that my experience of writing this dissertation illustrates the challenge of unsettling settler ways of knowing and doing; the very act of writing this dissertation, the form it must take, bristles in the face of the ideas I am trying to explore, the tension I experience in trying to hold space for competing perspectives. Speaking as a cottager and aspiring ally to Indigenous peoples, the reality of cottagers’ inherited responsibility and ongoing involvement in the harms that colonisation has inflicted on Indigenous peoples (and indeed on settler peoples themselves, to a different extent) is painful to bear. But my goal with this research is to encourage those who have gone so far as to learn these uncomfortable truths to stick to this twisting path that is truth and reconciliation, to continue to learn, and eventually to become genuine allies and good neighbours to Indigenous peoples.

My methodology does not present an exhaustive overview of the literature on Indigenous methodologies, nor could it. There is far more to Indigenous research methods now than there was when I conducted the bulk of this research, and the point I am hoping to make throughout this dissertation is not an evaluation of how well I followed an Indigenous research method, but a window into what it looks like for this one person to grapple with such an approach. Having said that, when I look back to Smith’s (2003) list of key elements of Indigenous theory presented earlier in this chapter, I find myself reassured that, flawed as my efforts may be, this research does indeed align with that list. It is located within a site of cultural significance to the Moose Deer Point First Nation, and emerged from a process that saw me engaged with the community. Although the initiative to conduct the research was my own, the research question and overall project was shaped by the community as well. I have done my best to understand something of the cultural and epistemic foundations of various Indigenous worldviews, but especially Anishinaabe, and my research is most certainly focused on change – change that has occurred, and change that might occur if certain conditions are met. I am making use of Kovach’s (2009; 2021) Indigenous conceptual framework, which seems to be flexible enough to make space for a settler researcher seeking to engage in Indigenous research methodology, and I have indeed

engaged with other theories. Making use of this framework has enabled me to take a critical look at the topic of research in unexpected ways. As Smith (2003) argues, Indigenous research must be “workable for a variety of sites of struggle” (Kovach, 2021, p. 184). I hope that if Kovach were to see my adaptation of her framework, she would feel that I did that framework justice.

Chapter 4. Learning from Moose Deer Point First Nation and Cottager Communities

I. Introduction

In order to examine the impact that settler cottager environmental conservation efforts have had on Indigenous peoples' loss of sovereignty over their lands and waters (the main inquiry of this dissertation), it is important to hear directly from both the Moose Deer Point First Nation community and the settler cottager community. Learning about peoples' relationship with the land reveals something of the differing perspectives on human-Creation relationships between Indigenous and settler communities who live on Georgian Bay. It helps us to see the problematic side of environmental conservation, and how we might do conservation in a way that helps us walk along a path of truth and reconciliation.

Preliminary research, highlighted in Chapter 2, shows us that the conservation movement does indeed have a history of dispossessing Indigenous peoples of their lands. In Chapter 3, I explained my intention to be guided by Indigenous methods, drawing on the iterative structure of constructivist grounded theory. One element of the research strategy was to ensure that the exploration was grounded in the needs of the Moose Deer Point First Nation community. To do so, I began the research with community information sessions that created space for community members to ask questions of me as a researcher, and also to present me with questions they wanted me to examine. Two questions that emerged from these discussions. The first question was "How does the Georgian Bay Land Trust's work now affect the future generations?" This question emerged as a result of the recent donation of land owned by the Tadenac Fishing Club on territory that Moose Deer Point First Nation has historically used, and which has been the site of tension around land use in recent decades. News that land was donated to the Land Trust without any engagement or consultation with the Moose Deer Point community was met with frustration. The second question was "How can we improve relations with cottagers?" These questions guided my research, interviews, and writing. The focus on the Land Trust became a way to reflect on the local impacts of conservation, and to acknowledge the leadership role that the Land Trust has taken up in the Georgian Bay region. The focus on cottager relations became a way to approach my journey of truth and reconciliation, and informs the tone that I use in this writing,

in that I am consistently reflecting on how my writing can draw a cottager into it, even with critique of our cottage community's assumptions and approaches.

To understand how the Georgian Bay Land Trust – and environmental conservation more broadly – will impact Moose Deer Point First Nation's next generation, then, I had to look backwards and examine how the Moose Deer Point community has been affected already by the emergence and growth of cottager communities, which are leading the environmental conservation efforts in Georgian Bay. I also sought to gain insight into differences in cottager and Indigenous understandings of their belonging in place, and their relationship with the earth. The primary way that I made use of the interviews was to let the questions raised and the issues highlighted in those conversations inform the structure of the chapters. After drafting much of the paper, I returned to the interview transcripts and wove in pertinent quotations throughout the dissertation to help bring the issues into a local focus.

This chapter presents some of the findings from the interviews and focus groups conducted with members of Moose Deer Point First Nation, and cottagers drawn largely from my own community the Madawaska Club at Go Home Bay who are involved with the Georgian Bay Land Trust. Section II presents those research discussions, explains how they were conducted, and highlights any ethical issues that arose and how the participants' responses were interpreted. Section III looks at the themes that emerged from those conversations, and discusses the significance and implications for the research.

II. Conducting Interviews and Focus Groups

i. Sampling

Altogether I met with 26 people, over five focus groups and five interviews, during August and September of 2019. Participants were drawn from two communities: the Indigenous community of Moose Deer Point First Nation, and the cottager community who volunteer for the Georgian Bay Land Trust (mostly from the Madawaska Club at Go Home Bay). To gather participants from Moose Deer Point First Nation, I hosted a research information session (advertised through the community newsletter and on Facebook), and at the end of the session, I invited participants to sign up to be an interview or focus group participant. Some people suggested names of community members who had not attended the meeting, and I connected with them after the meeting as well.

To gather cottager participants, I reached out directly to those Madawaska Club community members that I knew were volunteers for the Georgian Bay Land Trust, some of whom had also donated

land. I wanted to interview cottagers who volunteered time and, in some instances land, to the Land Trust, because it could provide a picture of the perceptions of those cottagers that are able to influence land use planning through conservation means. These participants were volunteers as stewards of Georgian Bay Land Trust properties (or had been in the past) – it was their responsibility to keep an eye on these lands, to identify sightings of endangered species, for example, or alert the Land Trust of anything untoward, such as unsanctioned use of the property. One of the interview participants was not from my community, but through these research discussions I was directed to someone from the Cognashene cottage community who had also been a volunteer for the Land Trust, who agreed to participate as well.

It is important to make clear that *neither* group of participants represent the opinions of their community as a whole. These interviews and focus groups were not intended to provide a representative view of the entirety of a community. It was interesting to note, however, that the conversations and responses from the cottager community participants did align with the research about cottage communities’ perception of the environment, and the conversations with the Moose Deer Point participants reflected some of the themes and issues that emerged from both the Royal Commission on Aboriginal Peoples (1996) and the Truth and Reconciliation Commission (2015).

I should also note that the interviews with cottager-volunteers for the Georgian Bay Land Trust do not represent a response from the Land Trust itself. I did attempt to formally interview representatives of the Georgian Bay Land Trust and the Tadenac Fishing Club but was unsuccessful and therefore our conversations were limited to initial emails and off-the-record conversations.

Table 1 details some of the demographic information:

Table 1: Research Conversations <i>Breaking down the numbers of Interviews and Focus Groups</i>		
Number of Participants		
	Total	26
Age range of Participants		
	Over-all	16-79 years
	Cottagers	36-79 years
	Moose Deer Point First Nation	16*-70 (approximately) years
	<i>*8 youth participants, between 17-18 years</i>	
Gender of Participants		

	Male	13
	Female	13
Community of Participants		
	Cottagers	9
	<i>Madawaska Club</i>	8* <i>*All are land stewards; 7/8 are land donors</i>
	<i>Cognashene Cottagers Association</i>	1* <i>*Non-land steward</i>
	Moose Deer Point First Nation	17
Type of conversation		
	Interviews (one-on-one)	8
	Focus groups (two or more)	5

ii. Questions

The questions for the focus groups and the interviews were similar, however due to the nature of the group dynamic, the focus group discussions would sometimes diverge from the questions posed more than in the one-on-one interviews did. The questions that I asked participants were informed by the preliminary research conducted at the outset of the dissertation, and were tailored somewhat to the context of the community. In order to examine the impact of the work of the Georgian Bay Land Trust on the future generations of Moose Deer Point First Nation, I sought to gain a basic understanding of the relationship of Moose Deer Point with the lands and waters on which they live, in the reserve and in the surrounding area. Given that the Georgian Bay Land Trust is run by settler-cottagers, and volunteers are also settler-cottagers, I felt it was important to gain an understanding of their or, given that my family is part of that community, *our* – relationship with the lands and waters around us. In order to understand why the Georgian Bay Land Trust formed, what it has achieved, and its goals for the future, it is helpful to understand something about the values held by at least a sample of its community.

For both groups of interviews, the questions that were posed inquired broadly about the participants’ relationship to their home in Georgian Bay, what they value about the place (community or the area), and the role of interaction with the place in knowledge transfer from one generation to the next. While there were some similar questions asked of all the participants, some questions were tailored deliberately for each group. See Table 2 for a list of the questions posed.

Table 2: Research Conversation Questions

Questions for Interviews and Focus Groups with Moose Deer Point First Nation and Local Cottagers	
Questions for both groups	<i>When did your family first come to this place?</i>
	<i>What are the things you value most about Georgian Bay and your home here?</i>
	<i>How do you interact with the environment?</i>
	<i>What role does interaction with the environment play in passing on knowledge from one generation to the next?</i>
Additional questions to the Moose Deer Point First Nation participants:	<i>How did you learn about Creation and this place as a child?</i>
	<i>How has that teaching/learning changed? How do your children/nieces/nephews/grandchildren learn about Creation today?</i>
	<i>How has your relationship with the land and waters changed over your lifetime, and in your family and/or community's history?</i>
	<i>How have you been prevented from accessing lands that you used to access, whether for hunting/gathering/fishing, etc.</i>
Additional questions to the Georgian Bay Land Trust/Madawaska Club cottager participants:	<i>What role does technology play in your experience here?</i>
	<i>How does the property value of your cottage impact your experience, if at all?</i>
	<i>What relevance does Truth and Reconciliation have to your experience as a cottager?</i>
	<i>What, if anything, do you know of the Indigenous history of Georgian Bay?</i>
	<i>In what capacity are you involved in the Georgian Bay Land Trust? What motivates your involvement?</i>
	<i>What areas do you anticipate the Georgian Bay Land Trust to move forward focusing on? What do you hope they will focus on?</i>
	<i>What relevance does the perspectives of the Indigenous peoples in Georgian Bay have for the GBLT?</i>

I shared with participants their interview recording and transcript -- and if I used a quotation from their interview (even though I have not shared the names of participants in the research as I did not see that information as crucial to share), I shared with them the segment in which it appeared, with a bit of explanation around the wider context, asking them if their quotation seemed to be within the appropriate context. As the researcher, I hold some level of power in this context (Kovach, 2021), as I am the one able to communicate my own interpretation of whatever the participant has shared with me. In order to address this power dynamic, and “to value the relationship and be congruent with the methodology,” I chose to give participants the final approval on the use of the quotation(s) from their interview (Kovach, 2009, p. 51).

The interviews were conducted in person, following an initial discussion and signing of the consent form. I requested permission to record the conversations, and all participants provided their consent, as well as their consent to be named. I chose to anonymise the participants, however, because their names did not have significant bearing on the content or the significance of the interviews. What follows next is an explanation of how I processed and analysed these conversations, incorporating them into the dissertation, and a summary of the themes that emerged.

iii. Ethics

I approached interviews with the idea of reciprocity and gift-giving in mind. Pointing to the etymology of the word “data” – that it is the “neuter past participle of *dare* ‘give’” (Stevenson as cited in Kovach, 2021, p. 155) – Kovach (2021) seamlessly draws on Indigenous epistemology to interpret data gathered through qualitative research methods as a process of gift giving. As I was learning about Indigenous ways of knowing at the same time as conducting this research, my understanding of gift-giving has evolved, somewhat, since conducting the interviews. At the time, I chose to share *semaa* (sacred tobacco) with the Indigenous people I interviewed, as an offering in recognition of what I was asking of them, i.e., to share their thoughts and their knowledge with me for this research. As time went on, I learned about the gift economy and reciprocity in some more depth (as seen in Chapter 5), however my efforts at the start were extremely simplistic, and still now I feel my effort to live into a gift-economy is only so much as to ruffle the feathers of my liberal way of being and doing.

And yet despite my intentions towards reciprocity, I must acknowledge the uneven power dynamics and conflicts of interest (real and perceived) inherent in this research. To begin with, these interviews contribute to my dissertation, and thus to the completion of my PhD, which will in turn benefit my career trajectory, whether I pursue an academic career or otherwise. There is not necessarily any immediate benefit to those who participated in these interviews, while I, on the other hand, have already received some contract work in part as a result of this research (and as a result of my professional work beyond this research). To try to find some balance, I have committed to transforming various aspects of this research into material that can be used by the communities with which I engaged. I believe effective knowledge mobilisation is part of an ethical approach research to research.

With Moose Deer Point First Nation, I have committed to presenting the material in a community presentation, and to working with staff to ascertain what sort of materials I could produce

from the findings of this dissertation that could be helpful to the Moose Deer Point First Nation community. For my own community, I have committed similarly to transform the findings from this dissertation into materials that could be useful for the community to learn more about Moose Deer Point First Nation, and about our impact on them and on Indigenous communities in Georgian Bay more broadly. I will also endeavour to present my findings to the Georgian Bay Land Trust, so that they might benefit from the work and the over all critique.

There is also the issue of conflict of interest that is present throughout the dissertation. Indeed, I have made a point to make that conflict of interest plain – the Preface lays bare the fact that my own family donated property in Georgian Bay to the Georgian Bay Land Trust. We therefore benefit from the land use rules of the Land Trust, which limit activity on the property adjacent to that which we still own, and which thus enable the privacy we are privileged to have. Clearly, we have a vested interest in the Land Trust continuing to thrive, and so someone reading this might wonder if that fact has caused me to cushion my critique of the Land Trust, and of settler-cottager communities in Georgian Bay in general. This fact did indeed affect my research – I was often preoccupied with my concern for caring for the relationships my own family holds with other members of our community, and with the Land Trust itself. Yet over the years since our family donated this land in 2012, we have questioned our decision to do so for a number of reasons, one of which was to wonder why we didn't donate the land directly to a First Nation, or at least to question why there was no Indigenous involvement with the Land Trust. Ultimately, and after conversations with the members of my family with whom I share the cottage, I decided that although my family and our relations with our cottage community might be impacted by this research, it was important to go ahead with the research.

In choosing to conduct interviews with community members who have experience as volunteers for the Land Trust through stewardship roles and property donation, I knew that two of those potential participants would be my mother and aunt. In considering the ethics of doing so, I reflected that on one hand, perhaps an interview with them would reveal nothing, and wouldn't contribute much to the research. Indeed, perhaps an interview with them would detract from the research – it could cause me to be even more reserved with my critique of cottagers and environmental conservation. On the other hand, I reflected that including them would make it even more plain that I am implicating myself and my own family in my critique. By doing so, I wondered if that might help to convince fellow cottagers to step into this challenging process of self-reflection and critique. Furthermore, in looking to Kovach's (2009) writings on Indigenous research methods, although I can see that my efforts to do so are flawed, I chose

to lean very much into her comments that “to embrace Indigenous methodologies it to accept subjective knowledge” (p. 111) and that the process of “[c]ritically reflective self-location is a strategy to keep us aware of the power dynamic flowing back and forth between researcher and participant” (p. 112). Doing so, Kovach tells us, enables the researcher to “consciously assert from where their strength comes” (p. 112). I see the fact that my own family is included in the collection of research participants as a strength because it helps to demonstrate the fact that I am not simply critiquing others am but in fact including myself and my kin in my critique. Including them in this research helps to acknowledge that my own perspective has been shaped by their perspectives, and they will filter in no matter what. I hope this approach can become a tool of persuasion, to help my community and communities like ours to embrace these sometimes-paralysing conversations.

iv. Processing Knowledge Gathered

There are three steps to the constructivist grounded theory method of analysing the knowledge gathered (data analysis): 1) coding and theorising; 2) memoing and theorising; and 3) integrating, refining, and writing up the theory.

Step 1: Transcription and Coding

To begin with, I created transcripts of each interview/focus group, using the software Otter AI to transform them from audio into text. The software, though good, did not produce a perfect transcript, thus requiring me to listen through the transcript and correct the text. I chose to be quite thorough and do this for the entire transcript, rather than simply edit whatever quotation I ultimately used, because I would eventually be sending the transcript back to the participants and wanted them to have an easily legible copy. This approach seemed particularly important, given that the transcripts of the Moose Deer Point First Nation participants may end up being stored in an archive for the band (with the approval of the First Nation). Next, I coded the transcripts, looking for keywords or themes, especially looking out for ones that were relevant to particular chapters in the proposed outline. The categories/themes that emerged gave me an idea of how complex a person’s or community’s relationship with the land can be, and caused me to re-examine the outline of the dissertation, creating more space for particular topics than I had initially intended.

Step 2: Memoing and Reflecting

Understanding the categories was aided by a journal writing (what constructivist grounded theory refers to as memo-writing). I have been keeping a journal focused on this research since I began the PhD program, so continuing that process of grappling with the knowledge gathered through conversations (both formal and informal) made sense. It was helpful to reflect in that journal on the varying experiences I had with the research conversations. For instance, after the first focus group, I reflected: “Last week’s focus group was interesting – good discussion, with a range of experiences, but all seemed to point in a good direction with respect to my overarching research thesis. It’s a bit overwhelming to think of the trust that folks are placing on me.” This focus group left me feeling invigorated and encouraged. Other conversations, however, left me feeling deflated. A few days later I noted: “the two interviews I just conducted with [names omitted] have had me feeling a little worried, wondering if people just aren’t really thinking about what I’m trying to get at; wondering if there’s something wrong with my expectations of how they might respond; wondering if I’m not asking the questions right...”. Being able to look back on how I felt such a range of emotions after these conversations was reassuring on those days when I thought I was not doing things right – I was reminded of the other times when things felt like they were going right. Furthermore, keeping a diary was helpful so that I could reflect on the informal conversations that I was having with different people – conversations that I could not quote in the dissertation, but that were shaping my approach to the research, whether that be the structure of the dissertation or the conversations themselves.

Step 3: Shaping the Dissertation and Integrating Knowledge Gathered

This third step was challenging and somewhat disjointed. At the start of writing the dissertation, I drew on the research conversations to shape the structure of the dissertation. However, since I found that the structure continued to shift the more that I wrote, I chose not to incorporate quotations until I reached the end of a draft, and had a better sense of what the final structure would look like. I then went back to the transcripts and notes and encountered a stumbling block: I realised, after writing the whole dissertation, that I wished I had asked questions differently, or was able to go follow up with those conversations and perhaps ask follow-up questions to clarify comments. This was not possible, given that after completing the interviews and focus groups, I went on maternity leave, and around the same time the Covid 19 pandemic broke out. Going back to the communities and meeting with people in person became impossible for quite some time. However, despite the limitations, upon reflection, the research conversations did indeed bring out an interesting and helpful human element to the dissertation. Furthermore, they helped to establish and deepen my own relationships particularly with

the Moose Deer Point First Nation, paving the way for further research endeavours with them, as well hopefully facilitating knowledge mobilisation after the completion of the dissertation. The following section presents the themes that emerged from these conversations in detail.

III. Results and Discussion

Conducting this knowledge gathering by way of both interviews and focus groups enabled a greater depth of understanding. As the researcher, I sought to honour the “more exploratory approach” of creating space for storytelling in these interviews, and I tried my best at “not interrupting a story to ‘get back to the question’” (Kovach, 2009, p. 125). The group conversations provided the most context and nuance in response to my questions. Having multiple participants prompted memories and thoughts in some of the other participants, thus creating knowledge flow that might otherwise not have occurred in the context of an individual interview. The conversations within the one-on-one interviews, however, tended to stay closer to the line of questioning, though they did not always end up addressing each of the questions. In one case, the interview participant was feeling under the weather, and as a result that conversation was quite short and superficial. In another, the interview participant interpreted some of the questions differently than as I had intended, nevertheless providing me with insight into the overall topic. The following section outlines the results of these research discussions, first with Moose Deer Point First Nation, and second with the cottagers.

i. Interviews and Focus Groups with Moose Deer Point First Nation

In asking the Moose Deer Point First Nation participants questions about their relationship to the land, a clear sense of concern came across about the loss of knowledge of the land, culture, and language, as a result of knowledge keepers and Elders dying, and the gradual erosion of Anishinaabe knowledge. At the same time, however, it was also clear that there is revitalisation work happening, particularly among the youth. I embarked on the interviews/focus groups hoping to understand something about peoples’ relationship with the land, out of these conversations emerged a number of categories of comments, and themes that tied those various categories together.

I can summarise the interview questions in three ways. First, I asked participants about how they or their families came to be where they are now. This drew out conversations about their own personal lives, as well as conversations about their ancestors and historical anecdotes. Second, I asked

them about their relationship with Creation (a.k.a. the land, the environment, etc.), inquiring about the ways that they learned about it as a child, how they pass on knowledge about it now, and what they value most. Although this question seemed mostly focused on the human-earth relationship, it was also about knowledge transfer. Third, I asked them about if/how their access to the lands and waters of their traditional territory have changed over their lifetime. The conversations that were prompted by these inquiries revealed a few themes: identity, loss of land, law, and health. These themes were interwoven throughout the various issues that were discussed, revealing several categories.

Tension Around Identity

A number of participants asserted early on their perception that they aren't really a "traditional" community, that they don't really have Indigenous traditions. This was said sometimes in a way that I understood as a bit defensive, as if to say that to be traditional was somehow negative. For others, it was said with some regret, remarking on the loss of connection to their Anishinaabe and Potawatomi culture. However, throughout the conversations, I heard participants speak of their memories of trapping and hunting with family, of hearing Anishinaabe stories such as the bear walker, of hearing of Potawatomi ceremony taking place. Despite an insistence that they aren't very connected to their Indigenous culture, they described it otherwise.

Tension around where their community's origin(s) emerged often, with several participants speaking of the community as being from somewhere else, and not of this place. The Potawatomi story of 18th and 19th century migration from the southwestern area of the Great Lakes loomed large, and seemed to displace other stories from their background, some participants even referring to themselves as "squatters" in this place. At the same time, participants would mention in passing that they also had relatives in all of the communities around Georgian Bay, that their ancestors who journeyed from the southwestern region of the Great Lakes had been able to stop in Anishinaabe communities along their journey, sometimes marrying in and staying, other times bringing new family with them. Being members of the Three Fires Confederacy came up in a few conversations.

Community Cohesion is a Challenge

The challenge of community cohesion came up in different ways in most of the interviews and focus groups. Sometimes this was attributed to the physical division of the community. The reserve land was allocated into three separate parcels, a fact that was mentioned by three participants. One person referred to the division between families in the community, arguing that this community division aligned with the physical division of those boundary lines (Focus Group 1). Another said that despite the

road divisions the community is still connected (Focus Group 1). A third attributed much of the conflict in the community to the physical division of that road (Interview 7). Although one person expressed a positive perspective of the arrival of the road in the 1950s, mentioning the fact that hospital health care was easier to access with the arrival of the road (Focus Group 2), many participants associated the construction of the road through the community as the moment when community cohesion became a problem, when Anishinaabemowin began disappearing in use, and when knowledge transfer across generations in general began to decline. One person responded that she didn't think that the road had an impact, but then pointed out that if more of the older generation were alive, she might respond differently (Interview 8).

Language Loss and Revitalisation

Most of the participants mentioned language, often to talk about negative side, such as language loss, but sometimes to speak positively, mentioning the language revitalisation that they were seeing starting up with the youth. Several participants spoke about the fact that the past two generations have not been taught the Anishinaabemowin. One participant lamented the fact that she had chosen not to teach her children Anishinaabemowin, though she knew that the older ones could understand a bit (Interview 8). She commented on the fact that she had thought it would be in their interests to learn only English, but that she regrets that decision. Several people spoke about their sadness at not having been taught the language by their parents. Some spoke of the fact that the only time they heard Anishinaabemowin was when family members were inebriated. I could hear that there were mixed feelings about this – both sadness at the fact of alcoholism and the harms it had done, but also gladness that there had been a time when they could hear their language spoken. Many pointed to the arrival of the road in the community as the moment when language started to disappear.

Connection to Land Through Hunting, Trapping, Fishing, Harvesting

In one focus group, the conversation around identity circled around hunting and trapping, with one person saying that she felt connected to her Indigenous identity when she was in proximity with those in her community who continued to hunt and trap, and who knew the land well. Some participants were quick to clarify that they didn't think their community had hunted and trapped in a particularly "Indigenous" or "traditional" way, they had simply done such things to bring in food. Some participants talked of how they continued to hunt, trap, fish, and gather medicines regardless of the land use rules, that they continued to do so across Moose Deer Point First Nation's traditional territory. Others

expressed frustration that they could not do such activities where their families had previously, because of the boundary limits imposed due to private property and conservation and park land.

Some participants mentioned the erosion of agreements with one neighbouring private landowner in particular, the Tadenac Fishing Club, which in previous generations had honoured a verbal agreement to allow the First Nation to traverse the Club's property in the off-season, an agreement which in recent years has not been upheld by the Club. Accessing this land is often for the purposes of hunting, trapping, fishing, and harvesting, and also to visit a Moose Deer Point community burial ground and the place of their original settlement. Participants pointed out that over the past 25 to 35 years or so, that agreement has been eroded, and they are now often met with "no trespassing" signs and threats of legal action for trespassing. Indeed, many participants expressed concern about not wanting to break settler laws, but that obeying these laws meant they were limited in how they could transmit their own culture, which in part depends on teaching on and about the land. There was general concern about the impact of a loss of cultural knowledge and memory, which is exacerbated by the inability to traverse the land beyond the reserve boundaries.

Conflicted Relationship with Settlers

Throughout the interviews there were comments about relations with settlers, mostly referring to cottagers but sometimes meaning club members in the fishing club that resides within Moose Deer Point First Nation's traditional territory and abuts the reserve boundary. Frequent references were made to conflict experienced when accessing lands and waters beyond the boundary of their reserve. For example, numerous participants spoke of being threatened by the fishing club when swimming in the waters, fishing, accessing the burial grounds. Participants also spoke of being threatened when out on islands, for swimming, fishing, berry picking, when they alight on land that is now private property. These were lands that participants grew up going to, but which they are now unable to access. Some participants commented on the irony that some of the same people they have been in such conflicts with are the same people who park their car or boat on the reserve, sometimes right in front of someone's house.

Such comments sometimes led to discussions about the nature of the relations between cottagers and Moose Deer Point First Nation members, that these relationships are essentially contained within a service-customer relationship. One cottager who is referred to in a very positive light regularly, is Wallace Nesbitt, who was a cottager nearby at the turn of the 18th into 19th century, and who helped the community to get reserve land allocated. This cottager hired some of today's Moose

Deer Point First Nation ancestors to work for him, and he went out of his way to help the community. At the same time, he was a member of the fishing club, and that fact complicates the nature of that historical relationship, given the club's ability to buy up an extensive amount of land, much of which is where Moose Deer Point First Nation traditionally hunted, and where their original settlement and burial grounds are located. One of the youth interviewees mentioned that, when he was younger, he had held antipathy towards cottagers without knowing why, and then had changed his perspective as he began to work at the marina. This comment brought up the conversation where participants seemed to be examining how that service-economy-based relationship shaped how they felt about being from this place. There wasn't a conclusion to that conversation, it seemed to be the first time they had considered these questions. Several participants remarked on the fact that their parents seemed to have had more meaningful relationships with cottagers, sometimes even hosting each other at their respective homes, and that this practice doesn't seem to take place now.

Examining the Negative and Positive Impact of the Location of Moose Deer Point First Nation

Several participants also spoke of the location of their community, wondering about the negative and positive impacts of having settled in such an isolated location. The idea that the Moose Deer Point First Nation ancestors chose this general location to settle specifically in order to be away from other communities seems to have been shared by several of the participants. After several decades of failing to settle in one location or another, usually in relatively close proximity to another Indigenous community, eventually they settled in this area which was not close to any other Indigenous or settler communities. Some participants wondered if their community's isolation away from other communities was what protected them from too much settler interference. At the same time, they wondered if this isolation also meant that they were overlooked during treaty making processes, including the 1850 Robinson-Huron and 1923 Williams Treaties, both of which they were excluded from despite residing within the area of both treaties at the time of the surveying of communities within the area and the signing of the treaties.

Concern Around Land Use Decisions Made Without Their Consent in Their Territory

Several people expressed frustration to learn that decisions were being made about land use in their territory and abutting their reserve without their knowledge, and with the influence of cottager communities, by cottager associations and environmental groups. A frequent topic of frustration that was mentioned throughout the interviews and focus groups was of lands that were sold off to become private property, club property, or nature reserve. In particular, participants spoke of the land within the

Tadenac Club property (the fishing club that abuts the reserve) and the O'Donnell Point Provincial Park, expressing frustration that these were areas where they used to hunt, trap, fish, and gather plants, and where now they are restricted from doing so. Participants wondered how the Tadenac Club had been able to purchase land where their ancestors had lived, and wondered why their ancestors had moved. Participants also wondered how the provincial park had become designated without engaging with their community – no one I spoke with, including several who were staff or council members at the time or previously, had any recollection of a consultation process when the O'Donnell Point was designated a Provincial Park in 1985.

There was also frustration expressed at the changes made to the Tadenac Club property in partnership with the Georgian Bay Land Trust, without engaging with Moose Deer Point First Nation. Many participants did not know about the Land Trust, a charitable organisation which encourages cottagers across the eastern shoreline of Georgian Bay to donate property to the land trust, but which at the time of these interviews had not engaged with the Moose Deer Point community about these efforts broadly, and within their territory. The fact that the Tadenac Club had donated a significant amount of land to the Georgian Bay Land Trust, and that the Georgian Bay Land Trust had received a significant amount of money from the federal government to support the Tadenac Conservation Easement initiative, caused consternation among several participants. Indeed, several people brought up questions about the Tadenac Club, including wondering why their ancestors had been persuaded to move away from the original settlement, land which was subsequently purchased by the Tadenac Club, and wondering why the Club seems to have special property rights, such as uniquely held water rights.

Transmission of Cultural and Historical Knowledge of the Community

Connected to participants' concerns around language, hunting practices, and access to traditional territory was the discussion of how knowledge of their culture was being transmitted – or not. In these conversations, participants began wondering whether their decreasing ability to access the lands and waters that they had in the past, as well as the increased accessibility of settler spaces such as cities as a result of municipal transportation infrastructure (e.g., the Twelve Mile Bay Road), were somehow tied to the decline in knowledge of the community's language and practices. Several participants spoke of their sadness at not being able to learn more about their culture from community members who had died. Some also spoke of how they held knowledge that they would like to share with others, especially with the younger generation, but expressed frustration that either they didn't see opportunities to share that knowledge, or they didn't necessarily trust that people would use that knowledge in a good way.

Concern About Health of the Land, Water, and People

The health of the land, water, and people seemed interlinked with other topics in these conversations. Participants spoke of concern around water quality, several mentioning how they used to swim in the lake and drink the water when they were young, that it was clean then, but that in the past few decades they have observed that it has become polluted, perhaps due to the boats using the marinas, and the sewage systems of cottages and cruiser boats. In discussing the transmission of cultural knowledge, especially language, two participants mentioned the fact that they would hear their fathers and uncles speak in Anishinaabemowin or share traditional stories only when they were inebriated. This revealed something of the complicated nature of knowledge transmission in a community struggling with mental and physical health issues – that certain behaviours could be viewed both negatively for its harmful impacts and positively for opening a window into knowledge of culture and history.

Concern That Following Settler Law Can Undermine Following Anishinaabe Law

Several participants spoke of their conflicted feelings around teaching their children to obey land use rules set down by the settler state. One participant pointed out that while he didn't bother obeying settler laws, and he would hunt where he needed to regardless of private property or provincial park boundary lines, he didn't bring the younger generation with him then, so they wouldn't get into trouble. Another spoke of how he is considering no longer renewing his provincial licenses for hunting and fishing, because he wants to assert his Indigenous rights to do so instead, and believes that he shouldn't have to use a license. Another participant spoke about how she worried that in making sure her children followed the settler laws, perhaps she was undermining their ability to learn about Anishinaabe laws which are taught through lessons about relationship with the land. In preventing her children from accessing lands within their traditional territory that fell within what is now private property and conservation lands, she wondered, was she inadvertently preventing them from learning about the plants and animals residing there? Was this also inhibiting their ability to learn the language?

Discussion of Themes From Interviews and Focus Groups With Moose Deer Point First Nation

From these conversations, it seems that the Moose Deer Point First Nation community is struggling to come to terms with its history and context. Participants wondered why Moose Deer Point First Nation has been marginalised from other Indigenous communities and excluded from treaty rights, and began to explore how to assert themselves as an Indigenous nation in Georgian Bay. These conversations revealed a glimpse of a community that has both benefitted from its geographic isolation, and also been

marginalised by that reality. Participants spoke of themselves as coming both from the Pottawatomi territory around the southern end of Lake Michigan, as well as from the overarching Anishinaabe territory of the Great Lakes, and specific communities around Georgian Bay. They reveal a community of people who are deeply rooted in the land (e.g., hunting, fishing, trapping, with connections to communities all around Georgian Bay), but who have been disconnected from those roots as a result of land use changes that curtail their access to lands and waters (e.g., road infrastructure, sale of Crown lands into private property and nature reserve lands). Participants often followed up comments about hunting and trapping, or taking food (berries or animals) somewhere to sell, with a comment about how this wasn't a "traditional Indigenous practice", it was just them getting food onto the table. Such comments reveal a real self-consciousness of identity, and in Chapter 5 and 6, we'll get a better sense of the dual approach to belonging (via Anishinaabe law in some ways, and settler law in others) that perhaps led to this self-consciousness.

There is also a history of being pushed around (e.g., tension across Christian denominations causing some ancestors to leave previous locations, being persuaded to move location in order to acquire band status). Participants spoke often of the importance of language and ceremony, with respect to revitalisation (e.g., Anishinaabemowin introductions, excitement at learning, connecting to ancestors by learning what they spoke and did), as well as to traditional knowledge and language loss (e.g., parents choosing to protect children from harm by not teaching Anishinaabemowin, not passing on knowledge due to mental health problems). Cottagers were spoken of both with regard to conflict about land use, as well as a desire to improve relationships.

When I set out to interview Moose Deer Point First Nation community members, I sought to learn something about their relationship with Creation, that is, how they understand their place in relation to the lands, waters, the plants and animals, and indeed the context of the Anishinaabe territory and settler conceptions of space. I asked simple questions that sometimes elicited direct responses, but often these questions sparked conversations about a wide range of topics. At times, I found it frustrating, thinking at first that my questions had been poorly posed, that they hadn't been understood. However, as I analysed the interviews and reflected on them, I came to see that the wide ranging responses reveal something fundamentally important about Anishinaabe understandings of relationship with Creation: connection to the land is enmeshed with individual and community well-being, and transmission of cultural knowledge (whether through language; hunting, trapping, fishing,

harvesting; ceremony; or stories) depends on this connection. When this connection to land is severed, the health and well-being of the individual and the community as a whole is compromised.

This disconnection between people/community and land seems to have been started by migration and local movement that was prompted by way of colonisation and war early in the Moose Deer Point First Nation story (18th and 19th century conflict with settlers, the American Revolution, and the War of 1812), and more recently 19th century movements around the Great Lakes, and Georgian Bay/Lake Huron in particular. The continued alienation from the lands and waters that Moose Deer Point First Nation and their ancestors have traditionally made use of has been caused by decreased access to these lands and waters, due in particular to the sale of islands and waterfront land by the Crown in the 20th century. Around Moose Deer Point First Nation, much of these lands have become park land as well as conservation land. A number of areas of focus are coming into view; however, before we explore how these interviews and focus groups have shaped the rest of the dissertation, let us look to the conversations with cottagers.

ii. Interviews and Focus Groups With Cottager-Volunteers of Georgian Bay Land Trust

The conversations with cottagers felt very different from those with the Moose Deer Point First Nation. Whereas during the Moose Deer Point First Nation conversations I felt my presence as an outsider, during the cottager conversations (given my position as a cottager, myself, and in one focus group, the daughter/niece of the participants) I felt very much implicated in the conversation. This was a very moving experience for me. With the cottagers, I listened to participants speak with passion about a place that I too love, expressing thoughts and feelings that very often reflected my own, if not right at that moment, then at least at some time in the past – in this way, I felt very closely connected to the participants.

Yet at the same time, it was uncomfortable: given my research into the subject, I could see that much of what was said during those cottager conversations very much reflected the larger picture of settler cottagers' experience in Ontario, despite the fact that each participant seemed to feel that their experience was unique or unusual. I could also see that it was uncomfortable at times for the participants. When speaking about Indigenous issues, many participants spoke haltingly, expressing shame and embarrassment at their lack of knowledge and uncertainty around vocabulary. This awkwardness was notable after speaking so eloquently and effortlessly about their thoughts about their

cottage and Georgian Bay and protecting the land from development. This conflicted feeling about Georgian Bay certainly reflected my own. It was especially interesting to see the categories of issues emerge from these conversations.

Identity Tied to Georgian Bay

Most of the participants indicated that they had been coming to Georgian Bay since they were babies, and all but one had parents and grandparents and a few with great grandparents who had a cottage in this particular community or elsewhere in Georgian Bay. Participants made it clear that although they all lived in cities throughout the year, they identified Georgian Bay and their cottage as their “home”, sometimes referring to it as a spiritual home, sometimes as a family home. In a few of the conversations, the fact that some cottagers were “newcomers” came up – no the face of it, these comments were made almost in jest, jovially. However, the fact of having multiple generations of family calling this place home came across as a significant fact for participants. Several pointed out that especially because family members moved relatively frequently, and to sometimes far flung places, the family cottage becomes the focal point for the family, where they could gather and be whole again.

Connection to the Land

Participants’ love for the land came across very strongly. Many described their relationship to the place as one of a carer, or custodian, and not really as a property owner. However, this notion seemed to be contradicted by comments that revealed a strong sense of ownership over space, such as being concerned about boaters coming too close to the island – one person laughed and said, with a bit of a look of embarrassment, that she couldn’t help but think of the wildlife as *hers* to protect. A few participants also mentioned, with some level of embarrassment, stories of their parents and grandparents dumping garbage in the lake, including items as small as cans and bottles to those as large as fridges and washing machines, and would also drain septic systems in the 1950s and 1960s. Participants were quick to add that these practices had long since stopped, they seemed proud to describe how environmentally careful their community is.

Many participants brought up the notion of Georgian Bay as a spiritual place for them, to which to retreat from the intensity of urban life and find rejuvenation. Most participants described engaging in recreational and maintenance-related activities at the cottage, including swimming, rowing, canoeing, reading, walking, “nature walks”. A few participants mentioned that they or others in the family would sometimes work there, a comment that tended to lead to a discussion about the pros and cons of communication technology. For all participants, some aspect of technology was perceived as getting in

the way of experiencing Georgian Bay to its fullest. One participant commented that when she sees someone pulling out a phone, she sees that as sacrilegious, almost as if someone pulled a phone out in church. Many participants spoke of changes that occurred even with the advent of land lines in the 1990s, that the introduction of phones meant that there was less visiting of cottages, and that now with cell phones there was even less calling. While she, and several others, acknowledged that technology certainly allowed people to spend more time at their cottage, it was clear there was some amount of internal conflict regarding their feelings about cell phones and internet in particular.

Familiarity with the landscape, for example driving a boat at night while relying on the silhouette of the skyline, or walking along a path at night and remembering the way by foot-feel, brought a strong sense of pride and deep satisfaction. The close connection to the land, the fact that people plan their activities based on the weather, that there seems to be fewer barriers between people and the outside than in cities, made one participant wonder if their experience is comparable to Indigenous peoples.

Connection With People and Community

For most participants, connected to the fact of the cottage as a focal place for the family was the fact that it is a place where they experience community in a thicker, more complicated and involved sense than their urban places of residence. One person commented, in the context of community, that she feels she reconnects with her soul here.

As well as connection to fellow cottagers, all participants spoke of a sense of closeness with Indigenous communities, either through direct relationships or simply through the belief that their concern for nature aligns neatly with Indigenous peoples concern for the environment. The connections with Indigenous people were either with people they knew who worked (or did in the past) at a marina at Moose Deer Point First Nation reserve, where most participants were clients; or they referenced memories of Indigenous people rowing up to the cottages along the shoreline and islands, to sell their crafts. Participants mostly spoke with pride about what they perceived as the respectful ways that their parents and grandparents had apparently spoken of the Indigenous people from Moose Deer Point First Nation. A few participants commented on how nice it was that some of the members of the First Nation family that own the marina attended a wedding party of one of the cottagers, recalling the stories they heard from their own parents of having dinner with some of couples from Moose Deer Point First Nation, and wondering why this doesn't seem to happen anymore.

Conflicted Awareness of Indigenous People and Issues

While participants spoke with fondness of their perceived connection with the Indigenous community nearby, each participant spoke with some level of embarrassment or shame about their lack of awareness of Indigenous history and treaties in Georgian Bay, expressing frustration at not knowing more. One participant articulated an awareness, though minimal, of Indigenous sovereignty over lands beyond the Moose Deer Point First Nation reserve boundaries, recalling a time when she learned about the fact of Indigenous traplines existing on cottagers' property without their knowledge. Many participants expressed concern at their own lack of awareness and lack of deeper relationships. Several participants expressed that concern with respect to the Georgian Bay Land Trust in particular, and wondered about ways that the Georgian Bay Land Trust could incorporate the interests of Moose Deer Point First Nation or other First Nations in the lands that the Trust takes on. It seems that from the perspective of these participants, either the Land Trust is not doing enough work with Indigenous communities, or what work the Land Trust *is* engaged with is not being communicated effectively enough.

Two of the participants had experience as members of the Georgian Bay Land Trust's Board of Directors (though their perspectives do not represent the opinion of the Board of Directors). One of those participants reflected that although there had been a few conversations at the Board level about Indigenous history and treaty rights, such conversations had not progressed beyond their introduction. Although this participant mentioned the various projects through which the Georgian Bay Land Trust engages with Indigenous peoples in Georgian Bay, this participant believed that the conversation about treaties and land rights could be too nuanced for the Board to engage with meaningfully, and reflected that perhaps some Directors were hesitant to engage in the discussion in an ongoing way due to lack of detailed knowledge and/or expertise. The other participant with experience on the Land Trust's Board of Directors expressed his opinion that the Georgian Bay Land Trust ought to demonstrate an appreciation for all that Indigenous peoples have done for the environment for countless generations, and that the Georgian Bay Land Trust ought to respect and understand that. At the same time, this participant stated his belief that everything the Georgian Bay Land Trust does to protect the land is likely in alignment with Indigenous people. This perspective was expressed by one other cottager participant, and I have heard it stated outside of research discussions as well – by supporters as well as leadership of the Georgian Bay Land Trust. It seems that surface level conversations are happening, but not deeper conversations about land rights and the Land Trust's relationship with those issues. And although collaborative projects

focused on technical conservation activities are taking place, at the time of these interviews at least they were not being communicated effectively.

Factors Informing Donation to Land Trust

Participants in these interviews and focus groups were either volunteer Stewards of Georgian Bay Land Trust properties and/or they had donated land to the Land Trust. When asked about the factors that informed their decision to donate, it became clear that there were two main factors: a desire to slow down further development of the Georgian Bay shoreline, and the mounting pressure of property taxes as the financial value of property continues to rise. Many of these cottagers inherited the property and cottage from parents, some of whom had themselves inherited the land from their own parents. In the late 19th and early 20th century, settlers were able to purchase these properties for relatively very little money. One person mentioned that because their grandparents had purchased land outside of the Madawaska Club area (though the land would come to be included into the club area) they were charged 50c/acre, as opposed to the usual 25c/acre that club members had paid. Clearly purchasing land in the context of clubs was being rewarded, yet even outside of that context it was quite cheap to purchase land. Today these same properties are valued at millions of dollars, which most of the participants interviewed could not easily afford. A donation of land to the Georgian Bay Land Trust provided options for these cottagers to relieve themselves from some of the tax burden of properties, while still being able to access the lands (with conservation land use agreements in place). One participant insisted that cost was not the issue, and that he simply believed that donating land to the Land Trust was a good thing to do.

While the financial value of land is of significant import, being the main impetus for most of the participants to donate to the Land Trust, the other impetus is to keep the landscape of Georgian Bay in its apparently “underdeveloped” state, “pristine”, “raw”. The fact that cottage communities in Georgian Bay tend to be less crowded than those in Muskoka, for example, was clearly a source of pride for these participants. Many participants commented on how much they loved being able to look out and see the landscape devoid of busy-ness. Several participants commented on what they consider to be the best way to build a cottage in this landscape: so that it blends in and can’t be easily seen.

Discussion of Themes From Interviews and Focus Groups With Cottager-Volunteers of Georgian Bay Land Trust

These conversations revealed a picture of a community that feels passionately about the environment, and that values caring for the land in charitable ways as well as through their management of private

lands. Despite the fact that each participant spoke of their experience of Georgian Bay with the sense that they had somewhat of a unique experience, their perspectives tend to align with the literature on settler ideas of nature as “wilderness”, “pristine”, “undeveloped”. Participants demonstrated an awareness of the history of colonisation and historical and contemporary harm towards Indigenous peoples. Most participants commented on the negative impacts of colonialism in Canada for Indigenous peoples, broadly speaking, and articulated a basic acknowledgement that their presence as cottagers in Georgian Bay has had a negative impact. In each conversation, participants shared their perspective that the Georgian Bay Land Trust ought to engage with these issues. A scale of expectation of the Land Trust to engage with Indigenous peoples and land issues emerged: on the low end of that expectation scale, some participants reflected that the Georgian Bay Land Trust ought to hold at least a basic understanding of these issues; on the higher end of that expectation scale, participants commented that the Georgian Bay Land Trust ought to involve Indigenous peoples in the Land Trust’s decisions about land use.

Although there was clearly a desire on the part of participants to talk about these issues, there was also a tension, expressed through halting speech and explicit articulations of disappointment and embarrassment at this lack of understanding. Having said that, there was clearly a lack of self-criticism when it comes to the nostalgia and romanticism expressed about buying crafts from Indigenous women – for instance, no one reflected on the fact that these Indigenous women selling their crafts depended on doing so because their communities no longer had access to the traditional lands that had sustained them for countless generations. Perhaps for this cottage community to engage deeply in a path of truth and reconciliation, there is a need to become more familiar with the links between their presence in Georgian Bay, and the economic hardship and cultural harm done to Indigenous communities. Being able to reflect nostalgically on these types of interactions yet doing so without acknowledging the harms that they reveal is part of the structural racism of the cottage experience.

Conclusion

The interviews and focus groups were not intended to provide a representative survey of the entirety of Indigenous peoples or cottagers (settlers) in Georgian Bay, nor even the entirety of the specific communities of Moose Deer Point First Nation or the Madawaska Club at Go Home Bay. However, themes and issues that emerged *did* largely align with research that has already been conducted on settler-cottage communities in Ontario (Campbell, 2005; Harris, 2015; Davidson, 2022), and on

Indigenous communities (Royal Commission on Aboriginal Peoples, 1996; Truth and Reconciliation Commission, 2015). In reflecting back on the conversations with both groups, I was struck both by the common ground that emerged, as well as how fundamental differences began appearing. To begin with, both groups of participants articulated a desire for better relations between communities. Numerous participants in both groups remembered stories of inter-community socialising, and lamented its absence now. Numerous participants in both groups talked about conflicted feelings about technology that in theory ought to have brought people closer together, but in practice seemed to have created more isolation. Participants in both groups wanted to see the environment protected and well cared for.

The conversations differed, however, in many of the concerns that were expressed. Whereas the cottager participants expressed concern mostly with things interfering with their ability to “connect” with nature when they were at their cottage (which was a second home, not primary dwelling, for all participants), the Moose Deer Point First Nation participants were largely concerned with transfer of knowledge across generations, specifically around language, hunting/trapping/fishing/harvesting, stories, and health. The Moose Deer Point First Nation were also concerned about what it means to be Indigenous or Pottawatomi, while the cottagers did not seem to express any concern about identity issues. Moose Deer Point First Nation participants were concerned about loss of access to lands they had traditionally accessed, and where their ancestors are buried, while the cottager participants were mostly concerned with limiting cottage development in Georgian Bay to protect the environment and to keep the “wilderness” character of the landscape. Food security, treaty rights, and sovereignty emerged either explicitly or implicitly with Moose Deer Point First Nation participants, and not with cottagers.

These divergences revealed something about the fundamental differences in how these two communities understand – perhaps only subconsciously – their relationship with the earth, with Creation. Moose Deer Point First Nation participants raised a complex set of issues that are enmeshed with their relationship with the lands/waters/life in Creation, for example, the fact that access to lands is tied to language and knowledge about who they are as Anishinaabe people. Asking Moose Deer Point First Nation participants about their relationship with the land brought up issues that seemed tangential to me at first, but which my reflection on the conversations and the literature reveal to be deeply interconnected. Cottager participants, on the other hand, revealed a shallower collection of ideas about relationships with the earth, including a sense that the landscape (the “wilderness”/secluded type of environment) provides spiritual nourishment, an opportunity to have quality time with family, and observe nature, occasionally fishing for lunch. It seemed to me that, although this place held an

extremely important place in their family life, and indeed in their family history, if they were no longer able to access these lands, their connection to their language and cultural knowledge would not be compromised. Reflecting honestly on this has been challenging for me, given that I am reflecting on the importance of this place for *myself* too, as I am a cottager in this same place.

These conversations – the issues that emerged, and the themes that were revealed – informed the content and structure of the second section of this dissertation. I wanted this dissertation to respond to the concerns of the communities I engaged, especially Moose Deer Point First Nation, and not simply to draw on their experiences to illustrate points in my writing. For instance, given how conflicted several Moose Deer Point First Nation participants said they felt about navigating two legal systems with value systems that don't align, I decided to dedicate space to examining settler law (liberalism) and Indigenous law (Anishinaabe/rooted law). Given the numerous comments by cottager participants about the spiritual nature of their experience of Georgian Bay, it became important to examine more closely the spiritual, or rather, cosmological foundations of settler and Anishinaabe/Indigenous relationship with Creation. Part 2 of this dissertation weaves its way through an exploration of these cosmological foundations, which inform our legal contexts, and the historical context that brought us to this point at which an Indigenous community wonders why they have been so alienated from their traditional territory, and a cottager community believes their efforts around conservation are inherently supportive of First Nations. This next exploration can show us that there is something not quite right about cottager access to lands and waters in a place that they – we – know was Indigenous not so very long ago.

PART 2

Chapter 5. Rooted Law and the Moose Deer Point First Nation: How Anishinaabe Origin Stories Situate Legal Belonging

I. Introduction

The overarching enquiry of this dissertation is to examine the impact of settler-cottager communities and their efforts around environmental conservation on Indigenous communities and their sovereignty over lands and waters in Georgian Bay. In this dissertation, I am arguing that environmental conservation efforts in Georgian Bay have contributed to colonization and dispossession of Moose Deer Point First Nation. This chapter contributes to that argument by showing how this process of colonization is rooted in a settler legal understanding of Moose Deer Point First Nation's place in Georgian Bay. With this chapter I also show how the narrative of belonging for Moose Deer Point First Nation could be different if we began with Anishinaabe Creation stories. This chapter presents the first pillar of my rejection of the narrative that Moose Deer Point First Nation is not from Georgian Bay (a narrative that is grounded in a settler legal framework), and lays the foundation for Chapter 6, in which we explore how Moose Deer Point First Nation came to be located where they are now. Together, these two chapters help us to understand both the tension between Indigenous and settler approaches to caring for the land, and the marginalisation of Moose Deer Point First Nation.

This chapter first looks to Anishinaabe Re-/Creation stories to better understand Indigenous human-earth relationships. I briefly examine how Moose Deer Point First Nation is understood as not belonging to Georgian Bay from a settler legal framework. Instead, I argue that we must begin from Anishinaabe laws, as told in their origin story of the flood. The chapter outlines the legal framework learned from this origin story, which help me to meet Moose Deer Point First Nation on its own legal terms and lay the foundation for the analysis of Moose Deer Point First Nation's place in Georgian Bay through Anishinaabe law in Chapter 6.

II: Why Origin Stories?

Historical records made by settlers are shaped by their own interests – fur trade or hunting, for example – thus they do not tell the whole picture (Bohaker, 2020). Darlene Johnston (2006) provides a useful

illustration of the confusion that arises as a result of the diversity of documentation of one group of people:

Imagine a group of people living in the vicinity of rapids who call themselves the Passinaouek. They are known by their Aboriginal neighbours as the Rapids People. But their Aboriginal neighbours speak a different language and their term for Rapids People is Skiaeronon. So now we have two different names for the same people. Then the French come into the region and begin keeping written records and making maps. Before they meet the Passinaouek, they hear about them from the people who call them Skiaeronon. So the first French records refer to the Passinaouek as Skiaeronon. In time, the French meet the Passinaouek in person and, if they can understand their language, they may record their name correctly. But before long, the French will start referring to the Passinaouek by using their own word for people of the Rapids, Sauteurs. Now there are three different names for the same people. Eventually, the British enter the region and, for reasons unknown, start calling these people Jibbeways or Ojibways or Chippewas. The people at the rapids know that they have been there since before any of their neighbours arrived. But there are few, if any, historical records that confirm their presence in terms of their own self-understanding as Passinaouek. The introduction and recording of different names bestowed by outsiders creates the potential for confusing a change of names with a change of peoples (p.2).

The power that lies in written documentation means that such narratives hold greater weight within settler society than do oral histories.

There are many roots to the story of the people of Moose Deer Point First Nation – who they are and how they came to be where they are today; each root of a community’s story provides a different understanding of them, and one does not necessarily negate another. According to a narrative grounded in the settler perspective’s focus on written historical documentation, there is not much to show for Moose Deer Point First Nation’s presence in Georgian Bay. Yet according to an Indigenous perspective, Moose Deer Point First Nation finds belonging in the lands and waters of Georgian Bay, and indeed their history is enmeshed with that of the Anishinaabe of the Great Lakes.

i. Moose Deer Point First Nation’s Current Situation, Dominant Narrative, Exclusion From Treaties

I often hear, or read, that the people of Moose Deer Point First Nation are not the traditional people of Georgian Bay, or that they are not “from here” (a comment that is especially ironic when said by a cottager spending mostly only summers in Georgian Bay), that they are really ‘just’ ‘refugees’ from the Chicago area (Clifton, 1975). Indeed, I have even heard Moose Deer Point members *themselves* quip that their ancestors were “squatters” (Focus Group 1). This narrative is informed largely by academic literature about the Pottawatomie people, and the lack of documentation available about Moose Deer

Point First Nation. At a time when Canadian society is trying to identify the “traditional” or “treaty people” of an area in order to conduct activities perceived as reconciliatory (such as reciting land acknowledgments or consulting with communities on any variety of projects), the implication of labeling the Moose Deer Point First Nation as “other”, “not from here”, or as refugees, is significant. Indeed, it has a bearing on how Moose Deer Point First Nation is engaged by the communities around them – or rather, more often than not, ignored: Moose Deer Point First Nation has been denied treaty rights that arguably should have been afforded to them because civil servants ignored or claimed ignorance of their physical presence (Wesley-Esquiaux, 1988; 1992).

Southern Lake Huron – which includes Georgian Bay – is a region where there are many gaps in the historical documentation made by settlers, and where those records exist, there are many name changes “for both people and places [which] creates an impression of disruption and discontinuity in the region” (Johnston, 2006, p. 3). This issue is most certainly relevant for Moose Deer Point First Nation. The most well-documented ancestor for Moose Deer is an ancestor of the King family, named Ogemawahjiwon who lived from the end of the 18th century to the latter half of the 19th (King, 2021, 3). Ogemawahjiwon was born in the village of Shawbe wa wa goning (now known as Sheboygan, Wisconsin). While he and his wife, Quashmigo Kwe, did not have anglicized names, their children had both Anishinaabemowin and English names (often with varied spelling, e.g., Lewis/Louis), and it is at this point that the name King appears (King, 2021, p. 3; Koennecke, 1983, p. 31). Yet this documentation is itself murky; the name Ogemawahjiwon is commonly used simply to refer to a leader or chief (though the spelling varies), and King seems to have been a common anglicization for Indigenous names, making it a challenge to clearly identify lineage. This murkiness in written documentation contributes to the settler law narrative that Moose Deer Point First Nation does not belong in the region.

As well as the King family, the other families that make up the main families of the Moose Deer Point First Nation lineage have similar name variations. According to Koennecke (1983), the Williams and Isaac families received their English names while travelling in the Nottawasaga area, after having met a preacher by the name of Isaac Williams: “It is unlikely the man had much success in converting them, but he left the legacy of his name” (p. 35). The Isaac family had previously been known as Winamek, translated variously to mean Curley Hair, Curré, or Catfish, while the Anishinaabemowin name for the Isaacs was Waucosh, meaning Fox (Koennecke, 1983). The Sandy ancestors, who left their homelands in Wisconsin in the 19th century, are alternately known as Sunday and, in Anishinaabemowin, as Newganub (Koennecke, 1983). The challenge of sifting through contradictory historical information is

particularly exemplified by the Sandy family, who traveled with a family called Nanibush or Keeweden, a member of which (James Nanibush) left a record of the Sandy family. Koennecke (1983) suggests that this record is problematic due to the facts that Nanibush/Keweeden 1) claimed to have been Pottawatomi, and identified the Sandys as Pottawatomi when, according to Koennecke, both were Odawa; and, 2) identified the year of their arrival at Christian Island around 1836, contradicting “established historical sources [...] setting the arrival of the Odawa at 1854” (p. 98, endnote 45). Even a seemingly straight-forward attempt to identify the roots of a community by way of their names in the historical records will find us coming up short.

ii. Problematising a Settler-Grounded Narrative to Make Space for an Anishinaabe-Grounded Narrative

Often, settler efforts to contextualise a community, particularly when it comes to Indigenous communities in North America/Turtle Island, do so by pinpointing where they were at the “point of contact” with early European settlers or explorers; however, this view mis-represents their origin to “very late in the story” (Johnston, 2006, p.4). This is typical in the conventional historical narrative of Moose Deer Point First Nation, in which we are told that they are a Pottawatomi nation, and their ancestors came from the Chicago area (Augustine and Corcoran, 1999; Clifton, 1975; Koennecke, 1983; St. Pierre, n.d; Edmunds, 1978). This narrative draws on historical research placing the Pottawatomi nation in a wide area around the south-western tip of Lake Michigan and up to the north-western shores of Lake Huron, in the 1600s (Bellfy, 2011, p. 6) and just up to the St Clair River in the 1700s (Bellfy, 2011, p. 40). Indeed, many of Moose Deer Point First Nation’s ancestors *did* at one point live in that area; however, as Johnston (2004) points out, “to begin an account of Anishinaabeg history with seventeenth-century French colonial records [...] would be to start very late in the story” (p. 4). As Moose Deer Point First Nation is an Anishinaabe community (rooted in many other cultures as well), we ought to begin contextualising this research in an Anishinaabe-directed way.

An Indigenous knowledge-centred approach to contextualising this community would begin with origin stories in order to begin to portray an Indigenous way of understanding the world (Johnston, 2006; Benton-Banai, 2010 [1988]). Grounding our understanding of Indigenous communities in this way could enable a shift in our contextualisation from that of a fundamentally settler perspective, to one that is at least partly informed by an Indigenous perspective, even if the settler perspective is nevertheless deeply a part of this examination. Developing an Indigenous-informed perspective will be

critical to reveal some of the impacts of settler efforts around environmental conservation on Indigenous peoples in Georgian Bay.

Origin stories – Creation and Re-Creation stories – and the lifeworlds they disclose, reveal to us how a people understands its place within the grand scheme of things (Johnston, 2006), how individuals understand their relationship with other living beings, and consequently, how a people understands freedom, community, and its purposes (Mills, 2019, p. 43). Making this connection between people and place requires “an exploration of how people understand themselves in relation to their place. For the Aboriginal people of the Great Lakes, there is both a physical and spiritual aspect to identity and landscape” (Johnston, 2006, p.3). Lenore Keeshig-Tobias (2016), in her talk *Geomythology: A First Nations View*”, presents her settler-audience with a radically different way of understanding geology than they are used to, by grounding it in origin stories. Anishinaabeg Elders teach that “all Creation stories are true,” that is, “each peoples’ understandings and traditions of their beginning is their truth” (Johnston, 2006, p. 4). Although Keeshig-Tobias’ parents and grandparents were told by the residential school nuns who taught them that their myths and legends “were figments of a primitive mind”, nevertheless they held onto those stories, and were able to pass them on to their children (Keeshig-Tobias, 2016, 3:09).

Re-Creation stories make the roots of the legality tree tangible. Often, when I have encountered Indigenous sacred stories (*aadizookaanan* in Anishinaabemowin), I have been frustrated because I cannot see a clear rule or moral to the story; I find that I have a hard time understanding how these stories can reveal law, which to my mind requires clearly articulated rules and boundaries. Thinking about Re-/Creation stories in the context of the legality tree (laid out in Chapter 2), however, makes it easier to see how stories can *be* law. *Aadizookaanan* (sacred stories) teach us how to behave towards one another and as Mills (2019) argues, “to reduce an *aadizookaan* to a rule is to rob it of its intended contribution to legal reasoning” (p. 136). Moreover, and importantly for this research enquiry in particular, in rooted societies, one accesses law by way of “relationships with land, stories, and one another. [Law] can’t be disembedded from these relationships into abstract and generalized ideas severed from their relational contexts” (Mills, 2019, p. 139). This perhaps can help us to understand the resistance of Indigenous peoples to writing law down (McKay, 1992), because we can see how rooted laws is understood not as rules to be written down, but as “a relentless exercise of judgment” (Mills, 2019, p. 140) which (in the context of legal discourse) must “be embedded into what we write about the law, rather than trying to capture the law as an idea” (White cited in Mills, 2019, p. 140). Alas, with this

very dissertation I am indeed attempting to “capture law as an idea”, however, while learning *about* this law is not the same as *living out* this law, yet I believe this learning exercise is nevertheless worthy as it has started me out on my own journey of learning which I hope will lead to supporting Indigenous communities to live out this law through cultural revitalisation supported by settler allyship.

Like Johnston (2006) and others, I seek to understand Moose Deer Point First Nation’s place by looking at different logics for identity. In order to understand Anishinaabe ways of governing relations in Creation, we must try to learn something of Anishinaabe ways of thinking. This understanding includes learning of the spiritual, political, and social customs and conventions that Anishinaabe peoples developed, in order to guide their relationships within Creation – with each other, and with their non-human kin. It is these customs and conventions that are at the foundation of Anishinaabe systems of governance and law (Borrows cited in McGregor, 2010, p. 29). Within Anishinaabe governance and law we find that Anishinaabe understanding of natural law – how all beings in Creation exist in some sort of balance – is taught in part through the telling of Creation and Re-Creation (collectively “Re-/Creation”) stories, which “reaffirm our understanding of natural laws to ensure the continued existence of all of Creation” (McGregor, 2010, p. 30). Re-/Creation stories inform people’s understanding of their own place in their culture, their relationships with others, and indeed their place in the universe (Johnston, 2006, p. 7; Mills, 2019, p. 24). In the context of everyday life, law emerges from stories (such as Re-/Creation stories) and situations, as teachings about the proper or appropriate behaviour, of which there may be several possibilities (Mills, 2019, p. 147). “All-my-relations thinking”, as opposed to adversarial thinking, brings us back to the centrality of relationships, of gratitude and humility, of kinship, which gets confused, somewhat, when Indigenous people are forced to speak in the language of the dominant constitutional order – that is, referring to Indigenous *rights*, when they really mean to refer to their *responsibilities* (Mills, 2019, p. 151). Such distinctions are important when seeking to understand how settler approaches to how we live our life (whether with respect to discourse around citizenship, justice, food distribution, or as we are discussing here, relations between humans and the rest of Creation in the context of land use planning) differ from Indigenous approaches.

Rather than imposing settler legal frameworks (like a focus on written documentation and location at point of contact), I seek to understand Anishinaabe ways of governing—to meet Anishinaabe law on its own terms. Stories and teachings can be obtained from a range of sources such as flora and fauna, planets and stars, and the elements of wind, water, and fire. Knowledge can also be gained by way of visions, ceremonies, prayers, intuitions, dreams, and personal experience (McGregor, 2010, p.

32). Responding to the argument that legal procedures (relevant to the topic of conservation planning) that give space for the “sacred” and “natural law” will lead to problems of subjectivity bias in interpretation, Mills (2019) argues that “it’s always the case [...] even [for] those [kinds of legal procedures] in which spirituality is (at least formally) given no legal capacity, that the procedure’s epistemological commitments run the risk of abuses of power” (p. 247). That is to say, the settler belief that whereas written documentation provides a valid history – and oral history does not – is reflective of a settler superiority complex that remains in play even today, and can be seen in the narrative that dominates the story of Moose Deer Point First Nation, which is defined largely by the importance of settler written documentation, and that lack of such documentation for this community.

My reflection: As I write, I feel a raging voice insisting that this very content is not valid, it is not a legitimate topic of discussion in a dissertation ostensibly about conservation land use planning. I feel I should avoid - at all costs - talking about Re-/Creation stories. The western scientific research method, which has shaped and influenced disciplines well beyond the boundaries of scientific study, makes little room for Indigenous research methods such as story telling and oral histories (Kimmerer, 2014a, p.160). This approach to research is highly unconventional for me, and at times very uncomfortable to genuinely take in as a settler person whose understanding of my own place in the world is informed by centuries of European post-Enlightenment and liberal philosophy (often unbeknownst to me). The effect of that historical thought landscape has been, in part, the apparent relegation of spirituality to its own finite space and time, so as not to interfere with academic discourse outside of the realm of religion-focused disciplines. I remind myself that I am being called to draw on Indigenous research methods, to let myself be guided by Indigenous ways of knowing and doing, and to reflect on what that means for me as a non-Indigenous person. I try to accept that we can each have our own encounter with a spiritual or non-‘rational’ realm as an important part of understanding the validity of these Re-/Creation stories: that we can learn from these experiences and stories as well as ostensibly cold-hard facts.

*Indigenous research methods often call for making space for ceremony, for origin stories, and for relational research methods, and so I do. Kovach points out that “[i]f research is about learning, so as to enhance the well-being of the earth’s inhabitants, then story is research. It provides insight from observations, experience, interactions, and intuitions that assist in developing a theory about a phenomenon” (Kovach, 2009, p. 102). Kovach is speaking of stories told by interviewees about their lives, that serve to inform her research; I believe this reflection holds true for drawing on Re-/Creation stories as well. Learning from Re-/Creation stories is “fundamental to understanding the scope of environmental justice from an Anishinaabe point of view” and requires that we “rethink what the terms *we* and *our* mean in this context”; furthermore, it requires that we “move beyond the human-centred approach to one of understanding, accepting, enacting, respecting, and honouring relationships with all of Creation” (McGregor, 2010, p. 33). And so, as I have chosen to respond to the call to be guided by Indigenous research methods, in an effort to decolonise something of my own research methods I calm the raging voice, acknowledge her anxieties, lean into her discomfort, and move ahead.*

When scholars and knowledge keepers teach about history, law, and ecology beginning with Re-/Creation or origin stories, and reflecting on dreams and encounters with non-human relatives, this seems unconventional to me. Indeed, doing so within an academic context is potentially unconventional to Anishinaabe story-telling ways as well, for there is law and ceremony that exists around stories,

directing when and how such stories are to be told. Traditionally, sacred stories are to be told in winter and they ought not be written down (Borrows, 2015). However, the reality of Indigenous language loss, and loss of culture and laws more broadly means that traditional methods must be adjusted at times. As Stan McKay (1992) tells it, the Anishinaabeg

are a people of the oral tradition, and I recognize some ambivalence about putting our stories and teachings into written form. Our elders say that when our thoughts are put into written form they lose life, especially when we share important learnings and understandings about our relationship to the creation.

But the present urgent need to come together for a healing vision for the earth, “our mother,” has led our elders to advise us to share and risk even by writing (p.28).

It seems that we are all being called to shift our perspectives, and to be open to new ways of doing things, even when that sometimes calls us to learn about (or perhaps re-familiarise ourselves) with traditions that perhaps make us uncomfortable.

Telling and re-telling Re-/Creation stories can help us to draw the connection between our foundational knowledge (the roots of a society’s beliefs around human-earth relationships) and environmental conservation for both Indigenous and non-Indigenous communities (the leaves or canopy of the legality tree). Re-/Creation stories, as Kovach (2009) explains, are “vessels for passing along teachings, medicines, and practices that can assist members of the collective” (p. 95). These stories are meant to be a compass rather than set rules: “they provide an orientation but not a map. The work of living is creating the map for yourself” (Kimmerer, 2014a, p. 7). As a researcher who is grounded in a worldview for which a “relational balance”, which is required within Indigenous storytelling methodology, “is not a high cultural value”, I must engage in a reflective process that sheds light on this “objectivity bias” (Kovach, 2009, p. 103). But as Kimmerer (2014a) suggests, I am learning to make a map for myself, from those origin stories, with the guidance of Indigenous knowledge shared within academia and beyond.

If we begin with Re-/Creation stories, we can then look at how law can be drawn out from those stories (Borrows, 2010b). We can then try to meet the Anishinaabe law on its own terms, which is, according to Mills (2019), a critical facet of meaningful reconciliation. Perhaps in learning this way about Indigenous approaches to human-Creation relationships, we can begin to see the connection between western/settler perspectives on human-Creation relationships and our own foundational Creation stories, both those of our inherited religious texts and those of our migration stories, which are themselves interconnected. We can then also begin to unearth those ‘buried epistemologies’ (Willems-

Braun, 1997) that undergird our environmental conservation planning processes and decisions, and even those values and ideals that we hold as settler cottagers, which seem to us to be so universally-held. This approach informs my analysis of how the presence of cottagers and our environmental conservation activism impacts Moose Deer Point First Nation, their ability to pass on their laws, language, their knowledge in general, and indeed their Indigenous rights.

III. Creation Stories, Law, and Relationships With the Land

To understand Moose Deer Point First Nation's unique situation, we must start from origin stories. There are numerous origin stories in the Great Lakes region, and indeed beyond this region, based on a flood experience, which give us a story of *re-creation*. These stories include a great figure (for instance the Great Hare, Nanaboozho, or Sky Woman), who creates land with the help of their animal relatives, in particular the rather diminutive animal relative Muskrat, who gives his life for the cause. The flood is always part of the story of the creation of earth or Turtle Island for the Anishinaabe and the Iroquois, though in some versions Skywoman is central while in others she plays a minor role (Native Languages of the Americas, 2020). Numerous details differ, but the core of the story remains constant. The following telling is informed largely by Basil Johnston (2003) and Robin Wall Kimmerer' (2014a; 2020) telling of it.

My reflection: At the time that I conceived this research project, I was learning about Indigenous research methods in a class setting of course, but also in immersive programs that largely took place out-of-doors which involved listening to Re-/Creation stories and learning about how those can inform us about law. I resisted the idea of focusing on a topic so close to my heart as the impact of my own family's involvement in a cottage community and a charitable conservation land trust on the Indigenous community whose land we traverse in order to access Georgian Bay. Instead, I tried to focus on a less personal topic so that I might keep the turmoil of my heart and conscience off to the side. Eventually I came to realise that there was something beyond the so-called rational part of my brain drawing me to this topic, and I gave myself permission to reflect on the fact that, at the time, I was having frequent dreams of flooding, featuring my relationship with the waters of Mnidoo-gamii (Spirit Water, known to me as Georgian Bay). The waters in my dreams were behaving as if they were a spirit being, urging me to see things differently -dislodging my glasses and showing me that I could still see (though differently) in one dream, while in another, creeping up the window of a square, high-walled and roofless room, and seeping through the cracks and seams of the walls, showing me that I couldn't keep myself separate from Georgian Bay, that it was a part of me in the most intimate way. It seems therefore fitting to me that part of how I seek to understand the Anishinaabe context for this story of Georgian Bay is to spend time with Re-/Creation stories that are centred around a flood.

i. The Flood Story

To begin this story, the earth was flooded. The earth had already been created with land and water, flora and fauna, and - in some versions - even people. However, those first people had forgotten how to live in a good way, so the Creator brought a flood to the earth, to try to start again. Above the earth was the Sky world, at the centre of which was the Tree of Life. At some point, an opening appeared at the foot of the Tree of Life. In some stories, Skywoman became curious, looked through the opening and then fell right through. Other stories tell that she was sent through the opening for transgressing some taboo (Native Languages of the Americas, 2020); in still others, she was dropped through by Creator to perform a sacred task and needed a little nudge to go into the next world. Kimmerer (2020) retells this with Skywoman having full agency, and jumping through the hole to make her way down to the flooded world below “like a maple seed, pirouetting on an autumn breeze,” bringing with her new life in the seeds in her hand and in her belly (Kimmerer, 2014a, p. 3). However she made the leap, Skywoman found herself falling through the sky towards the flooded earth below.

As she fell, the water creatures and those with wings noticed her falling form – at first a speck, then gradually revealing the body of a woman. The birds came to Skywoman’s aid, and with their wings helped to slow her fall so that she could land gently on the back of Turtle. It became clear, however, that Turtle’s back was simply not big enough. So the animals began to take turns trying to dive down to the bottom of the ocean to grab a handful of dirt, so that they could spread it onto Turtle’s back and grow the land for Skywoman. Many animals tried and failed to return with earth – some returned gasping for air, others died and floated up empty-handed, still others never returned. Finally, little Muskrat said he’d try. In some versions, the other animals derided his offer, insisting he was too small to do it, especially when other, bigger or swifter animals had tried and failed. Nevertheless, Muskrat dove down, down, down. Skywoman and the animals waited a long time, thinking perhaps Muskrat had drowned. Eventually, bubbles appeared, followed by Muskrat’s limp body. Disappointment and sadness were felt around the group. But then someone noticed that held inside Muskrat’s tiny paw was a morsel of dirt – he had succeeded, even though he had died in his attempt. Skywoman spread the dirt on Turtle’s back, sprinkled the seeds she had brought with her, and proceeded to dance and sing in thanksgiving for the gifts of the animals. Her joyful dancing grew the earth and seeds, and Turtle’s back became the Earth. The growth of the land and the plants came as a result of not just the efforts of Skywoman, but her collaboration with the animals. The animals climbed onto Turtle’s back, and made their home once again on Earth.

Edward Benton-Banai (2010) shares another version of this Re-Creation story, about the Anishinaabe spirit Nanaboozhoo (alternately known as Nanabush, Waynaboozhoo, among other names), who “provided the link through which human form was gradually given to the spiritual beings of the Earth” (p. 31). In this version, once again, Creation had lost its way, the people were arguing and fighting over hunting groups, and resorting to killing each other. Once again, Creator sought to wipe the slate clean, and brought torrential rains to the earth, so much so that it became flooded. Nanaboozhoo found a log to rest on, and was eventually joined by other animals who’d managed to keep themselves afloat during the flooding. Nanaboozhoo eventually realised that this was not sustainable, and decided to dive down to grab a handful of mud from the ocean floor. He dove down and down, but couldn’t dive deep enough, and came back up gasping for air. Other animals began taking turns, but as with the Skywoman story, none found success. Finally, Muskrat (*Wa-zhushk’*) offered to try. Again, his offer was derided; nevertheless, he dove down, and down. Muskrat eventually floated back up to the surface, apparently having also failed. But Nanaboozhoo opened his little fist, and found a morsel of earth. So his death had not been in vain! Nanaboozhoo spread the mud on Turtle’s great back. The wind blew from all of the Four Directions, and Turtle’s back grew and grew. Nanaboozhoo and all the animals began to sing and dance in a circle, an offering which is repeated by many Indigenous people today when they “sing special songs and dance in memory of this event” (Benton-Banai, 2010, p. 34).

These post-flood Re-Creation stories illustrate the laws of reciprocity found at the root Anishinaabe law. Kimmerer (2014a) shares that “[t]he story of Skywoman’s journey is so rich and glittering [... it] holds our beliefs, our history, our relationships. [...] Images of Skywoman speak not just of where we came from, but also of how we can go forward” (p.5). Johnston (2006) tells this story with the Great Hare instead of Nanaboozhoo or Skywoman, as the figure that brings the animals together. In Johnston’s version, we learn that once land was formed, the Great Hare commanded Fox to go and inspect the land and see that it was sufficient to provide for all the animals. “The fox, when he ascertained that it was sufficiently extensive for *him* to secure easily his own prey, returned to the Great Hare to inform him that the land was able to contain and support all the animals. At this report, the Great Hare made a tour throughout his creation and found that it was incomplete” (Perrot cited in Johnston, 2006, p. 5, my own emphasis). Johnston (2006) points out that this particular part of the story tells us something about Indigenous leadership: that it can be successful only when others are persuaded, rather than coerced, and moreover, that the creation of land is meant for the purposes of mutual aid, rather than personal gain. Fox told Hare the land was ready, however it only had enough to sustain Fox, not the whole community. So, if we are learning from this Re-Creation story, told in several

versions, we learn that reciprocity or mutual aid is at the centre of Indigenous law, and so we must try to learn what the Anishinaabe concept of reciprocity and mutual aid mean, and how the Anishinaabeg draw that out into law. We can draw connections between these lessons of reciprocity and mutual aid for the ancestors of Moose Deer Point First Nation, as they traveled around the Anishinaabe territory of the Great Lakes, and found home in various locations facilitated through rooted law. The following section draws out some of the implications from this flood story for examining Moose Deer Point First Nation's belonging in Georgian Bay, to prepare for Chapter 6, which digs into the story of Moose Deer Point First Nation alongside the legality tree analytic.

IV. Implications – Meeting Moose Deer Point First Nation on Their Own Legal Terms

i. Key Learnings From Re-Creation Story to Help Re-Contextualise Moose Deer Point First Nation

Understanding Moose Deer Point First Nation's situation through the laws found in, for example, the flood stories of Skywoman, Nanaboozhoo, and the Great Hare, reveals several implications that can help us to shift our perception of the community from seeing it as an outsider community, to one that is at home in the wider Anishinaabe Great Lakes territory. In particular, these include the giftway, reciprocity, relational personhood and kinship, and non-human relations.

Skywoman, Nanaboozhoo, and the Great Hare all face a task of rebuilding the land for and with their kin; they were not able to do so alone. They came with gifts – the gift of seeds from the Sky world, guidance to inspire others to action, knowledge of the earth lying deep below the waters – and they depended on others to share their respective gifts in order to enable Creation. These stories end with the characters dancing in joy and gratitude and, in some instances, that dance of gratitude enables those gifts to grow Turtle Island. According to Mills (2019), “[w]alking the path of *miinigowiziwin* [the gifts each person has been given to give a good life] means that from the cosmic order of sacred gifts Creation provides, we draw out a general ethos of giftedness for our daily lives. [...] It means centring gift as a *way* of being: of walking a *giftway*” (p. 72). For this explanation of rooted law, a person looks to Re-/Creation stories, and indeed the earth itself, to learn how gifts are shared, as well as to see how things go wrong when that giftway is not lived. This life-long path of learning is also referred to as *Creator's way* (*Kizhewaatziziwin*) or the *earthway* (*Kihche'othasowewin*, or natural law), or the *giftway*. Though Mills (2019) touches upon the subtle differences between these differing articulations, he uses them interchangeably, often referring to *Creation's way*, ultimately pointing out that “the central point is that one is necessarily describing how to walk within the order inherent in creation” (p. 75).

In contrast with liberalism, in which one's personhood is rooted in individuality, and even in contrast with socialism, in which one's personhood is rooted in the collective, within the giftway one's personhood is tied up in the relationships one holds with others. As Mohawk scholar Taiaiake Alfred points out "Indigenous thought is often based on the notion that people, communities, and the other elements of creation coexist as equals – human beings as either individuals or collectives do not have a special priority in deciding the justice of a situation" (cited in Mills, 2019, p. 79). One's identity is defined by one's relationships, rather than one's individually-specific characteristics. As Mills (2019) puts it,

That 'we are our relationships' is why introductory protocol for Anishinaabeg and so many other rooted peoples invites us to identify in respect of our families, clans, teachers, territories, treaties, and medicine societies in the first exchange of new encounter. It's no accident that the anticipated disclosure regards one's relational, not one's embodied, subject position. This is the critical point: to understand rooted legalities, one must think of persons as the sum of their (changing) relationships, not as independent actors in the world. This is why Leanne Simpson can refer to "the web of kinship relations" that Kwezens "is composed of". Note well: not *has* or *enjoys*, but *is composed of*. To clarify any doubt, I mean this claim in the thickest sense: outside of rooted relationship, *I am not a person* (p. 80).

The notion of anthropomorphism – the elephant in the room, largely dismissed within the context of the scientific method as an irrational and illegitimate way of reasoning (Kimmerer, 2014) – simply cannot exist in this worldview, given that personhood is not tied to what one is or has as a body, but rather *how* one exists *in relation* to others, the gifts that one provides and the needs that one offers up. The radical interdependence of human relationships within Creation and with all those other kin refers to the relationships between humans and other humans, as well as flora and fauna, but also "spirits and physical beings like rocks or rivers" (Mills, 2019, p. 80). When we think of other-than-human beings as "subjects with whom we have relationships, not objects which we may treat as resources, transfer between us takes the form of gift offer and reception, not unilateral extraction" (Mills, 2019, p. 82). This understanding of radical interdependence is one in which we understand that each of us holds only *some* of the gifts that we all need to survive and thrive in this life. While I might hold a few of these gifts, others hold the missing gifts that I need, and many of those others are non-human. Furthermore, the gifts/needs of which we speak are not simply "material, but a great many of them are spiritual, emotional, and intellectual" (Mills, 2019, p. 82).

For instance, one human-person might have the gift of healing, which they share with other humans or animals, another might have the gift of music. Similarly, the sun has the gift of light and warmth, which that being shares with all of Creation on earth and beyond, and water has the gift of nourishing life in many ways. Humans have the responsibility to take care that we live our life so as to

enable these other persons and beings to offer up their gifts, and to present their needs. By polluting our waters, not only are we harming ourselves, but we prevent the water beings from offering up their gift of life source, thus preventing them from enacting their responsibilities within the circle of reciprocity. As McGregor (2010) puts it, we must “move beyond the human-centred approach to one of understanding, accepting, enacting, respecting, and honouring relationships with all of Creation” (p. 33).

Ceremony illustrates the importance of these relationships, and Re-/Creation stories provide teachings that “uphold ideas of holism and the importance of interrelationships among all elements of Creation. The earth is described as a living entity, bearing special responsibilities toward supporting the continuation of life” (McGregor, 2010, p. 33). With the story of Skywoman, we come to see that “the earth was made, not by one alone, but from the alchemy of two essential elements: gratitude and reciprocity” (Kimmerer, 2014b, 1:20-7:27). If we understand that we each hold gifts, as does all of Creation (whether human or non-human, spirit or physical being), and consequently we hold a responsibility to share those gifts with the rest of Creation, this certainly has implications for how we engage with our environment.

When picking berries, according to Anishinaabe protocol, it is important first to give thanks for the offering of its gifts, to leave the first berries sighted for fellow beings, and to not take all that is there, leaving some at the end as well for other beings who themselves need nourishment, and in eating the berries will help with regeneration. In harvesting these berries, we are receiving the gifts of the plants. To accept that berries are there for nourishment, and that we are *as worthy* of them - not *more* or *less* worthy than – as are other beings in Creation, requires that we accept that we too have needs. And yet in that interaction, we also bring our own gifts to the table. Kimmerer (2014a) explains how, when she was young and spending time in fields of wild strawberries, she took to weeding out patches where the runners began touching down. By the end of the season, she could see that her efforts had enabled the fruit to touch down and grow more plants, “ready to bloom under the next Strawberry Moon” (Kimmerer, 2014a, p. 25). We also see this example of being both a receiver and a giver when interacting with plant-kin, in harvesting sweetgrass: the one harvesting the sweetgrass receives the gift of a fragrant plant used in ceremony, and for basket-making, for instance; and the harvester is also providing the gift of disturbance to the plant, thus enabling it to re-grow (see Kimmerer, 2014a, p. 156).

However, as briefly alluded to above, we mustn’t think of reciprocity as a contractual exchange – that the berry provides the harvester with its gift, and the harvester must return that offering with her own gift. Neither should we think that when receiving a gift, we do not then have an associated

responsibility to give a gift, but merely a responsibility to demonstrate gratitude – often in Indigenous protocol, this is demonstrated through an offering of a pinch of *semaa* laid in the ground, or burnt in a fire. Rather, we should think of this reciprocity more as a larger cycle of a gift-economy or a giftway – mutual aid. Indeed, there are times when a person is in need, and will receive a gift from another person who can respond to that particular need. In receiving that gift, the person who was once in need now has a responsibility to respond to that gift with gratitude, and to return it to the circle by offering up their *own* gifts when the opportunity arises. This nuance is easily misunderstood – or missed completely – when a person’s idea of gift is rooted in a private property economy. As Kimmerer (2014a) explains:

From the viewpoint of a private property economy, the “gift” is deemed to be “free” because we obtain it free of charge, at no cost. But in the gift economy, gifts are not free. The essence of the gift economy is that it creates a set of relationships. The currency of a gift economy is, at its root, reciprocity. In Western thinking, private land is understood to be a “bundle of rights,” whereas in a gift economy property has a “bundle of responsibilities” attached. (p.28)

Rooted constitutionalism understands that reciprocity exists within a large circle, and “returning the gift” means returning it also to the circle, not necessarily the giver. Kimmerer (2014a) reflects on that using the metaphor of a bowl:

How do we refill the empty bowl? Is gratitude alone enough? Berries teach us otherwise. When berries spread out their giveaway blanket, offering their sweetness to birds and bears and boys alike, the transaction does not end there. Something beyond gratitude is asked of us. The berries trust that we will uphold our end of the bargain and disperse their seeds to new places to grow, which is good for berries and for boys. They remind us that all flourishing is mutual. We need the berries and the berries need us. Their gifts multiply by our care for them, and dwindle from our neglect. We are bound in a covenant of reciprocity, a pact of mutual responsibility to sustain those who sustain us. And so the empty bowl is filled (p. 382).

ii. Implications for Moose Deer Point First Nation

The requirement, within rooted law, for people to be in reciprocal relationship with all of Creation, necessitates harvesting. Yet more and more, the people of Moose Deer Point First Nation are prevented from enacting this relationship of reciprocity. I am doing two things at this point in the dissertation: first, I am tracing how the law that I’ve explained earlier plays out in the context of Moose Deer Point First Nation by drawing on the research conversations; and second, I am pushing myself and the reader to reflect on how our presence in these lands – our imposition of non-Indigenous legal systems and modes of being – undermine Indigenous legal orders and modes of being. Moreover, I am pushing myself and my readers to reflect on the ways that we continue this colonial tradition today. We must reflect on the

very foundations of our understanding of human-earth relations, and our legal system as a whole, in order to understand how we in this settler-liberal state can express concern for Indigenous rights on the one hand, and on the other hand we trample those rights in our efforts to care for the land. It is a painful enquiry for me to engage in as I am myself implicated in this – it would be easier to get caught up in theoretical learning about Anishinaabe law just for the sake of curiosity, and forget for a time why I came to these questions in the first place. But we must not forget this has real-life consequences. As one focus group participant put it, “the places you walk, the medicines you pick, they’re given. As you learn through those creations, you learn the laws, and those laws you learn from the animals, that’s how we *become* our laws. Our way” (Focus Group 1, 5:50). In trying to live in a way so that one learns these laws, and passes them down to the next generation, members of the Moose Deer Point First Nation can see that they are being prevented from accessing their laws and by extension their culture. As another focus group participant articulated:

See, I'm very conflicted about that as well, because I want my boys to be law abiding Canadian citizens. [...] I want them to respect the laws because in many cases laws are there for a reason, and there's some good reasons behind them, conservation laws. But on the other hand, I want them to know about our, our ways of doing things, and how we used to do things. (Focus Group 1, 27:56)

Another participant commented that the more he buys into things like fishing and hunting licenses, the more he feels disconnected from his Anishinaabe/Pottawatomi lifeways (Focus Group 1, 38:00). As settlers, as cottagers who profess support for neighbouring Indigenous communities, I believe that we must reflect on the ways that our arrival and continued presence contributes to this disconnect in order to maintain our very integrity.

In light of the forms of law revealed through the Anishinaabe origin story, we can see how the land use rules applied by the Georgian Bay Land Trust might *not* in fact align with how Indigenous peoples might approach conservation. For instance, not being allowed to pick anything means that medicines and food cannot be harvested. Not only does that undermine Indigenous practices of harvesting, but if Indigenous knowledge of plants is passed down by actually showing learners how to use the plants rather than just talking about them in a classroom, then such a rule necessarily means that, at least on those particular lands, Indigenous knowledge cannot be passed down. Moreover, if the rooted laws of Moose Deer Point First Nation are grounded in the earth, and enacted in relationship with the earth, taught in partnership with the earth, then prohibiting harvesting activities within their territory – on land that is purportedly being protected for the benefit of all – is certainly contributing to the oppression of those very laws and legal systems. Finally, if the people of Moose Deer Point First

Nation are prevented from receiving the gifts offered by their plant and animal kin by land use rules of state-endorsed environmental conservation initiatives, have we considered the negative impacts of that termination of a relationship?

Rooted law (whether in Anishinaabe, Haudenosaunee, or myriad other rooted communities) teaches us that we are not meant to subdue Creation, nor are we meant to disconnect ourselves from it in order to protect it – we must interact with the world around us, the soil beneath our feet. Perhaps in this type of reflection we can begin to see how land use rules are a part of a larger system that oppresses traditional practices, and undermines knowledge transfer; this is how cultural genocide takes place. Mutual aid, and rooted law generally, means that we have a duty to accept the gifts of Creation, responding with gratitude, and considering what else that reciprocal relationship might ask of us. Is it to pick berries, leaving some for other beings, and actually putting in some work to help those berries thrive, even if that means using fire practices in areas that we view as “pristine” for instance? At the very least, being aware of such fundamentally different foundations for our societies requires that we stop and interrogate such statements as “anything that we settlers do to conserve the environment is in the interests of First Nations”.

Building an awareness of rooted law is important for understanding the Anishinaabeg of the Great Lakes, and in particular to shift the way we understand the history of the Great Lakes so that it comes to encompass a pre-European contact history as well. In the next chapter, we take our possibly-newfound awareness of the foundations of Anishinaabe understandings of human-Creation relations, and re-consider the history of the Great Lakes. How would an awareness about rooted law help us to understand post-European contact history of Turtle Island, and how Anishinaabe peoples in the Great Lakes responded to European/settler arrival, of power struggles, and of the eventual settler state assertions of authority through policies and treaties? If we accept that there are multiple truths, how might we understand the history of the Great Lakes and Indigenous-settler interactions differently than from the conventional settler narrative? The following chapter looks at that history with a particular eye to the Anishinaabe community of Moose Deer Point First Nation.

Chapter 6. Undoing the “Squatter” Narrative: How Anishinaabe Historical Context of the Great Lakes Can Reframe Belonging for Moose Deer Point First Nation

I. Introduction: Undoing the Single Narrative

Our touchstone is the Moose Deer Point First Nation, which provides a unique focus given this particular community’s apparent non-treaty status within a region layered by multiple treaties. We have touched briefly the problematic narrative that the people of Moose Deer Point First Nation are merely “squatters”, and that they are not treaty peoples. Indeed, at least one Moose Deer Point First Nation focus group participant referred to her own community that way; it seems that this spoke more to the point that several other participants raised, which was that Moose Deer Point First Nation’s ancestors moved around because they were seeking non-interference with their way of life. Whether this community is or is not seen as one of the “legitimate” peoples of the area in which they live matters for many reasons.

One reason this issue matters for Moose Deer Point is simply about awareness – land acknowledgments are increasingly being used as a method for settlers to demonstrate their concern for Indigenous rights, and their desire to respond to Truth and Reconciliation process. Those land acknowledgments often rest on the idea of an Indigenous community as the treaty holder, that is, as some sort of officially-recognised and therefore legitimately-belonging community. While land acknowledgments can indeed be a good first step on a person’s truth and reconciliation journey, I believe their search for certainty can reinforce the problematic narratives that are part of the ills we ought to be addressing. Another reason a community is seen to be perceived as legitimately belonging or not, is that it informs the lengths to which governmental agencies will go to engage with those communities. The narrative that Moose Deer Point First Nation is not from Georgian Bay has contributed to the general tendency of Indian Affairs bureaucracy to have historically ignored or stymied the Moose Deer Point First Nation ancestors’ efforts to assert their rights, as we shall see in this chapter. This point, in turn, influences how non-governmental organisations and civil society behave as well.

In order not to lose track of our initial research enquiry, let us remind ourselves that we are seeking to understand whether conservation land use planning has contributed to the historical and ongoing process of colonialism and dispossession of Indigenous peoples from their lands and waters; if so, how did that happen, and, consequently, how does that undermine Indigenous legal orders, governance, and lifeworld in Georgian Bay? Building on the legal context of gift way, reciprocity, and kinship revealed in Anishinaabe origin stories described previously, this chapter recentres a brief history of Georgian Bay – and the Moose Deer Point First Nation’s ancestors, the Pottawatomi – predominantly within an Anishinaabe context. I first show that settlers’ initial contact with the Pottawatomi came at a moment of complex socio-political rearrangement within Indigenous communities, and so I argue that their location near Chicago at the time does not define their place of belonging. Moreover, rather than indicate they were “squatters” who did not belong in the region as the conventional narrative would have it, I trace how the Pottawatomi’s movement to Georgian Bay in response to multiple conflicts in fact *demonstrates* their belonging via legal kinship and doodem governance structures. Finally, I show how Moose Deer Point First Nation’s pursuit of sovereignty (often through isolation) has complicated its recognition by the settler state and I argue that Moose Deer Point First Nation has therefore existed in dual realities—one of attempting to maintain sovereignty by living according to Indigenous law, the other of attempting to be recognized under settler law. By showing how Moose Deer Point First Nation does indeed belong in Georgian Bay, this chapter frames the subsequent discussion in Chapters 7 and 8 of the emergence of settler cottage communities and cottager-led conservation endeavours.

It bears repeating that it is myopic to begin any discussion of Indigenous people in the Great Lakes simply at the point where Europeans arrived and made contact with them, or when treaties were signed. Chapter 5 established the importance of Re-/Creation stories, and Anishinaabe/rooted law more broadly, as an important starting point for contextualising Indigenous perspectives. In this chapter I draw on Moose Deer Point First Nation’s Gchi-Naaknigewin as an additional contextualisation tool, and once again draw on Mills’ (2019) legality tree analytic in order to demonstrate that belonging for the people of Moose Deer Point First Nation goes beyond treaty signing in the Chicago area, and beyond the geographic boundaries of settler contact.

II. Gchi-Naaknigewin and Moose Deer Point First Nation’s Complex Sense of Belonging

We, the Pottawatomi Anishinaabe of the Moose Deer Point First Nation hereby declare our sovereignty as the descendants of the original peoples of this land.

We have a long history of organized decision making as one of the original governments in North America.

We have a special historic relationship with the British Crown and the United States Congress, including treaties of peace, friendship, and alliance.

Our relations with other governments are rooted in the honourable diplomacy of our ancestors and reflect our rights of self-determination.

As Pottawatomi Anishinaabe we are the 'Keepers of the Sacred Fire for the Council of Three Fires Confederacy'

We are Mgizi (Eagle Clan), Nme (Sturgeon clan), Nmebin (Sucker Fish Clan) and Mkwa (Bear Clan); descendants of the sovereign Pottawatomi Nation whose traditional territories include parts of the current American states of Wisconsin, Michigan, Indiana, Illinois and Ohio, and the Canadian Province of Ontario.

We are a spiritual people and we recognize the rights of e-dbendaagzijig to practice our spirituality freely.

Our Creator and the memory of our ancestors dwell in all the places of our homelands, as they always have and will for time immemorial.

We were placed on this earth by the Creator to act as stewards and custodian of the land, the natural environment. We know that our survival is dependent on our co-existence with the other species and we recognize that crimes against our environment are crimes against us as people.

Our ancestors teach us through our oral traditions that all things on earth are connected in the web of life and these sacred teachings will guide all of our activities, now and in the future.

Our teachings are reflected in the principles of sustainability set out in the international covenants, which we support as a testament to our cultural values.

(Moose Deer Point First Nation, Gchi-Naaknigewin, "Declaration", 2016, p. 4)

In its Declaration of Principles and Jurisdiction (p. 3) and its Declaration (p. 4), Moose Deer Point First Nation's (2016) Gchi-Naaknigewin (Constitution) articulates a strong sense of belonging, and encapsulates various identity markers for the community. It declares that they are "the descendants of the original peoples of this land" (p. 4). The community of Moose Deer Point is made up of members of the Mgizi (Eagle), Nme (Sturgeon), Nmebin (Sucker Fish), Mkwa (Bear) clans (Moose Deer Point First Nation, 2016). Moose Deer Point First Nation predominantly identifies as a Pottawatomi community, and thus describes their members as keepers of the Sacred Fire for the Three Fires Confederacy, a long-standing political council of Anishinaabeg nations. The opening statement of Gchi-Naaknigewin articulates that their self-government "is a gift from the Creator to e-dbendaagzijig" [the people of Moose Deer Point First Nation], and that "the Creator also gave [them] responsibilities to respect and honour the land and each other" (p. 4). Their traditional territory includes "parts of the current

American states of Wisconsin, Michigan, Indiana and Ohio, and the Canadian province of Ontario” (p. 4). The Gchi-Naaknigewin references the teachings about Creation, ancestors, and sacred relations on and with the earth. Their jurisdiction applies “over all matters on First Nation Territories, over First Nation territories land, water, air and natural resources and over waters adjacent to First Nation territories” (p. 3), and other governments they are engaged with “must also recognize and respect [their] Pottawatomi e-naadziyang, and allow [them] to develop, protect, and promote [their] traditions, anishinaabemowin [their language] and values” (p. 3). Having examined the rooted legality tree, we can see that within this brief document there are references to the roots of the tree – the centrality of Creation stories as tools for teaching law – and the structure of kinship and mutual aid. Without having any knowledge of rooted constitutionalism (developed in Chapter 2), it would be easy to read through this and understand it as largely symbolic, hearkening back to past forms of governance. However, with an awareness of Anishinaabe laws rooted in origin or Re-/Creation stories (outlined in Chapters 3 and 5), we can see this document as Moose Deer Point First Nation’s declaration of tangible sovereignty and rooted governance.

Moose Deer Point First Nation’s Gchi-Naaknigewin provides a confident explanation of this community’s identity and sense of belonging, and its various identity markers provide a helpful container for examining the historical context. It is drawn from the Anishinabek Nation’s *Chi Naaknigewin* document, which provides communities with the language to build up their own confidence around Indigenous governance and law. However, having such a document is only just a start; much like the United Nations Declaration on the Rights of Indigenous Peoples, until it is taken seriously by settler governments and indeed the Indigenous communities themselves, it will be difficult for it to affect intergovernmental relations, and even the attitudes of the community members themselves. This is certainly the case for Moose Deer Point First Nation, for although the Gchi-Naaknigewin shows a strong sense of belonging, nevertheless a more complicated and perhaps less confident sense of identity and belonging is revealed in interviews with members of the community.

On the one hand, interviewees spoke of a deeply rooted sense of belonging in place, that their community had in the past been a destination for Pottawatomi people in Georgian Bay to come to for traditional ceremony (Focus Group 1), that no matter where one finds oneself, one is Anishinaabe and thus rooted in place, that their hunting practices have kept this particular land healthy (Interview 1). On the other hand, several spoke of their ancestors having been forced to move from place to place, that this is a community of “squatters”, that it’s a community that is divided by settler roads and ideas about

whether they are a “traditional” or “modern” community. Some spoke of the strong Indigenous identity of other First Nations around Georgian Bay, and even of other members of the Moose Deer Point community who engage in an apparently more traditional approach to hunting and fishing, but that they feel they are trying to re-establish a rooted connection to place and struggling to determine what feels authentic and what feels borrowed when it comes to their Indigenous identity. Revealed in these interviews is a conflicted sense that the Moose Deer Point First Nation are a people who are both *of* these lands in which they live, yet also outsiders. It doesn’t seem as if there is much clarity about *why* that conflict exists. Some of the interview participants hint that the internal conflict around identity felt by individuals and the community as a whole is a result of loss of language, loss of access to lands and waters, and bureaucratic marginalisation; as a consequence of all that, it’s no surprise that the community struggles to tell their own story to the outside world and indeed to themselves.

In contrast, there seems to be great certainty revealed in settler documents pertaining to Moose Deer Point First Nation’s identity and belonging, largely minimizing the fact that they are part of the broader Anishinaabeg people and their heritage encompasses Ojibway and Odawa, *as well as* Pottawatomi heritage, among others. One cottager association describes Moose Deer Point First Nation as being “descendants of the Pottawatomi of the American Mid-West” who took up the invitation by the British to immigrate to southern Ontario in the early-to-mid 19th century (Wah Wah Tay See Cottage Association, 2023). Conversations that I have had with cottagers in my own community reveal a similar understanding of who the Moose Deer Point community is, and where they are seen to belong. Academic research about the Pottawatomi by scholars such as James Clifton (1975) and David Edmunds (1978) are looked to as authoritative on Pottawatomi history, and they portray the migration of the Pottawatomi in the 19th and 20th centuries in such a way that this has come to define people with Pottawatomi heritage. There are some references to oral history that might provide a more nuanced picture, but those are only fleeting (Clifton, 1975, p. 8). The narrative of the people of Moose Deer Point First Nation community as immigrants reinforces the idea that they do not belong where they reside. There is, however, a more nuanced story with numerous strands about a community with a wider sense of belonging, whose migration took them to different places *within* their Anishinaabe territory, enabling them to re-create home through the rooted networks of kinship and reciprocity.

III. Socio-Political Complexity and Location at Point of Contact With Europeans

The narrative of “they’re not from here” in the context of Georgian Bay seems currently focussed mostly on the Pottawatomi, and especially the Moose Deer Point First Nation. Although the Pottawatomi signed treaties in the Chicago area in the 1800s, we should not define Pottawatomi belonging according to that event; nor should we be looking to settler political-geographic boundaries to define Indigenous belonging. The conventional academic narrative of the Pottawatomi can be seen to reinforce this narrative that the Pottawatomi are not so-called traditional peoples in Georgian Bay when we find Clifton (1975) writing that:

the Potawatomi had no claim to Canadian soil by right of occupancy prior to 1830. Their association with the Ojibwe, Odawa and Huron in this transaction, and in the Treaties of 1790 and 1800 as well, were due to political decisions made by the British Indian Service. These decisions were intended to bind the Potawatomi into an alliance with their neighboring tribes and with the British; and it was on this basis that five years later the Potawatomi began migrating into Canada (p. 64).

This narrative of othering Indigenous peoples by way of *who-belongs-where-ism* has been in use for a long time. When in the late 18th century Denis-Menjamin Papineau was sent to the Sault area to gather information about Indigenous people living there prior to treaty negotiations, he argued that “the tribal bands in the Sault area did not inhabit the north shore of the St. Mary’s River before the Conquest of 1763 (i.e., before the defeat of the French in the region) and therefore could not be considered the “original inhabitants” of the region” (Bellfy, 2011, p. 87). Colonial officials used their perception of bands as “too loosely organized to be considered a ‘nation’”, or the fact of recent migration over the new international border (ignoring the reality of the underlying territory, of course) as justifications to delegitimise a people (Bellfy, 2011, p. 88). The notion that the territoriality of today’s First Nations should be defined by where European’s encountered them in one 50 to 75 year period is problematic to say the least.

The arrival of the Dutch, French, and English in the 16th and 17th centuries came at a time when many Indigenous peoples in the Great Lakes region had been restructuring political alliances (as seen with the establishment of the Haudenosaunee Confederacy, and the Three Fires Confederacy, for example) and re-settling territories within traditional lands (see Appendix B), though many Indigenous peoples in that region had in fact been there for millennia, and had not been part of that particular Anishinaabe migration. By the 1760s, the Anishinaabeg controlled a larger territory than they had a century earlier (Bellfy, 2011):

In 1768 the Anishnaabeg occupied all of what is now Michigan; all of Ontario, except areas in the far east (Algonquins) and the far north (Creeps); much of northern and eastern Wisconsin; northern Minnesota; some areas of northern Ohio and Indiana; and northeast Illinois. That is, they occupied almost all of the land that borders the five Great Lakes except the area to the south of Lake Ontario and a portion of southern Lake Erie, both held by the Iroquois, as well as small areas along the Detroit River and on the south shore of Lake Erie that were held by the Wyandots" (p. 41)

The 17th and 18th centuries saw much movement. In the 1600s, the Pottawatomi were encountered by the French largely around the north-western shores of Lake Huron, and the north-eastern shores of Lake Michigan (Bellfy, 2011, p. 6), having fled their home in Huronia (where they were living with fellow Anishinaabeg the Odawa and their Huron allies), as a result of conflict with the Iroquois (Bellfy, 2011, p.20). By the mid-1700s the Pottawatomi were largely found around the western shore of Lake Erie to halfway up the Detroit River, around the southern end of Lake Michigan (Bellfy, 2011, p. 40). Comparatively, the Chippewa/Ojibway (whom I hear settlers comfortably refer to as "the" traditional peoples in Georgian Bay) were largely located around the southern portion of Lake Superior in the 1600s (Bellfy, 2011, p. 6), though many fled from the Sault Ste. Marie area to the western side of Lake Michigan as a result of similar conflict with the Iroquois (Bellfy, 2011, p. 20), and by the mid-1700s they were found all around Georgian Bay and Lake Huron, the southern shores of Lake Superior, and the northern shores of Lake Michigan (Bellfy, 2011, p. 40).

The success of the Odawa, Ojibway, and Pottawatomi *together* in defeating the Haudenosaunee in southern Ontario at the end of the 1600s, forcing them out by the early 1700s (Borrows, 1992b, p. 187) illustrates both the geographical and political fluidity of that period in time as well as the fact of Pottawatomi belonging in the broader Anishinaabe nationhood of the Great Lakes (which we'll delve more into in Section III). Moreover, Bellfy (2011) demonstrates that from the end of the 1700s into the 1800s even the British treated the Odawa, Ojibway, and Pottawatomi as a unit (p. 63) (though the settler state would use those tribal designations as a way to undermine this unity as discussed later). Although Bellfy (2011) also describes the Pottawatomi who migrated into Canada as "refugees", he uses this description because "they could *no longer* lay claim to any homelands east or north of the Great Lakes" (p. 97, emphasis added). That is to say, they were "refugees" only in so much as settler assertions of sovereignty made that an apparent fact, not because they were outside of their underlying territory of kinship.

While a conventional settler history of the Great Lakes would have us believe that the one reality there is to consider is the one in which the British held sole sovereignty, once the balance of power tilted their way, there is another reality to consider, in which Indigenous self-governance

continued well beyond the War of 1812, and the Anishinaabeg were still in control of the upper Great Lakes territory (Bellfy, 2011, p. 60). The Anishinaabeg living in this turbulent region found themselves forced to move – some were persuaded to move south, into large reservations bringing together many different Indigenous nations, while others were forced on a deadly march west. Still others chose to remain within their traditional territory of the Great Lakes, moving into a different region of that territory. By 1795 the British Crown had already begun inviting their Indigenous allies still residing in the now-US territory into British-asserted territory, an invitation that was reiterated after the War of 1812 ended. The combination of 1) the loss of territory that the British had conceded as “Indian country”; 2) American assertions that those Indigenous nations that had sided with the British automatically forfeited their aboriginal title; 3) turbulence caused by influx of European settlers; and 4) Indigenous peoples who chose or were forced to move to this region, set the stage for the Pottawatomi ancestors of the Moose Deer Point First Nation to move away from these homelands (Augustine and Corcoran, 1999, pp. 16-17). Although this migration must be understood as caused by the violence and uprooting nature of colonisation, it must also be understood as an illustration of rooted law at work.

Of the many origin stories to keep in mind, the Great Migration of the Anishinaabeg is an important one as it draws together a history of Anishinaabe migration, which some describe as having begun with a significant collective move from the Atlantic Ocean. This migration is variously described as having been a response to the Seven Fires prophecy, which told of the need to protect Anishinaabe ceremonies and knowledge, to prepare for the coming of a new people (settlers) (Benton-Banai, 2010, p. 89), and in response to the Seven Grandfather/Grandmother Teachings (Borrows, 2019). Benton-Banai (2010, pp. 94-102) provides a lively narrative of this journey from the east coast of Turtle Island (the Atlantic Ocean) to the Great Lakes. According to Benton-Banai (2010), this journey began in roughly 900CE, and is said to have concluded roughly around 1400CE, though in many other tellings of this story, a specific time is not given, and the element of a time-stamp does not seem to be thought centrally important. Through this Great Migration narrative, we learn of the emergence of the Midéwiwin medicine society, as well as of conflicts and alliances that took place *en route* towards the Great Lakes, laying down a patchwork narrative of ceremonies to discern how best to continue the migration. Bellfy (2011) tells us that both the Anishinaabeg migration as well as the Midéwiwin tradition were brought about “by a complex set of circumstances involving the early establishment of “Vinland” on the North American continent, the transmission of the Black Plague in the fourteenth century from Europe to Greenland, and the recorded contacts of Greenlanders and Inuit during this period” (p. xxxvi).

Anishinaabe historian and linguist Dr. Alan Corbiere (2020) points out in his dissertation that “[n]o one is certain about the duration of this migration or when it was initiated. [...] This migration is viewed as an historical event by modern traditional Anishinaabeg but the migration has not yet been studied using archeological or historical evidence” (p.28). In his “History of the Ojibway People”, William Warren (2009 [1885]) inquires about this migration story of his Elder, who shared with him that it was both a migration of people and the Midewiwin religion (p.46). Apparently it was only about three centuries earlier (roughly the 1600s) that the Ojibway had come to be known as such. By the time they had reached the Great Lakes, the group of people known as the Anishinaabeg had begun to divide into three somewhat distinct groups, the Ojibway, Odawa, and Pottawatomi. The Ojibway took responsibility for maintaining the Anishinaabe faith traditions, the Odawa took responsibility for maintaining the hunting and trading traditions, while the Pottawatomi held the responsibility as Keepers of the Fire (literally keeping the coals burning for the sacred fires lit at the various council fire locations, and later on, the broader traditions of fire keeping) (Benton-Banai, 2010, p. 98). This sharing of responsibilities eventually manifested in the Three Fires Confederacy, an alliance that was called upon by other Indigenous groups in fighting to protect their lands from other Indigenous nations as well as settlers, and which exists still today as a unifying organisation for the Anishinaabeg (Benton-Banai, 2010). By the time the Migration reached Manitoulin Island – what Benton-Banai (2010) points out became something like the “capital of the Ojibway Nation” (Ojibwe and Anishinaabe seem to be used interchangeably) the Midéwiwin society was going strong, and the doodem system was thriving (p. 100).

Though Manitoulin Island was not the final destination of this Great Migration, it seems to have been an important one, providing a gathering place for a people from an increasingly wide territory. The Migration continued towards the central point of the Great Lakes, where Lakes Superior, Huron/Georgian Bay, and Michigan all meet, and eventually going as far west as the Madeline and Spirit (Duluth) Islands in western Lake Superior (Benton-Banai, 2010, p. 99). When the migrating Anishinaabeg reached the western point of the Great Lakes, the Migration is seen to have ended. Communities were settled into locations all around the Great Lakes, and stable relations were being found with the communities that they encountered. Not too long after this point, in the 16th century, Europeans made their way as far west as the Great Lakes and here we find ourselves back at the start of the narrative with which we are grappling: the assertion that the Pottawatomi ought not to be considered the “traditional peoples” of Georgian Bay because, according to this settler narrative of non-belonging, they are from the area around the south-western shores of Lake Michigan (“the Chicago area” explanation).

And yet, the documents governing Moose Deer Point First Nation demonstrate a different picture of belonging, which we must explore.

IV. Migration and Belonging Facilitated by Rooted Law

So how *did* the community of Moose Deer Point First Nation come to find themselves as a registered Indian Band on the eastern shore of Georgian Bay, with a reserve area much smaller than they had requested, no treaty status, and disconnected from their ancestors' burial grounds and from their traditional hunting and harvesting territory? Contrary to the conventional refugee narrative of the Pottawatomi peoples of Moose Deer Point First Nation in Georgian Bay having been driven out of their apparently traditional territory in the Chicago area, Moose Deer Point First Nation's Pottawatomi ancestors would likely have identified a broader sense of belonging. Research by Bellfy (2011), Bohaker (2020), and Mills (2019), among others, has demonstrated that they were part of a people spanning a wide territory, bound by a strong legal web of kinship, who were choosing to engage in their very Anishinaabe sovereignty and exercise the strength of that kinship structure by migrating to another part of that territory in response to a crisis of conflict and land loss. Revisiting this history is not only important for the sake of Indigenous peoples and culture, but also for settler peoples, for the marginalisation of Indigenous-centred histories of place has served to distort the histories of settler communities themselves (Bohaker, 2020).

i. Importance of Rooted Law Asserted by Anishinaabe in Early Indigenous-British Crown Relations

Documents detailing the history of Moose Deer Point First Nation provide a portrait of a community frustrated at many turns by settler refusal to acknowledge the facts of their belonging; yet at the same time, the Anishinaabeg have asserted the very real importance of rooted law since early on in Indigenous-Crown relations. The Moose Deer Point First Nation ancestors that have been documented, primarily the King family, have been allies of the Crown since 1764 (Wesley-Esquimaux, 1988, pg. 66). Until the fall of Quebec in 1759, the Anishinaabe were in relatively firm alliance with the French (Johnston, 2006, p. 13). With the surrender of Montreal in 1760, an agreement was made through the Articles of Capitulation that "recognized the independence of the Anishinaabe and Wendat allies of the French, guaranteeing that they 'shall be maintained in the Lands they inhabit, if they chose to remain there... [and] they shall not be molested on any pretense whatsoever'" (Tidridge, 2015, p. 53). General

Jeffrey Amherst, who represented the British Crown (King George), had other intentions, however. Intent on ensuring that Indigenous peoples knew not to expect what Amherst considered unnecessary diplomatic protocols and ceremonies from the British, one of the first policies implemented by the new power of the British Crown was to gradually reduce the number of gifts given each year (Tidridge, 2015, p. 54). Amherst wanted to shift the meaning of what gift-giving would remain from an act of the “grateful to the benefactor” to an act of “the gentry to the beggar” (Dowd cited in Tidridge, 2015, p. 54). As we know, reciprocity and the gift economy is central to rooted law, and thus ought to be central to Indigenous-settler relations. Amherst’s shift away from gift-giving represented a staggering rent in the fabric of Indigenous-European diplomacy, and although the British would come to retract such policies rather quickly, they would return in the shape of policy and worsening settler-Indigenous relationships.

Following the introduction of General Amherst’s policies, the Anishinaabe retaliated swiftly, resisting the British assertion of power and policies “more fiercely than they had ever done during the reign of the French” (Bellfy, 2011, p. 31). It was clear that the British military approach was to become masters over the Indigenous peoples rather than to become allies as the French approach had been. “In place of the French policy of giving presents that insured the well-being and amity of their Native allies, the British decided that “presents” would be made only in payment for services rendered” (Bellfy, 2011, p. 31). As a result of General Amherst’s strong-man approach to relations with the Indigenous people, a military alliance between Seneca and various Anishinaabe warriors emerged, under the leadership of the Odawa Chief Pontiac, which led to the destruction of nearly every fort around the Great Lakes; Forts Detroit, Pitt, and Niagara were also besieged.

The Indigenous military response to General Amherst’s rejection of gift-giving as a diplomatic protocol illustrates just how seriously we must be considering rooted law – the receiving and giving of gifts was not merely a social nicety, it represented the foundation of the law of relationships; to reject outright that facet of rooted law represented a dire threat to Indigenous-European relations. Anishinaabe Chief Minavavana articulated it thus, in a speech rebuffing English assertions of sovereignty after the defeat of the French in the Seven Years War/Beaver Wars: “the spirits of the slain are to be satisfied in either of two ways; the first is the spilling of blood of the nation by which they fell; the other, by covering the bodies of the dead, and thus allying the resentment of their relations. This is done by making presents” (Borrows, 1997b, p. 157, drawing on a larger quotation in Wilbur R. Jacobs, *Wilderness Politics and Indian Gifts*). Rejecting rooted protocols, such as gifting, amounted to a rejection of peaceful coexistence (Borrows, 1997b, p. 158). This assertion of Indigenous military might came to a halt when Sir

William Johnson's approach to diplomacy, which was more sensitive to protocols and ceremonies of rooted law, prevailed over General Amherst's overbearing approach (Tidridge, 2015, p. 55).

ii. Royal Proclamation and Rooted Law Legitimising Settler Policy

In 1763, partly in an attempt to cool the conflict that resulted from Amherst's problematic policy choices, King George's Royal Proclamation was issued. It was clear that it would only bear any weight if it were to be ratified by Indigenous nations (Johnston, 2006, p. 14). After all, as Justice Murray Sinclair commented in 2013, the Royal Proclamation "at best [...] was an imposed relationship by a far-away and aloof government focused on protecting its trading relationships. At worst, the document created the framework that allowed Indigenous title to be extinguished and Indigenous lands to be transferred to the settler population" (cited in Tidridge, 2015, p. 53). Indeed, Eva Mackey (2014), in her work on settler desires around certainty, argues that:

the *Royal Proclamation* created, structured, and protected Crown fantasies of certain entitlement to future title through establishment of a jurisdictional imaginary that may have recognized, but also *encompassed*, the sovereignties of Indigenous nations. At the same time, the full, rich, collective place-based sovereignty of Indigenous peoples became irrelevant simply through the colonizers' unquestioned entitlement to define entire nations on their own terms and as implicitly inferior. Indigenous nations exist, they are "recognized," but at the same time they are carefully and "legally" (according to colonial and national law) put in their subordinate place (p. 244).

Though interesting, Mackey's critique of the 1763 Royal Proclamation neglects the associated 1764 Treaty of Niagara, inadvertently aligning with the conventional interpretation of the Royal Proclamation as a standalone settler document (Borrows, 1997b), and thereby re-enforcing the settler certainty that Indigenous peoples were merely victims of settler colonialism, passive, when in fact Indigenous law, *rooted law*, very much shaped early British policies and military fate. This is a serious omission, for, as Borrows (1997b) points out:

Since the wording of the Proclamation is unclear about the autonomy and jurisdiction of First Nations, and since the Proclamation was drafted under the control and preference of the colonial power, the spirit and intent of the Royal Proclamation can best be discerned by reference to a treaty with First Nations representatives at Niagara in 1764. At this gathering, a nation-to-nation relationship between settler and First Nation peoples was renewed and extended, and the Covenant Chain of Friendship, a multinational alliance in which no member gave up their sovereignty, was affirmed. The Royal Proclamation became a treaty at Niagara because it was presented by the colonialists for affirmation, and was accepted by the First Nations. However, when presenting the Proclamation, both parties made representations and promises through methods other than the written word, such as oral statements and belts of wampum. It is significant to note that Sir William Johnson, superintendent of Indian affairs, had earlier agreed to meet

with the First Nations and reassert their mutual relationship through requirements prescribed by the Aboriginal peoples, which involved the giving and receiving of wampum belts (p. 161-162) .

This all matters in the context of this dissertation's examination of belonging for Moose Deer Point First Nation, because acknowledging that rooted law shaped British policy is important for enabling us all to conceive of rooted law as a fundamental part of the foundation of this country and a very real fact today (Borrows, 2010). Let us consider this point further.

Two particular wampum belts presented at the 1764 Treaty, the Covenant Chain and the Twenty-four Nations, "and the promises embedded in them, form the foundation of the British-Anishinaabeg Treaty Alliance" (Johnston, 2006, p. 15), and decisions made by Indigenous peoples in those years provided the "principles agreed upon [which] form the foundation upon which the present First Nations/Crown relationship rests" (Borrows, 1997b, p. 155). The Treaty of Niagara represented relations between Indigenous and European nations that were framed as "a consensual relationship of peace, protection, and respect" and the Indigenous nations were treated "as sovereign nations with treaty capacity" (Craft, 2013, p. 33, quoting Sa'ke'j Youngblood Henderson). The 24 Nations wampum belt illustrated the direct relationship between the Indigenous nations, representatives of which participated in the Treaty of Niagara and the British, and the British Crown. Presented by the British, and accepted by the Anishinaabeg (Johnston, 2006), the wampum represented the promise by the British of support for the Indigenous nations whenever they should need it. "In accepting the Twenty-four Nations belt, the Anishinaabeg bound the British Crown [in] a perpetual promise that their alliance would be [life]-giving and sustaining, not impoverishing" (Johnston, 2006, p. 15).

A wampum representing the Covenant was also given by the British. The Covenant Chain treaty was initially established between the Haudenosaunee and the Dutch in 1613, subsequently with the Wabanaki Confederacy in 1725, and then at Niagara with the Anishinaabeg, representing a supporting alliance relationship, one which required regular polishing in order to be kept in beautiful condition. This metaphor brought together the approach of rooted law to treaties (i.e., understanding treaties as symbols or reminders of an ongoing relationship, which itself requires ongoing care), with the materials and practices familiar to English military traditions. According to Haudenosaunee knowledge keeper and wampum weaver Ken Maracle, the symbolism of the Covenant Chain wampum brings together the Indigenous cyclical perspective on time and the European linear perspective, seen when both ends of the wampum are brought together connecting the two seemingly incomplete diamonds alongside the 1764 (Tidridge, 2015, p. 61, referring to a teaching given by Alan Corbiere and Ken Maracle in 2013).

Importantly, the Covenant Chain agreement was not forged in an era of positive relations – “it was established in an environment of ‘war, intrigue, hard-edged and often illicit trading practices, and an array of related conflicts’” (Bruce Morito from *An Ethic of Mutual Respect: The Covenant Chain and Aboriginal-Crown Relations*, cited in Tidridge, 2015, p. 65). Rooted law was historically drawn on to help manage Indigenous-settler relations, and continued to affect those relations in the years to follow the Treaty of Niagara.

In determining a location for the Treaty of Niagara, Sir William Johnson (Indian Affairs Superintendent, 1755-1774) chose a location that would be accessible to Indigenous peoples from a wide territory, around the Great Lakes and down to the region around Detroit (Tidridge, 2015, p. 55). Johnson made it clear to his colleagues and superiors that in order for the Indigenous nations with which the British Crown entered into treaty to even consider ratifying the 1763 Royal Proclamation, Indigenous laws and protocols had to be honoured alongside the British practices. Johnson (cited in Tidridge, 2015, p. 57) further asserted that the possibility of ratification by Indigenous nations was likely only under certain conditions, such as:

- Free, fair and open trade;
- Free intercourse, and passage into territories under the jurisdiction of the British Crown;
- That the Crown would make no Settlements or Encroachments contrary to Treaty, or without their permission;
- That the Crown would bring to justice anyone who commits robbery or murders on them;
- That the Crown would protect and aid them against their and our Enemies, and duly observe our Engagements with them.

The Royal Proclamation/Treaty of Niagara demonstrates that Anishinaabe law – rooted law – shaped the early treaties established between Indigenous and European nations, the relationships being forged, and the policies being developed. Subsequently we see countless instances when those treaties were forgotten or dismissed; nevertheless, we can see how the ceremonies and protocols of rooted law shaped the foundations of Indigenous-settler relations.

Although many understand a treaty between settlers and Indigenous peoples to be a kind of contract, within the context of rooted law a treaty is considered as an act of ongoing negotiation, which we could think of more as a process than a moment or a document; that is, Indigenous peoples approach the idea of “treaty” as a verb rather than as a noun, which makes sense given that many Indigenous languages are predominantly verb-based as opposed to noun-based English (Kimmerer, 2014a, p. 53). Indigenous understanding of treaties was (and is) relational and holistic, including the

preparation (e.g., discussions and talks leading up to the agreements), the agreement itself (e.g., traditionally it was spoken, but Europeans wrote it down as well), and follow-up (e.g., meeting in subsequent years to discuss how well or poorly the promises were being kept, and to celebrate those treaties) (Stark, 2010). Understanding these differences in the conceptualisation of treaty relations not simply as translation issues, but differences grounded in fundamentally differing cosmological foundations is part of the learning journey in order to examine how settler and Indigenous communities' ideas about environmental conservation are not necessarily aligned, though they might appear to be on the surface.

Some have reflected that today, whereas the Canadian state approaches modern treaty negotiation like a divorce – an agreement to settle things once and for all – Indigenous negotiators approach it more like a marriage, understanding that this is an agreement to enter into a relationship that will evolve over years, and the agreement will need to be returned to in order to ensure that the relationship is healthy, that the links are polished (Tidridge, 2015, p. 44). Treaty-making in the United States and in Canada is rooted in Indigenous principles of respect, responsibility, and renewal, principles which can be found in Anishinaabe stories about relationships between people and animals. These principles were and continue to be called upon by Indigenous peoples, but more often than not were left aside by European and subsequently US/Canadian parties (Stark, 2010). Stark (2010) examines the story of the Woman Who Married a Beaver, and reflects that this story serves as an illustration of some of the founding treaties, made between people and their animal kin. It teaches the importance of fasting, of encountering spirits and learning from them, and more broadly of actions, respect, responsibility, and renewal. These kinds of lessons informed early treaty-making between Indigenous and settler peoples, as seen in the presence of Indigenous concepts, procedures, and ceremonies, thus early treaty-making “differed in a number of ways from treaties typical among European states” (Stark, 2010, p. 148).

This relational and holistic approach to treaties calls to mind rooted law's legality tree analysis, in particular, where we learned about the web of kinship that governs relations and behaviour across communities and territory. Recall that, within the rooted law construct of mutual aid, one's identity and freedom is found in relation to others; it is not the individual, nor the community that is the most important, but the *links* between people and between the individual and the community. We can see this play out in a number of ways, when looking at early treaty-making. Firstly, we see it in imagery used within wampum, in the Covenant Chain wampum, for example, which uses the metaphor of a chain and

the need for it to be polished as guidance for caring for relationships. The language often used in treaty negotiations of “as long as the sun shines and the waters flow and the grass grows” was meant to illustrate the eternal nature of relationships, emphasising the fact that treaties were markers of these relationships, and treaty-making a ceremony (Mills, 2019, p. 235) – the treaty documents themselves (whether settler written text or Indigenous wampum belt) were not the most important element, rather the relationships to which those documents pointed were the most important.

Language was used invoking the notion of pity, which drew on the rooted law concept of the importance of needs within a mutual aid logic. As Mills (2019) points out, communities are sustained not primarily by gift offerings, but equally by the offering up of needs: “In older Anishinaabe discourse, this was often expressed, in English, as a petition for “pity”. Treaty records and petitions are shot through with this word” (Mills, 2019, p. 103). One might think that the Europeans hearing this language could not have comprehended the fundamental difference in meaning; however, we can look to the Treaty of Niagara to find record that early officials did indeed understand such fundamental differences and urged others to take heed. The fact that this understanding *did* occur, at least in some contexts, means that although it may be an uphill battle, there is an inheritance within our settler society of a way of thinking that sees Indigenous governance as compatible with settler governance; it *is* possible to shift our way of thinking as settler peoples, and this could take place within the context of environmental conservation, as well as other contexts. Sir William Johnson, who organised the gathering for the Treaty of Niagara in 1764 in order to ratify King George’s Royal Proclamation of 1763, understood that Indigenous nations did not see treaties as putting them into subjugation. Rather, he insisted on clarifying to other officials that “you may be assured that none of the Six Nations, Western Indians &ca. [sic] ever declared themselves to be Subjects, or will ever consider themselves in that light whilst they have any Men, or an open Country to retire to, the very Idea of Subjection would fill them with horror” (Johnson, cited in Mills, 2019, 232). Moreover, Johnson understood that the use of familial titles did not confer the hierarchical order of European familial relations, but something significantly different, which he believed his fellow Europeans would have done well to note:

It is necessary to observe that no Nation of Indians have any word which can express, or convey the Idea of Subjection, they often say, “we acknowledge the great King to be our Father, we hold him fast by the hand, and we shall do wt. he desires” many such like words of course, for which our People too readily adopt & insert a Word verry different in signification, and never intended by the Indians without explaining to them what is meant by Subjection (Mills, 2019, p. 232).

While Johnson would not have been alone in having developed a nuanced understanding of such fundamental differences in how European and Indigenous peoples were using language, he was fighting an uphill battle, repeatedly decrying treaties that wrongfully articulated Indigenous peoples as subjects, or which understood request for pity as the inability to care for themselves.

Ultimately, the increased instances of misinterpretation or refusal to acknowledge the Indigenous approach to treaties and their invitation into rooted law, would win out, paving the way for the settler appropriation of land on a mass scale. However, it is important to acknowledge that despite the fact that, ultimately, the presumption of settler-supremacy undermined the intent of these treaties, rooted law nevertheless shaped treaty-making, as we can see through the language that was used. Rooted law shaped other aspects of Indigenous-settler relations, as seen through the adoption of rooted diplomacy. Acknowledging this reality, and thus understanding that the foundations of the Canadian constitution are partly grounded in rooted law (even if problematically), could help us to conceive of a different way of relating across the very different legal realities of rooted Creationism and liberalism, which in turn could help settler institutions and the individuals in power and pushing these efforts forward to create genuine space for Indigenous voices and perspectives to shape the way we care for the lands and waters. In order for this perspective to include Moose Deer Point First Nation as a crucial community in that work, we must continue our re-framing of Moose Deer Point First Nation's narrative of belonging.

iii. Establishment and Subsequent Undermining of "Indian Country"

The presence of Moose Deer Point First Nation's Anishinaabe ancestors – Pottawatomi, as well as others – at the Treaty of Niagara helps to illuminate the historical context for Moose Deer Point First Nation's place in the wider Great Lakes territory of the Anishinaabeg. Understanding more of the swirling political context around that time, for all Anishinaabeg, helps to situate Moose Deer Point First Nation within a wider Anishinaabe belonging.

Although the French ceded the Great Lakes region to the British in their European-rooted power struggle, the Indigenous peoples of that region did not cede their territory, as they were not signatories to the 1763 Treaty of Paris (Bellfy, 2011, p. 34). Indigenous peoples resisted colonial assertions of sovereignty, and in spite of settler encroachment, the 17th and 18th century saw an area around the Great Lakes that was understood even by settler states as "Indian country". Part of the impetus for the

Royal Proclamation from the British standpoint (as well as being an effort to assert European sovereignty on this land) was to prevent settler encroachment into certain regions of this territory, regions which represented the hunting grounds that maintained the lucrative fur economy. The desires and momentum of settlers, however, undermined any such policies – it was *land* that was the incredibly valuable commodity, not furs. Thus the borders of the Ohio Valley, for instance, could not be protected by the Proclamation/Treaty of Niagara (Bellfy, 2011, p. 42).

Shortly after the Proclamation/Treaty of Niagara (and somewhat undermining that Treaty), the Treaty of Fort Stanwix was signed in 1768, shifting the southern edge of this “Indian country” somewhat, to just west of the Ohio River. At the same time, however, the Treaty sought to reaffirm that the region north and west of the Ohio River was nevertheless to be understood as “an Indian state and declaring invalid all Indian land sales in this territory” (Bellfy, 2011, p. 42). We see these promises being chipped away at by the state, and according to Bellfy (2011), “[w]hen Britain went so far as to impose a tax on the colonies to defray the costs of defending the Indian Territory against settler depredations, the colonists rebelled, and, thus, the Revolutionary War began” (p. 43). Nevertheless, Indigenous peoples of the Great Lakes region considered this still to be Indigenous territory, referred to as the “Old Northwest” in the 1783 Treaty of Paris (Bellfy, 2011, p. 54). Indigenous peoples sought to defend this territory from settler encroachment, and in the 1780s Joseph Brant formed a confederacy that fought for the land west of the Ohio River to belong to *all* Indigenous peoples, and to prevent it from being sold or treated over until *all* tribes agreed. An Indian buffer state was proposed by John Graves Simcoe, encompassing this wide region, which bordered “the southern shores of the upper Great Lakes, all of Lake Michigan, the southwestern shores of Lake Erie, and farther south” (Bellfy, 2011, p. 54).

The United States addressed this area similarly, in the form of the Northwest Ordinance, “the one document most relevant to shaping the new nation’s ‘frontier’ and the future of the Native people living within the affected region” (Bellfy, 2011, p.46). The Northwest Ordinance provided the framework by which new states would be added to the Union, and in Article Three it states, in part: “The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress” (cited in Bellfy, 2011, p. 47). Just over ten years later, the Treaty of Greenville was “negotiated” between the United States and Anishinaabeg, following the betrayal by the British towards their Indigenous allies at the Battle of Fallen Timbers, when the British literally closed the doors to safety, leaving many Indigenous warriors to be killed outside

(Augustine and Corcoran, p. 17, drawing on Allen in “His Majesty’s Indian Allies”). The Treaty of Greenville acknowledged that the United States “agreed that the lands west of the Ohio were sovereign Indian territory, and that the Americans held no claim to them, other than that which would be freely granted by the Native people to the United States through treaty and purchase” (Bellfy, 2011, p. 51). Despite the fact that many Anishinaabeg were involved in the negotiation of the Treaty of Greenville, the Anishinaabe leader Tecumseh and many other Indigenous leaders did not accept the Treaty’s terms, and saw it as invalid because it did not receive agreement from all the region’s tribes (Bellfy, 2011, p. 57).

These various documents and policies can very well be seen, with hindsight, to have been “more of a blueprint for political and social conquest” than as humane policy of good faith and voluntary consent, as Bellfy (2011, p. 47) comments on Article Three of the Northwest Ordinance. The British Crown’s conflict of interest with respect to its responsibility for Indian reserve land *as well as* its desire for resource development further erodes the integrity of any promises made with respect to protecting Indigenous interests. Notwithstanding the Crown’s problematic approach to relations with Indigenous peoples, when we consider how the Royal Proclamation, for example, was ratified with conditions established through the Treaty of Niagara, we can see two realities emerge: on the one hand, the reality of settler encroachment and the establishment of settler state powers; and on the other hand, strong Indigenous resistance to such European assertions of sovereignty and authority, the acknowledgement of rooted law by some settler officials, and the ongoing existence of Anishinaabe unity. Although we can see that there was division across Indigenous societies as to which settler peoples to ally with, yet Bellfy (2011) points out that within communities such as the Anishinaabe peoples, a deep sense of unity emerges when looking at the historical records – unity in belonging to the Anishinaabe nation rather than to one or another tribe within that. Understanding *this* is important context for understanding Moose Deer Point First Nation as belonging in Georgian Bay. Being aware of this continued presence of rooted law, its shaping of British policy as well as its enabling of resistance to settler assertions of sovereignty, is once again critical to acknowledge and helps paint a picture of more depth with respect to the centrality of Anishinaabe rooted law in the complex history of Moose Deer Point First Nation.

iv. Finding New Homes Through Kinship

In the early decades of the 1800s, many Pottawatomi, among other Anishinaabeg, from the region of their territory in what had become the United States’ side of a new international border, were forced to

leave the region that had become their homeland following the Great Migration and the socio-political conflicts amongst Indigenous communities prior to European arrival. Alliances between Indigenous nations and the settler nations had been shifting back and forth, depending on the interests of the Indigenous peoples. Bellfy (2011) illustrates in *Three Fires Unity* that the overriding interests of the Anishinaabeg in the unity of the Anishinaabeg over allegiance to one or another settler state help to explain this shift in the Great Lakes borderlands region. Borrows (1992b) summarises the context for these so-called shifting sands of loyalty succinctly:

By the mid-1700's the influence of the French was replaced by the British because they defeated the French in the Beaver, or Seven Years' War. Though most Algonkian Indians sided with the French against Britain in the Seven Years War, fifty years later during the War of 1812 many Aboriginal people around the Great Lakes entered into an alliance with their former British enemies in order to fight against the United States. After the War of 1812, many Aboriginal people who resided in newly claimed American territory wanted to move from the United States because U.S. policies endangered First Nations. In this period Britain maintained their alliance and friendship with First Nations by making an annual distribution of presents to the Indians and by encouraging Indians residing on lands under U.S. control to take up residence under their protection. In 1828 the British bestowal of presents to First Nations was moved from U.S. controlled Drummond Island to British controlled Penetanguishine on Georgian Bay. In 1836 the distribution of presents was moved to Manitoulin Island to promote it as a place for Indian settlement (p. 187-188).

Borderlines and alliances shifted; Anishinaabe movement across and between these lines indicates not that any of these groups of people are from *elsewhere*, but rather these are a people navigating an intensely complex socio-political time and continually demonstrating the critical importance of rooted law for Indigenous-settler relations.

While some stayed on that side of the border, many traveled north-east to find a new home with their kin in other parts of Anishinaabe territory. Some traveled up the shores of the Lake Michigan, and made their way to Drummond Island, a significant meeting place near the Anishinaabe heartland of Sault Ste Marie, between Manitoulin Island and the mainland (Wesley-Esquimaux, 1998, p. 4; Bagot, 1845). Others traveled north-east along the Great Lakes watershed, moving through Lake St Clair, up through the various communities that dot the route towards Lake Huron and Georgian Bay, eventually settling where they are found now, on the south-east shore of Georgian Bay. Along their journey from the south-west region of Anishinaabe territory, they encountered myriad instances of welcome through kinship alliance, which is reflected in the dispersion of Pottawatomi members to varying degrees within First Nations communities all around Georgian Bay (Wesley-Esquimaux, 1998, p. 12).

Some of the Moose Deer Point First Nation ancestors made their way to Drummond Island and St Joseph's Island, eventually joining a community of Anishinaabeg living at Coldwater around 1836, after the Drummond and St Joseph Islands were abandoned by the British in favour of Penetanguishene and Coldwater for official gathering places. A collection of communities under the leadership of three Chiefs, Yellowhead, Assance, and Snake, had taken up residence in Indian Affairs' attempt at recreating the success of 'civilising' that they had seen in the Mississaugas of the Credit. When the Coldwater Reservation was shut down, the community – which included some of the ancestors of Moose Deer Point First Nation described as “a band of Pottawatomies from Drummond Island” – resettled in different locations (Augustine and Corcoran, 1999; Augustine, Bellegarde, and Dupuis, 2003). Yellowhead's and Snake's communities relocated to the Rama and Lake Simcoe reserves respectively, while Assance's community eventually relocated to Beausoleil and Christian Islands. The families described as the “Pottawatomies from Drummond Island” seem to have been the first to relocate to there (Augustine and Corcoran, 1999, p. 73; King, 2021).

Conflict had been brewing at the Coldwater reserve, which spilled over at the new location at Beausoleil. The 1999 Claims Commission into Moose Deer Point First Nation's Pottawatomi rights indicates that this conflict was because the Pottawatomi families refused to adopt Christianity, and continued practicing their 'pagan' traditions (Augustine and Corcoran, 1999, p. 73). However, the 2003 Claims Commission into the Chippewa Tri-Council Coldwater-Narrows Surrender indicates that the Potaganasees (a word which seems to be reference to the same group of Pottawatomis) had adopted Catholicism (Augustine, Bellegarde, and Dupuis, 2003, p. 204) a faith that might as well have been paganism as far as the Methodists, Wesleyans, and Anglicans were concerned, all denominations that were present in the Tri-Council communities. As Morrison (2002) points out in *The Solidarity of Kin: Ethnohistory, Religious Studies, and the Algonkian-French Religious Encounters*, it was entirely possible for Indigenous peoples to adopt Christianity without undermining their own Anishinaabe lifeworld, or ECO-systems. The tension within the Tri-Council community was, however, instigated by the pressures of the Christianisation policy, which was an inherent facet of this reservation experiment. Given the various denominations of missions present, competition for the conversation of souls arose, and this “contributed to unrest among the Chippewa Bands and presented an additional obstacle to the successful development of the community” (Augustine, Bellegarde, and Dupuis, 2003, p. 203). Tensions remained after the move to Beausoleil and Christian Islands, and many pressed to have the Pottawatomies pushed out, eventually managing to convince Indian Affairs to discontinue their annuity payments. Chief Assance objected to this decision, and provided the families \$100 every year until he

died in 1847 (King, 2021, p. 2). At some point around this time, though the date is not clear in the documents that I have looked at, these families were also struck from the band list (Augustine and Corcoran, 1999, p. 73). They relocated to Christian Island, in part to cool the tension between communities, but also apparently “to help retain that part of the territory from non-Indigenous incursion” (King, 2021, p. 2).

The divisions within the communities at Beausoleil and Christian Islands caused some members of the King family to relocate again, though a few of the families remained. In a complicated vote many years later in 1914, the community argued that including the non-treaty Indians (i.e., the Pottawatomi families) living *either on Christian Island or elsewhere* back onto their annuities payroll and band list would compromise the band’s finances, given how little they were receiving (Augustine and Corcoran, 1999, p. 74). Eventually, just over 25 non-treaty families were indeed brought back onto the band list. These “non-treaty” Indians who were admitted full membership to the Christian Island band were the close relatives of those families who had settled at Moose Deer Point First Nation – that is, those non-treaty Indians living “elsewhere”. Indeed, some of the people living at Moose Deer Point and Parry Island at the time were involved in the advocacy around this issue, yet only those living at Christian Island benefitted (Augustine and Corcoran, 1999, p. 73).

Moose Deer Point had likely been a location where Pottawatomi had spent time living prior to the 1850s (Augustine and Corcoran, 1999, p. 59), and it seems to have been a safe haven as these families sought other communities to settle with nearby, moving back and forth as circumstances must have demanded. Some managed to settle into communities such as at Parry Island (now Wasauksing) and were acknowledged as part of these communities. A demonstration of that enfolding into the community can be seen when, in 1888, some members of the King family were included in the Parry Island Band’s membership list, and subsequently the Band petitioned the government to have them added to the Robinson Treaty payroll for the Parry Island Band (Augustine and Corcoran, 1999, pp. 66-67). Those relatives who remained at Christian Island, having had to survive for over 70 years without treaty annuity payments, were once again included in the Band membership list in 1916, and once again received annuities (Augustine and Corcoran, 1999, p. 63; King, 2021).

To point to the fact that many of the Moose Deer Point First Nation’s ancestors lived elsewhere in the Great Lakes does not justify the assumption that they are not traditional to Georgian Bay. Nor is it an acceptable excuse for the lack of knowledge about this community on the part of settler-cottagers and those working in Mnidoo Gamii/Georgian Bay, or the lack of robust engagement with Moose Deer

Point First Nation. Looking at the past several hundred years of the Great Lakes region, one finds much movement of all different Indigenous peoples, not solely the Pottawatomi. Migration is a reasonable response to conflict, to depletion of food sources, and to policies and informal settlement patterns that push communities out of their homelands, a response that Indigenous communities have historically relied upon to remain resilient in the face of environmental crises of all sorts (Whyte, 2016). What the settler narrative of *who-belongs-where* fails to acknowledge is that Indigenous communities were able to relocate as circumstances demanded *because of belonging, because* their governance system over a large territory was strong and flexible (Whyte, 2016, 14:20), and *because* they were enmeshed in a web of reciprocity, grounded in kinship relationships, structured around mutual aid (Mills, 2019; Johnston, 2006).

Migration of an Anishinaabeg community across the Great Lakes region can be described simply as movement from one region of their own territory to another. According to Bellfy's (2011) research about patterns of treaty signing by Anishinaabe peoples on either side of the emergent United States-British/Canadian border in the 18th and 19th centuries, there was (and continues to be) an overriding sense of commitment to Anishinaabeg nationhood, over a loyalty to Canada or the US and *over* a commitment to particular tribes: "the loyalties of the Anishinaabeg are *Anishinaabeg* loyalties, akin to the modern concept of nationalist loyalties" (p. 116). Bellfy (2011) found that oftentimes, depending on circumstances, Pottawatomi would sign treaties claiming Odawa or Ojibway affiliation, instead of Pottawatomi, and vice-versa. This is to say, Anishinaabe peoples' sense of belonging was not confined to British or American territorial boundary assertions or conflicts, nor was it confined by the tribal territories; instead, it was shaped by the wider Anishinaabe territory. Communities such as Moose Deer Point First Nation or their ancestors ought not to be described as refugees outside of their territory; they reside now, as they did earlier, within Anishinaabe territory, and were able to move across this wide territory in response to various tensions, pressures, and direct conflict as a result of the Anishinaabe legal context.

And so we find ourselves back at the legality tree of rooted law, now in the context of Indigenous-European/settler relations, treaty-making, and settler colonisation in the Great Lakes region. Knowing that this community's exclusion from treaties and annuities is mainly a result of lackadaisical and at times opportunistic behaviour on the part of settler state bureaucrats, we can no longer honestly excuse ourselves from forgetting to engage with this community alongside the many other Indigenous communities around Georgian Bay. It is unethical for us to insist that it is the government's

responsibility to lead the way and tell us when and how to engage with Indigenous communities such as this. The direction is out there, the leadership is there, the guidance is there. We simply have to set aside our tenacious grip on settler-certainty, take a big breath, be brave, and trust that in opening up to Indigenous law and sovereignty, we as settlers will not lose our right to be here but instead will enter into deeper relationship to place and into a more genuine belonging of our own.

Indigenous peoples often speak of their relationship with the land on which they live as having existed from time immemorial, impressing upon us an immense longevity to that land relationship. Indigenous peoples on Turtle Island, and indeed the world across, have grappled with crises myriad times over thousands of years. One of the many ways to respond to crisis has been migration. An understanding of Indigenous “living heritage”, as Pottawatomi scholar Kyle Whyte (2021) explains, illustrates the longevity of Indigenous knowledge of climate in this land, and highlights the fact that Indigenous communities have dealt with constant change and complexity over thousands of years in this place, and have constantly adapted. That adaptation has sometimes manifested in migration to and re-settlement in very different landscapes and has involved restructuring political relations and modes of interaction. The Anishinaabe Great Migration and the subsequent reordering of Indigenous territory and inter-national Indigenous relations illustrates how well this worked, due to the governance systems modeled around kinship, which was and continues to be present in communities across Turtle Island. Whyte (2021) clarifies that the ability of kinship to govern society expands and contracts, depending on the pressures, but that eventually balance is found again. This process was complicated by the introduction of a fundamentally different constitutionalism, with the arrival of Europeans and liberalism. Nevertheless, kinship and rooted law more generally, continued to govern Indigenous peoples’ response to crisis.

When some of the ancestors of the Moose Deer Point First Nation chose to migrate north-east, further into Anishinaabe territory, in response to incredible political, economic, and environmental crises in the 19th and 20th centuries, the kinship-welcome that they received from various communities around Georgian Bay reflects their belonging as a people rooted in Anishinaabe law. Their welcome into these communities was undoubtedly compromised by the growing pressure from so-called “civilising” policies, however mutual aid continued to break through and govern relationships. We can see this tension clearly when, a few years after their relocation from Coldwater to Christian Island, Moose Deer Point Pottawatomi ancestors’ apparent refusal to adopt Christianity created conflict with a large number of people in the community, eventually leading to their expulsion from the community’s main

settlement area, and their names being struck off the band list. In lieu of the annuities they then lost access to, in an act that demonstrates the governance structure of mutual aid, Chief Assance ensured that they received payments drawn from sales of Christian Island band's former land for several years, as well as ensuring that they could remain on the other half of the Christian Island (Augustine and Corcoran, 1999, p. 73; Wesley-Esquimaux, 1988, p. 9).

The names found in the membership of the Moose Deer Point First Nation reflect a dense web of interconnection with the other First Nations around Georgian Bay, as Wesley-Esquimaux points out in her 1988 *Historical Summary Report and Recommendations* regarding their interest in adhering to the Robinson Huron Treaty. An aspect of this kinship that particularly caught my attention was that of the web of kinship that is understood to be the fabric of belonging and thus of territory. The settler desire for certainty means there is much focus on naming tribes and knowing the names of the First Nations who signed treaties in particular areas. This means that one of the most important steps for a community to demonstrate to the settler-state that they belong in place, and that they have rights to this place, is to provide genealogical documentation. That narrow focus means that we are missing the most important aspect of belonging, that of the clan or doodem system.

While some of Moose Deer Point First Nation's ancestors did indeed live in the area around what is now known as Chicago at a particular point in time, that location is not what defines them as a community. The various places where the Anishinaabe stopped and discerned their continued course during the Great Migration from their starting place at the Atlantic Ocean to the western edge of Lake Superior, continued to be important locations for renewing alliances and treaty making, and even shaped their relations with settler governments. These various locations served as touchpoints within a large Anishinaabe territory, and the clan (doodem) system that governed Anishinaabe relations created the web of connection that held a wide-ranging community together. As Bohaker (2020) puts it, "doodem opens up ways to describe and explain the historical choices of individuals" (p. 90). In so doing, it demonstrates how rooted law has grounded Indigenous interactions between Indigenous communities as well as with settlers, and ought to inform how we look at the history of places like Georgian Bay, the Great Lakes, and indeed Canada more broadly.

Doodem is in fact the most important element of Anishinaabe social cohesion, more so than the tribe (e.g., Pottawatomi, Odawa, Chippewa, etc.), the community, or even the immediate family (Johnston, 1976/2008, p. 59); doodem provides "the glue" that holds the Anishinaabeg of the Great Lakes together (Johnston, 2006, p. 7). While Anishinaabeg in the 19th century were signing treaties

under the names of Pottawatomi, Ojibway, and Odawa tribes interchangeably, as Bellfy's (2011) research revealed, their use of doodem remained constant – only the demeanor of the doodem symbol would change, depending on the circumstance, as Heidi Bohaker's (2020) research has revealed. The strength of this social fabric – reinforced by strategic marriages that connected families far and wide (Bohaker, 2020, p. 78) – facilitated an extensive trading network, as well as military alliance, enabling Anishinaabeg to travel from one place to another and be embraced as family with Anishinaabeg who might never have met them. Because of the strength of doodem, together with the rooted legal structure of kinship to govern relations, this created a massive territory of belonging.

There was no need for political affiliation or language similarity to forge bonds of unity because belonging to a particular doodem provided strong links across other boundaries of identity and space (Johnston, 1976, p. 59), and the laws of kinship provided connection across doodemag. Doodem provided the familiarity which enabled connection with kin from afar, and the structural laws of mutual aid (reciprocity) guided the governance of relations with those one might not have met, but who were nevertheless understood to be kin. It is likely for this reason that those Pottawatomi who were migrating around the Great Lakes Anishinaabe territory in the 19th century were welcomed into communities all around Lake Huron and Georgian Bay (Bellfy, 2011, p. 97). The high numbers of marital connections between Moose Deer Point First Nation and communities around Georgian Bay in particular, the documentation of communities granting the ancestors of Moose Deer Point First Nation rights and membership, as well as the evidence of petitions made by Chiefs on behalf of the Moose Deer Point First Nation demonstrate a high level of interconnection with other communities in Georgian Bay (Augustine and Corcoran, 1999; Wesley-Esquimaux, 1988; King, 2021) and thus belonging.

V. Independence and Marginalisation

Having taken the time to learn more about Indigenous law and about the problematic narrative of the Moose Deer Point First Nation community and their history over the past 300 or so years, I now find the first five statements of the Gchi-Naaknigewin more impactful. A nuanced history of the Moose Deer Point First Nation presents a challenge to the settler desire for certainty. While other communities around the Bay have equally nuanced histories, they have a story that fits into the settler narrative of Indigenous belonging, that is, they have treaty rights that are actually acknowledged, which provides a relatively clear identity container. In contrast, despite having every right to be included in treaty, the Moose Deer Point First Nation community has been excluded from treaties and land claims, and thus

they are continually left out of the narrative about which Indigenous communities we settlers pay attention to in our land acknowledgments, and in the work of land-based organisations in the region. When they *are* invited in, Moose Deer Point First Nation's capacity constraints make it difficult – impossible at times – to respond to the invitation to engage.

The decision by those who chose ultimately to settle at Moose Deer Point First Nation was one that provided protection for some decades by virtue of their geographic isolation, allowing them freedom from the pressures of Christianisation and animosity from other Indigenous communities, while also enabling the maintenance of close connections to the communities with which they were linked (Moose Deer Point First Nation, no date). This isolation seems to have been a double-edged sword, however, which contributed to their ongoing marginalisation particularly when it came to the administrative machinations of Indian Affairs. The families who ended up establishing a permanent community at Moose Deer Point First Nation had relocated several times since moving across Anishinaabe territory and into the Canadian side of the new settler-state border: some had travelled north to the Sault Ste Marie and Drummond Island area, and then south-east to Parry Island (Wasauksing), Shawanaga, Henvey Inlet, Wikwemikong, down to Penetanguishene and Coldwater, afterwards to Beausoleil and Christian Islands, and after that Parry Island (now Wasauksing), finally settling at Moose Deer Point. Others came along a more southerly route, crossing Lake St Clair, and staying in places such as Walpole Island, Muncey, of the Thames, among other places (Wesley-Esquimaux, 1988, p. 10). Still others who ended up living at Moose Deer Point were members of these very same communities, who married individuals from these families who were their Anishinaabe kin. When exactly a community was first settled at Moose Deer Point is not clear – some documents indicate they settled there in the 1850s, others earlier in the 1840s; and some community members indicate they had been living in that area much earlier. Yet in 1904, when Indian Affairs was petitioned (not for the first time) to acknowledge these families, they replied that they had no knowledge of these families living at Moose Deer Point (Augustine and Corcoran, 1999, p. 69).

A back and forth is revealed within the archival evidence, wherein at times Indian Affairs demonstrates an awareness of the Moose Deer Point First Nation's efforts to assert their sovereignty, as well as the efforts of their kin in communities around Georgian Bay to petition government on their behalf, yet we also see instances of complete bureaucratic amnesia, in which Indian Affairs officials claim to know nothing of this band of "wandering Indians" (Wesley-Esquimaux, 1988; 1998). A good juxtaposition of quotations is found when looking at a letter from Indian Affairs Superintendent

Plummer in 1878 to the Minister of the Interior, and a letter from Indian Affairs Agent Sims in 1904. Plummer (1878) wrote “It has occurred to me that, as it is claimed, our Indians [the ancestors of Moose Deer Point First Nation] have never surrendered the mainland between Penetanguishene and Moose Deer Point, that some unoccupied point within these limits which would not interfere with any other interests might be set apart for their permanent occupation.” Twenty-six years later, in 1904, after over two decades that saw numerous communications regarding Moose Deer Point First Nation’s rights, Indian Affairs Secretary J. D. McLean (1904) writes to Indian Agent Sims, informing him of Rice Lake First Nation Chief Paudash’s petition for the government to grant lands and/or moneys to the people of Moose Deer Point First Nation who came to this region as allies of the British during the War of 1812, (provided care-of the Peterborough Historical Society), McLean writes that “[t]he department has no knowledge of the Indians residing near Moose Deer Point, and [would] be glad to know whether any such are residing near Moose Deer Point, and, if so, whether the statements made by Chief Paudash regarding them are correct.” Some of the confusion can be attributed to Indian Affairs itself, which had begun using vague and “careless methods” for treaty signing and record-keeping by the early-to-mid-1800s (Augustine and Corcoran, 1999, p. 73; Bohaker, 2020). It is no wonder that an institutional amnesia emerged.

However, in addition to the failings of the settler state bureaucracy, the community’s own choice of such an isolated location for settlement may also have contributed to the Moose Deer Point First Nation’s marginalisation, though this isolation also provided some protection. Community members wondered about that very conundrum in interviews conducted for this research, remarking that their isolated location was like a double-edged sword. It enabled the continuation of their traditional practices unimpeded, so much so that it seems that their community was a regional destination for Pottawatomi ceremonies (Interview 1; Moose Deer Point First Nation, no date). Their geographic isolation provided them with protection from settler encroachment, as well as from conflict with other Indigenous communities due to religious differences. Yet at the same time, their isolation made it easier for them to be ignored or even forgotten. At various times, their ancestors lived elsewhere with communities that today have their treaty rights acknowledged, and even when they settled in their current location, their Anishinaabe kin came to their aid by supporting them financially at times, representing them at treaty signings, petitioning government bureaucrats on their behalf. For over a century, Moose Deer Point First Nation has sought acknowledgement of their treaty rights by the state, and have continually been overlooked (Wesley-Esquimaux, 1988, p. 6). Even after a Treaty Rights

Enquiry concluded that they *do* in fact have treaty rights, the federal government rejected this conclusion, and they continue to be referred to by others and indeed themselves as a non-treaty nation.

Despite numerous family members settling at and marrying into numerous communities around the Bay, and despite the fact that historically Moose Deer Point First Nation's ancestors had been on the radar of Indian Affairs, they had not been included in any of the treaties in the area within which they had been living (e.g., the Robinson-Huron and Williams Treaties). In spite of Moose Deer Point's numerous attempts at inclusion in the treaties, Canada argued that because these families chose to relocate away from Christian Island without the help of Indian Affairs, that they didn't merit assistance afterwards (Wesley-Esquimaux, 1988, p. 18). By 1916, they had spent decades asserting their right to be in the Great Lakes, on the merit of the numerous treaties that their communities had been party to in the 18th century, as well as the invitations offered by the Crown to them as allies of the British to move into British-Canadian territory. Yet they were continually met with the statement that they were not treaty people and did not qualify for annuities payments, despite the fact that at various times their families had received treaty and annuities payments. Indeed, although some members of the Moose Deer Point community were already living at the current location when, in 1849, Indian Affairs Superintendent Anderson conducted a survey with Alexander Vidal (a surveyor from Sarnia), the survey did not include names of bands and Chiefs they met, and in many cases communities were away from their homes, likely hunting as they conducted the survey in the fall (Augustine and Corcoran, 1999, p. 61). Those who *were* noted, were included in the Robinson treaties (Huron and Superior), and 21 reserves were created, selected by Chiefs at the sites of their summer locations or fishing camps (Augustine and Corcoran, 1999, p. 62). The three Coldwater reservation Chiefs – Assance, Yellowhead, and Snake – protested the Robinson-Huron Treaty just days after it was signed, and that protest ultimately manifested into the Williams Treaty, 70 years later. Both the Williams and Robinson-Huron treaties cover land where the Moose Deer Point First Nation families were living at the time, yet Moose Deer Point First Nation was not included in either treaty.

It wasn't until 1917, however, that the Moose Deer Point families received official recognition of even their existence as a community, through the designation of a reserve boundary and Indian band status. It took the help of Wallace Nesbitt, a well-connected former Supreme Court judge, and member of a local fishing club called the Tadenac Club, for them to finally receive the allocation of Indian reserve land. Nesbitt first encountered the area as, when he was sent to investigate a shipwreck that had occurred off the shores around Moose Deer Point in 1879. He hired John King to help him conduct the

investigation, and subsequently built a cottage in the area. Several other settlers began coming to the area, and by 1890 they established the Tadenac Club of Toronto, a fishing club that began buying up land, which would eventually cover one third of the Township. Although when settler peoples began hunting and fishing in the Moose Deer Point area, often they had no knowledge of the community; when they encountered the “reclusive Pottawatomi community” they hired them to work as guides or do property maintenance, and eventually began to advocate for them, as we see with Nesbitt (Augustine and Corcoran, 1999, p. 77). In 1916, Nesbitt wrote to Indian Affairs Deputy Superintendent General Duncan Campbell Scott, asking for the Departments support in setting up a school that the community apparently needed. This request led to further correspondence, which revealed the desire of the community for a reservation of land. They requested approximately 1200 acres over and adjacent to the village. The back and forth continued, and Scott believed the requested acreage was more than they needed, stating that only “200 or 300 acres of land would be all that would be required” (Augustine and Corcoran, 1999, 78).

Ultimately, a reserve was granted, with land covering 639 acres – it was less than the community had been requested, and it was in three non-contiguous parcels, a fact which remains a challenge for the community to this day (Interview 1; Interview 7; Focus Group 1). Nor does it include the original village site or the burial grounds (Wesley-Esquimaux, 1992), a fact that is also a point of contention to this day. Oral history tells that the community members living south of where the reserve is located today were persuaded to move from there closer to where the other families resided, to make the community more compact (Interview 1; Moose Deer Point First Nation, no date). The land that was vacated was subsequently purchased from the Crown by the Tadenac Club (Wesley-Esquimaux, 1992). Moose Deer Point’s loss of land was the topic of Wesley-Esquimaux’s (1992) research inquiry into land rights for the Moose Deer Point First Nation, which did not amount to anything more than research background for the 1999 Pottawatomi Rights Inquiry. That 1999 Inquiry concluded that Moose Deer Point First Nation does indeed have treaty rights; however, the Indian Claims Commission panel could not determine just what those rights are, nor could they determine whether or not the Crown had fulfilled its own obligation to such an undefined treaty. The Commissioners recommended “[t]hat Canada and the Moose Deer Point First Nation undertake research to further define Canada’s obligations arising from the Crown’s promises of 1837 and to verify whether those obligations have been fulfilled” (Augustine and Corcoran, 1999, p. 180). As far as I can tell, that research has not been conducted. Moose Deer Point received notice of their status of Indian Band informally, by way of a provincial Order in Council, which was never affirmed by the federal government, despite requests

submitted by Chief Isaac in 1921 seeking reassurance for Moose Deer Point First Nation that their reserve was “safe from invasion”(Augustine and Corcoran, 1999, pp. 77-78).

In 2014, over a decade after the Pottawatomi Rights Inquiry Commission published its conclusions, a land claim surrounding the controversy of Coldwater Road Allowance cession was won (about 170 years after it was signed), requiring the federal government to compensate the descendants of those treaty signatories. The Coldwater-Narrows land claim included members of the three First Nations that were officially party to this cession – the Chippewa Tri-Council of Rama, Beausoleil, and Georgina Island First Nations – and, eventually, also included the Chippewas of Nawash First Nation, who were acknowledged, as a result of “new research”, as being “a successor to some of the original residents of the Coldwater-Narrows reserve” (Aboriginal Affairs and Northern Development Canada, 2011). Moose Deer Point First Nation was *not* included in this land claim, despite their history of having lived there at the relevant time, and despite their early involvement in the land claim research. Perhaps the Crown’s rejection of the conclusions of the 1999 Pottawatomi Rights Inquiry complicated matters, and excluding Moose Deer Point First Nation made it more likely for the other claimants to win the case (Nault, 2001).

Conclusion

Indigenous communities have asserted their sovereignty at the same time as the settler state has asserted its own sovereignty, and these multiple realities continue to this day. According to Borrows (1992, p. 294), his own community asserted sovereignty in ways such as fighting to protect their Anishinaabe territory in the War of 1812; meeting Christianisation efforts with their own conditions and choosing to adopt Christianity on their own terms; preserving their culture through an Indigenous approach to health care, language, and education; entering into treaties; and responding to the imposition of the *Indian Act*, to name a few. We can see from what little research exists on Moose Deer Point First Nation and their ancestors, that they made similar efforts, from the time when their Pottawatomi ancestors migrated from the south-western region of Anishinaabe territory, right up until today, though more research ought to be conducted to elaborate on this history. This is a community that has taken on settler state structures, yet at the same time, has continued to assert its own Anishinaabe laws, albeit in increasingly subtle ways over 20th century.

Returning to the various principles that undergird my theoretical framework – the Royal Commission on Aboriginal Peoples’ principles for renewed relationships, the Truth and Reconciliation Commission’s principles for reconciliation, and the United Nations Declaration on the Rights of Indigenous Peoples – it seems much more difficult to ignore them, knowing this community’s experience of marginalisation and exclusion in Georgian Bay. We must shift away from the single narrative that Moose Deer Point First Nation’s ancestors were simply from the Chicago area, and thus they are not the traditional peoples of Georgian Bay, and instead towards a narrative in which Moose Deer Point First Nation is understood within the larger Anishinaabe historical and legal context. While Moose Deer Point First Nation exists as an independent Indigenous (Pottawatomi-identified) nation, it has deep roots with all of the other First Nations located around Georgian Bay and beyond. Only *part* of Moose Deer Point First Nation’s story is that their ancestors were the Pottawatomi who had to leave their lands because of settler encroachment in what is now known as the United States. However, other narrative strands that enable an understanding of this community are often ignored. Reflecting on the significance of kinship within rooted law, ties through marriage, children, and adoption, helps us to see that this community is intimately connected with those around them: with communities that, unlike Moose Deer Point First Nation, have managed to acquire acknowledgement of their belonging by the settler state through treaty rights, and legitimacy (according to the standards of the settler state) through land claims.

Moose Deer Point First Nation ought to have been acknowledged as treaty holders – from as far back as the Treaty of Niagara, to the Robinson Huron Treaties of 1836 and 1850, and as recently as the Coldwater-Narrows Land Claim of 2014. Indeed, the Pottawatomi Rights Inquiry of 1999 concludes that Moose Deer Point First Nation in fact *does* hold treaty rights, yet it remains to be made clear just what those rights entail, and whether the Crown has fulfilled its inherent responsibilities. Yet, the combination of choices the Moose Deer Point First Nation community made in order to maintain their sovereignty (choosing isolation over continued conflict with settler officials and First Nations), compounded by the institutional amnesia of bureaucracy, and the fact that the onus is constantly placed on the First Nation to prove against all obstacles their belong and rights, has led to this community’s marginalisation in terms of the landscape of Indigenous rights.

Taiaiake Alfred and Erin Michelle Tomkins argue, in their 2010 discussion paper for the Chiefs of Ontario entitled “The Politics of Recognition: A Colonial Groundhog Day”, that Indigenous nations must assert their own sovereignty and prioritise Indigenous laws over settler laws as they govern themselves and engage in revitalisation. Alfred and Tomkins (2010) argue that there are too many Indigenous

governments attempting to rebuild their communities using settler state apparatuses and that it continues the work of colonisation by further preventing Indigenous laws and culture to thrive. They use the example of the structure of band council meetings and timelines as not naturally enabling practices such as seasonal hunting, for example. A community like Moose Deer Point First Nation might balk at such an argument, given that all of their efforts to assert their own sovereignty and insist on their Indigenous rights have largely gone ignored, and that current tools provided through state apparatuses (e.g., the First Nations Land Management Act) enable them to throw off some of the micromanaging powers of the federal government. Indeed, obtaining the status of Indian Band in 1917 finally brought them some semblance of assurance that they wouldn't continue to be overlooked, and yet even in this granting of land they were not treated fairly, and they were subsequently excluded from other opportunities for their rights and presence to be acknowledged. Nevertheless, Alfred and Tomkins (2010) help us to see the multiple realities existing.

That there are numerous ways to describe the story of the Moose Deer Point First Nation does not undermine their belonging; rather, exploring those multiple narrative strands illuminates the complexity of a community and of their belonging to or in a place. However, acknowledging the narrative multiplicity does make it more challenging to tell a neat story that can be confined within the borders of a dissertation. The people of Moose Deer Point First Nation have governed themselves through rooted law since long before there were settler ideas of reserves or Indian bands; they have also done so well into the era of the Canadian settler state asserting its sovereignty over these lands. At times they governed themselves *in response* to the laws of the state, and at other times *by way of* those laws. In this way, the people of Moose Deer Point First Nation have existed within two realities – one of Anishinaabe belonging, and one of struggling to be recognised within the realities of settler colonialism. While extensive connections have yet to be drawn between the people of Moose Deer Point First Nation and ancestors to make a settler-grounded argument for their belonging in Georgian Bay, their story of migration and settlement in and around Georgian Bay, and the Great Lakes more broadly, shows that rooted law enabled this migration.

Becoming aware that there are competing narratives about who a particular Indigenous community is, and where they “belong”, is a critical step in the “Truth” portion of walking a path of Truth and Reconciliation. This chapter attempts to shift away from the settler perspective that has historically sought to divide the Anishinaabe peoples according to tribal lines (which, it seems, were less important for the Anishinaabeg than for settlers), and instead towards a perspective that understands

Moose Deer Point First Nation as a part of the wider Anishinaabe peoples with deep belonging in the Great Lakes region. Gaining an awareness that the dominant narrative about Moose Deer Point First Nation is incomplete and even erroneous, has implications for how cottagers and environmental conservationists in Georgian Bay, understand our own communities' histories, and about how we understand our place in Georgian Bay today.

With Chapters 5 and 6 having unsettled our narratives of Moose Deer Point First Nation and belonging in Georgian Bay, let us now see how revisiting the historical and current context of settler cottagers in Georgian Bay can enable us to see better the connections between the presence of settlers in "cottage country" and Moose Deer Point First Nation's loss of sovereignty and disconnection from their territory. The community of Moose Deer Point First Nation is keen to learn of the impacts of conservation work for their next generations, and they also want to know how to improve their own relations with cottage communities. The following two chapters may find us realising we ought to rethink how to do environmental conservation work in Georgian Bay, and how to engage with Indigenous communities. This is an invitation to step into a place of discomfort, particularly for settler-cottagers like me and my family and community, and learn about the history of this place anew.

Chapter 7. Settler Socio-Political Foundations: How Origin Stories Inform Cottagers and Conservationism

I. Introduction

In Chapter 5 and 6, I sought to contextualise Moose Deer Point First Nation's history with the historical context of Indigenous-settler relations over the past half century, as well as the rooted constitutional foundations with the help of the legality tree analytic – looking at the roots, the epistemological, cosmological, and ontological foundations, or ECO-systems of a culture. This was an attempt to remind ourselves that history in this land does not begin in the 16th century, when Europeans largely began arriving. However, contextualising that period for settlers is important if we want to meaningfully understand tension between settler and Indigenous approaches to caring for the land. The Truth and Reconciliation Commission (2015) calls us to examine our foundations, and in this chapter I examine the enmeshment of our spiritual/religious and our socio-political foundations to reveal the implications of such an analysis for the work of environmental conservationists and for cottagers in particular. Western settlers' relationship to the land is inherently shaped by liberal constitutionalism; this human-earth relationship is also, however, shaped by stories such as the Garden of Eden (Adam and Eve), Noah's Ark, and notions of paradise and hell, among others.

That historical context and those ECO-systems at the roots of our respective legalities underpin our various policies of land use planning still today, though we may not notice it. Indeed, having a spiritual experience of Georgian Bay was a theme that appeared in all of the interviews and focus groups with the group of cottagers I spoke with. This experience seemed to be tied to the participants' ability to commune with the land and the elements, to be able to get away from the everyday/urban grind of city life. Some even spoke of being at their cottage – sitting on the rocks and being present to the waves crashing and the wind blowing – as akin to being in church. Some participants also inferred or said explicitly that they perceived their love and care for the environment as akin to Indigenous feelings about land. While there may perhaps be some common ground on the surface, beneath the surface there are some fundamentally divergent ideas that ground settler and Indigenous ideas about human-earth relations. These differences are important to become aware of. As we work to acknowledge those differences, we may also find some common ground at the foundation, common ground that we perhaps would remain unaware of if we avoid taking a hard, critical look at the negative impacts of our

historical and continued presence on Indigenous lands. An attempt to grapple with these assumptions within the context of environmental conservation (and, I would argue, for most other challenges we face today), that does not engage with both the philosophical and spiritual foundations is fundamentally impoverished.

This chapter explores some of the various origin stories for settler society – the roots of liberal constitutionalism and settler society. In his analysis of liberal constitutionalism, Mills (2019) looks to the origin story of liberal philosophy alone. I believe, however, that to follow the logic of that legality tree analytic, we must look more deeply at our ECO-systems, which requires us to grapple with western religious/spiritual foundations. This chapter starts from the biblical origin story and its interpretation as portraying the earth as empty and waiting for humans' dominion. While I argue that (following Jewish scholars) we could interpret the story of Eden as instilling an ethic of renewal and care, this has not historically been the dominant interpretation. I therefore trace how the dominant interpretation informed the philosophy of liberalism and guided early settlers to see the "new" world as an empty place on which to enact land planning rooted in Enlightenment ideas. I then show how ideas of scientific progress and mastery over nature were justified through socio-political interpretation of scripture – and how this imbued the “improvement” of “empty” land with a moral overtone. I reveal how the violence of this worldview informed early settlers' and the settler state's treatment of Turtle Island and shaped the mechanisms (such as agriculture and land mapping) by which settlers asserted power over Indigenous bodies, culture, worldview, and the legal structures that hold up Indigenous lifeways.

Although the language of land use planning in Canada could be seen as the epitome of secularism – appealing to our desire for order through technical and supposedly disinterested “rational” language – the ideas and history behind this language, however, are far from secular. The language employed by citizens and leaders in the three Happenings of Chapter 1 must be examined through this lens. Concepts that we encountered in these happenings such as “pristine”, “wilderness”, “picturesque”, and “untouched” are not neutral. We have inherited this language directly from the early European settlers who arrived on Turtle Island, perceiving these lands as devoid of “civilised” culture and development, but nevertheless infused with biblical meaning. So where did these concepts come from?

II. Cosmology and the Foundations of Settler Relationships With the Earth

i. Judeo-Christian Creation Story and the Idea of Dominion

Between the time of the writing of the Book of Genesis and the first Europeans settling on Turtle Island there were the emergence of multiple world religions, and centuries of theological discourse, reform, and evolution. It is outside the purview of this dissertation to extract all of the relevant developments of this time. However, settler society must, as Stephen Greenblatt (2017) points out in his examination of the cultural impact of the Genesis story of Adam and Eve, acknowledge that Creation or origin stories are at the foundations of how we understand ourselves as societies: “[w]hether we believe in the story of Adam and Eve or regard it as an absurd fiction, we have been made in its image” (Greenblatt, 2017, p. 39). The biblical Creation story and the myriad interpretations of it – some subtle, some not so subtle – are absolutely fundamental to the worldview that permeated daily life for the first European settlers on Turtle Island and many generations of their successors, and it continues to inform our world today, even if not always explicitly. Thus “if we want to understand the way we are, it is important to remember and retell this story” (Greenblatt, 2017, p. 17).

In the opening chapter of *Braiding Sweetgrass*, Kimmerer (2013) juxtaposes the Haudenosaunee Re-/Creation story of Skywoman with the story of Eve in the Garden of Eden. Kimmerer (2013) argues that in comparing the two stories, it’s not difficult to see why the industrial behaviour of settlers, and indeed western civilization, has caused such environmental harm, and why there is such a difference between a settler view of the environment and an Indigenous one. Whereas in the story of Skywoman, Kimmerer (2013) points out, she is brought into relation with the animals of Creation, and dances a garden into being; in the story of Adam and Eve, however, Kimmerer explains that Eve is expelled from the garden. To Kimmerer (2013), this comparison provides a clear explanation for the tensions between Indigenous and settler worldviews. Indeed, many others have pointed to the Book of Genesis (within which Eve is found), with its language of dominion and subduing, as informing the worldview that sees humans as rulers over all of Creation, and with the liberty to do as we please, with little regard for consequences (King, 2003; White, 1967). While Kimmerer’s (2013) writings are filled with wisdom and have been seen to draw over a million readers otherwise unfamiliar with such concepts into the realm of Indigenous ways of knowing, I do not believe her analysis of the Creation story in the book of Genesis represents an objective truth (nor could it). However, I do believe it I find that this particular passage is helpful only in that it nudges the reader towards the idea that Indigenous ways of knowing are worthy of consideration (if they hadn’t thought so already), and to give pause to that reader, causing him or her

to ask is that really the message from the bible, simply that we have been expelled from the garden? So, how does the Creation story of the Book of Genesis go anyway?

It seems to me that to even draw into a conventional discussion of planning ideas such as the Garden of Eden, and heaven and hell, is to risk ridicule or dismissal right off the bat. After all, as Borrows points out, "Some people try to make sense of our inherited mess by rejecting the very idea of heredity. They believe tradition can be discarded like an old cloak" (Borrows, 2019, p.118). In order to walk a path of truth and reconciliation, are we being asked to disconnect with those foundations in order to address the problems of systemic racism? I fear that in doing so, we deny ourselves critical self-knowledge that will help us to do the very work needed to reframe our relationships with the earth. Even if we do insist that we must cut ourselves off from those roots, and not spend time examining them beyond a distanced and even disdainful acknowledgement, I believe we would be wrong and naïve to think that we have fully divorced ourselves from those ECO-systems. Instead, I believe that in being called to a path of truth and reconciliation, we being asked to re-connect with foundations that we have hitherto deemed primitive and unworthy of serious modern discourse.

To begin with,¹¹ God created heaven and earth, which was formless and empty of anything much but the hovering presence of the creator's spirit, like a brooding hen (Wallace, 2018). Then God said "let there be light" and so God made light, and said "well that is good, let's do more with this", and God separated that light from its opposite, the dark, calling the light "day" and the dark "night", and so there we were given an evening, morning, and a day. In this same way, God created the waters, and created a division between the waters below and the waters above, calling the waters above the heavens. Next, God created dry land and called that "earth" and then called the waters below the seas (oceans and rivers and lakes), and saw that that was good. So God brought into being the grasses, and herbs with seeds, and fruit trees whose fruit held the seeds, and thought, "well that's good".

God created lights in the sky to influence Creation, the sun and moon were created, to have dominion over and govern the days and nights, and the stars and all that's in the heavens. God saw that this was good, and kept going. Next God decided to bring living creatures into the watery expanses below and above – swimming, and swarming, and flying animals, and said to them "keep on keeping on – be fruitful and multiply!" God said "well that went well, let's make some land animals". So God created large beasts and small creatures, creepy crawlies, and all sorts of variations of those creatures and God said "yes, this is all good". Once all these animal and plant beings were created, and the elements of the earth and air, God changed the tone a bit, creating humans in God's own image, and gave them dominion over all the creatures and plants and beings that God had just created. God told

¹¹ My retelling of the first three chapters of the Book of Genesis is mostly drawn from the King James Version, and the New American Standard Bible (1995).

them to be fruitful and procreate, and replenish the earth, and subdue it. At this point, God had been creating the world over six days, so on the seventh God rested, blessing that day of rest and giving a nod to some semblance of a work-life balance.

It is not until after we learn about this first week of creation that we start to get into some of the details in the second chapter of Genesis, such as how humans were created – out of dust – and where they lived – in a garden that God planted that was both pleasant to look at and was where the humans could find food. We learn that the plants and herbs – the foods of sustenance – weren't yet growing, because there was no rain and there was no human to till the soil. Thus we learn that God made the first man, out of the dust, breathing life into him, and placing him in a garden named Eden, where God made to grow all the flora possible, including the tree of life, and the tree of knowledge. A river flowed into the garden, and parted in various directions. God told Adam that he could eat of all the fruit, but not of the tree of knowledge.

Eventually, God thought it wasn't a good idea for Adam to be alone, which is why God created the animals of the land and seas and air, and brought them to Adam to see how he would name them. But Adam was still lonely, despite all the animals to be his companions, and so God sent him to sleep, and while the man slept, God took out one of his ribs and made a woman out of that rib, to be his companion. They were naked and were not ashamed of it.

There was a serpent who had a way with words, and the serpent teased the woman (not yet named as Eve) to eat that fruit, saying "You won't *really* die, if you eat it... go on. All that will happen is you'll be able to see things more clearly. It can't be that bad, can it?". Adam's companion thought it might be nice to be a bit the wiser, so she went ahead and ate some of the fruit, and gave it to Adam to try (which he did). Suddenly, the man and woman noticed their nakedness and put on leaves to cover themselves. Now they suddenly heard God speaking – the jig was up! God asks them why they're hiding, why they're afraid, why they're suddenly wearing loincloth-type foliage, why they broke his one rule. Adam, of course, points to his companion, saying "she led me astray". The woman for her part said that the snake had deceived her.

At this point, God was somewhat disappointed, saying to them that they would no more live an easeful life of wandering and eating whatever they pleased. God lays out the seemingly harsh reality of life – about hard work, about challenging relationships, about pain and suffering in childbirth and child rearing, and about suffering in life in general. He also tells them about how they will engage with the

earth through tilling the earth and drawing fruit from the plants. In the end, God tells them, when you die you'll return to the earth: you will become dust again, as God made them. Finally, we learn that Adam addresses his companion, calling her Eve, which means life giver, mother of all. At this point, God sends Adam and Eve out of Eden, sending them to live a life deeply dependent on the earth, being clothed by the skins of the animals that God made, and eating of the plants that God made, but which humans would have to till and toil over. Then they left the garden of Eden forever.

My reflection: Thomas King (2003) writes about Genesis, comparing it, as Kimmerer did, to the story of Skywoman. King's comparison highlights the rigid nature of story telling as seen in the King James version, compared to the humorous and varied versions of the Indigenous re-/creation stories told by all different Indigenous peoples (King, 2003). Like Kimmerer, King's comparison has an important point - there is something about this biblical text that made it very difficult for me to pick up and try my hand at retelling, as I did with the Re/Creation story of Skywoman and the Flood in Chapter 5. Oddly it was my naïveté that ennobled me to write down a small part of the story Skywoman story, and it was my familiarity with Genesis that somehow made me feel I had no right to retell it, that I simply don't have the level of education to make any legitimate decisions around how to tell it without changing its fundamental meaning. In the end, however, I realised that grappling with the text by writing it out myself would take me right into relationship with this story, and get me thinking more deeply about the meaning of these words - about the ways they have been translated, and about the meanings that I may be ignorant to, which could very well transform my somewhat disconnected, un/up-rooted, liberal-settler relationship with the earth.

One does not have to go farther than the second verse of the Book of Genesis, where the earth is described as being “without form and void”, to see how fundamental the idea of empty landscape is to the Judeo-Christian Creation story. Should we interpret the mere fact that, in Genesis, God spends the first five days of creation fashioning the universe before even getting around to creating humans on the sixth day as asserting the primacy of nature “untouched” by humanity? Then in verse 26 of Genesis (King James Version Bible, 2023, Genesis 1:2) humanity is supposedly given “dominion” over Creation. In verse 28, humans are commanded by God to “replenish the earth and subdue it”. Verse 29 tells us that every tree and every herb has been “given” to humanity. The last verse of Chapter 1 tells us that “God saw everything that he had made, and, behold, it was very good” – indeed we are told seven times that these creations are “very good”. Although we are, like Kimmerer (2013) and King (2003), most likely thinking primarily about that uncomfortable part where God seems to have given humans the right to do as they'd like with all of Creation, yet in grappling with this text I am beginning to see that in fact it could be interpreted otherwise.

The first humans were put on this earth to inhabit a garden (King James Version Bible, 2023, Genesis 2:8) that was “pleasant to the sight” (2:9). In verse 19, God brings to Adam, the first created

human, the animals in Creation to see what he'll call them. My first instinct is to read this as another example of God giving humans the power of dominion over Creation, and providing humans the right to name the animals. But what if there is another meaning behind this? Our role as humans, *within* Creation, is also laid out in Genesis. The idea that humanity is created *out of* the earth (King James Version Bible, 2023, Genesis 2:7), out of dust, is an important one for this discussion, particularly in its similarities to Indigenous story of creating the world out of a handful of mud. Although God created the plants that would provide sustenance for the animals and humans, it is not until the humans till the land that these plants grow fruitful. Although this passage is popularly understood as giving humans inexorable power, interpreted differently, it shows us that we are intrinsically linked to the health and well-being of the earth.

Kimmerer's (2013) perspective mentioned above reflects the broader trend of ecological criticism since the 1960s of arguing that the Book of Genesis provides the "sanction for the excesses of science and technology" and is "proclaimed [as] the source of man's insensitivity and brutality to the subhuman world", thus apparently enabling humans with "the right to foul the air" (Lamm, 1986, p. 162; see also Ehrenfeld and Bentley, 1985; Pope Francis, 2015). According to Lynn White (1966), whose writings and lectures have been at the heart of this particular critique, "the present increasing disruption of the global environment is the product of a dynamic technology and science which [...] cannot be understood historically apart from distinctive attitudes toward nature which are deeply grounded in Christian dogma" (p. 1207). In Leiss's summation of White's critique, "the roots of the present ecologic crisis are religious in nature, and a religious transformation, rather than technological remedies, would be required to solve it" (Leiss, 1994, p. 29-30). Max Oelschlaeger (1991), in his expansive examination *The Idea of Wilderness* argues that this critique of Christianity is unhelpful as it views Judeo-Christian scripture "through the lens of history" (p. 42), rather than focusing on particular forms of Judaism and early Christianity for their apparent shift away from nature. However, he seems to be saying something similar to White anyway, in that he interprets the lack of explicit discussion of nature in the Old Testament as those biblical people "rejecting the high culture of the ancient Near East, as well as affirming a conception of life as taking place outside nature" (Oelschlaeger, 1991, p. 42). Oelschlaeger (1991) continues, saying that the "Hebrews reject not only nature gods and mythology but also natural place as having any basic importance" (p. 42). Lamm (1986), however, views this sort of critique as an unnuanced one that places a huge responsibility for environmental degradation on a theological idea that he argues represents an erroneous interpretation of Judeo-Christian theology.

Only a few years before Oelschlaeger (1991) wrote his *Wilderness*, Ehrenfeld and Bentley (1985) pointed out that at the time of the first rabbis who codified Jewish law, “‘the environment’ was not viewed as set apart from humankind” (p. 306). The Bible and Jewish commentary do, however, include guidance around humans’ relationship with the earth, though not as blunt as saying “man has a responsibility to the environment” (Ehrenfeld and Bentley, 1985, p. 306). The idea of stewardship is taught through scripture regarding an individual’s responsibility to the Creator, who is the only one understood to truly “own” any of Creation. Ehrenfeld and Bentley (1985) point to the realm of rabbinic literature that provides what they call “a kind of “Steward’s Manual”, which provides guidance on how to care for all of the things in Creation so as not to transgress in ways such as “the cutting off of water supplies to trees, the over-grazing of the countryside, the unjustified killing of animals or feeding them harmful foods, the hunting of animals for sport, species extinction and the destruction of cultivated plant varieties, pollution of air and water, over-consumption of anything, and the waste of mineral and other resources” (p. 307-308). Although Lamm (1986) is dismissive of what he views as the uninformed and erroneous interpretations of scripture encompassed in critiques of people such as the White, and perhaps even Oelschlaeger, he nevertheless sees such ignorance as a call to re-evaluate one’s understanding of that very same theology, implicitly agreeing that the notion of ‘dominion’ as it is articulated in the Bible has been problematically interpreted through a politicised lens, and has become devoid of its earth-centred meaning and rootedness (p. 162).

The call by the Truth and Reconciliation Commission (2015) to re-examine our foundations encompasses a call to examine our religious or spiritual roots. In Chapter 2, I provided a very brief overview of some of the threads of environmental movements such as eco-theology, eco-feminism, and deep ecology. I pointed out, however, that my research does not quite fit within those frameworks: I did not approach these questions from the perspective of deep ecology, for example, and I do not want this discussion to be situated solely within that context. I believe that the Truth and Reconciliation Commission’s call to re-examine our religio-spiritual roots requires both that we examine these outside of the context of spiritual and religious study, *and* that we look directly at the challenges of scriptural translation as it relates to our human-earth relationships. Which is to say, this examination is important for all people living within the context of settler society, regardless of spiritual or religious affiliation; these foundations shape the ways that we conceive of every-day, mundane matters, often invisibly.

According to Ehrenfeld and Bentley (1985), the interpretation of Judeo-Christian scripture has largely been shaped by classical (i.e., classical Greek and Latin literature and language) rather than

Jewish thought. “In the classical view, nature is an entity unto itself and humanity is something apart from it. In Judaism we consider this world of great importance. As for nature, there isn’t even a Hebrew word for it, at least not in rabbinic Hebrew” (Ehrenfeld and Bentley, 1985, p. 303). There has been much debate around the word “dominion” – as we have seen above, the White’s critique has informed much of the contemporary thought that the scriptural idea of dominion is at the root of the problem of climate change, and thus it becomes seemingly simple to dismiss discussion of Judaism or Christianity as niche or irrelevant. However, as Kimmerer (2022) points out in her online essay “Ancient Green: Moss, Climate, and Deep Time”, if we try to think with the Indigenous circular mindset, we might find that “the knowledge we need is already within the circle; we just have to remember it to find it again and let it teach us”. Rather than dismissing Genesis and the language of dominion as the problem, rather, we can look to that very text to find answers.

Ehrenfeld and Bentley (1985) argue that part of the problem is due to “the inadequacy of the English translations of the original Hebrew of the Jewish Scriptures” (p. 305). As Yoreh (2022) points out, much of the environmental scholarship critiquing the role of Jewish scripture, “generally did not consult the rich, millennia-long interpretive traditions of these sources”, thus “their environmental readings of the primary texts often lack an historic basis” (p. 4). The Hebrew word *yirdu*, which is translated into English as “dominion” can be translated both from the Hebrew root *yarad*, meaning “dominion” and *radah*, meaning “descent”. When understood as *yarad*/dominion, the text takes on the context of kingly power and force, particularly when found alongside the word “subdue” (Nam, 2013, p. 24). As Leiss (1994) points out in *The Domination of Nature*, dominion has almost always been “made comprehensible to countless generations by means of a political analogy” (p. 33). In the biblical context of humans in relation to the rest of Creation, however, this particular word is used surprisingly infrequently throughout the bible (Nam, 2013, p. 24). Instead, this aggressive power-wielding language is balanced out by frequent instances of humans being named alongside or beneath other creatures throughout the Bible (Nam, 2013, p. 24). When the Hebrew *yirdu* is understood as *radah*/descent, the text around dominion takes on a more conditional nature, one in which humans are placed in a position to manage the renewal of Creation, but with a responsibility to take care; if not, then humans would be brought down from this position of dominion: “when man is worthy, he has dominion over the animal kingdom; when he is not, he descends below their level and the animals rule over him” (Ehrenfeld and Bentley, 1985, p. 305, quoting 11th century Jewish rabbi known as Rashi). Dominion, when understood as a conditional responsibility, rather than meaning that humans hold unequivocal power over Creation, instead means that humans have an ethical responsibility to ensure the balance or health of Creation.

This is not to say that the theological interpretation of “dominion” as bestowing on humans unfettered power over Creation is an irrelevant concern. Indeed, there are very powerful circles, particularly in the United States, that are deeply informed by the evangelical theology of dominionism (Hickman, 2011; Grossman, 2019) and evangelical organisations that use the term “dominion” to bolster their idea of stewardship. But, the conclusion that the cause of the climate crisis is Christian theology, thus Christianity full-stop is the problem, is simplistic, and shuts the door on the possibilities for settler peoples to examine our spiritual roots, and the ways in which we have historically been rooted in the earth.

This all makes me feel rather uncomfortable. To integrate the biblical story of Genesis into an interdisciplinary dissertation across the fields of land use planning, environmental studies, and Indigenous studies (as if such siloed thinking is even possible), and not writing as an expert in the field of theology or religious studies, has created a visceral response in my body. At times, I questioned the validity of this exploration within a dissertation focused on land use planning. The concern around breaching some boundary of what is acceptable in academia, or within the discourse of decolonisation, caused me to experience intense anxiety, at times as badly as inducing nausea. I have experienced intense pushback in other academic contexts where I try to engage with the idea of returning to scripture (whether as a person of faith or not) as one way to reconnect with our earth-grounded roots. But I remind myself that we have been called by the Truth and Reconciliation Commission and Indigenous Elders, as well as Indigenous academics and leaders broadly speaking, to examine the foundations of our societal values. To avoid looking at the religious or theological foundations of the institutions that decide how we manage our relationship with the land would be to ignore these calls. As Oelschlaeger (1991, p. 43) points out, our existence in the modern world shapes our understanding of religion, just as religion reflects something of “the conditions of human existence”; and we simply “cannot escape our Judeo-Christian cultural tradition; we can only reinterpret it”.

As I am not a theologian, nor is this a theological examination, I do not take the discussion of theology and exegesis any further. Rather, I have started from this brief biblical exegesis to both show how the prevailing interpretation of the term “dominion” informs the settler worldview of nature — and to start to challenge the notion that this is the only possible interpretation. That is, I think we can receive the guidance of Indigenous knowledge keepers that we must revisit our foundations, and that this could mean re-engaging with Judeo-Christian Creation stories in order to transform our relationship with the earth. To do this, we must understand these roots — including how the interpretation of “dominion” becomes of central import with the emergence of liberalism and the western scientific method, both of which have a direct bearing on the perspectives of early European settlers, and the emergence of settler states on Turtle Island. Next, we look to those early settlers to see how they read the landscape, in order to examine some of the earliest examples of settler planning on Turtle Island,

and begin to reveal the ways in which the buried epistemologies that undergird our relationship with the land inform land use and environmental conservation planning today.

ii. Early Settlers Reading the Landscape of Turtle Island as Wild, Untouched, Undeveloped, and Ripe for Liberal Ideas of Labour and Productivity

In order to examine our relationship with the land on which we live, it is important to take note of how early settlers perceived these lands when they first arrived on these shores. While the 16th and 17th century may seem ancient and not particularly relevant for a conversation about environmental conservation in the 21st century, these histories reveal the epistemologies which are often buried, and they help us to understand how deep the roots of our worldview go. Indeed, the explorer/settler narratives of “new” and “virgin” land paved the way for settlement, thus enabling squatting and European-style cultivation of land (Porter, 2010, pp. 53-56). The way landscape was perceived shaped and was shaped by the interests in that land. The drama of the landscape has been used since the late 18th century by North Americans “to emphasize their difference (and independence) from Europe”, identifying Europe as holding the cultural heritage of the Old World, but North America as holding the natural heritage of the New (Campbell, 2005, p. 113). The so-called “new” world was seen as a blank slate upon which to place emerging ideas about labour, economics, politics, and indeed land, and this played out within the realm of land use planning. Although it is critical to look to British and European roots of planning and environmentalism in order to understand something of our contemporary context, we must also understand that these particular roots were planted in a colony, by a society of transplanted communities that were disconnected from their own lands – surely this intense history of uprootedness has an effect on settler relationship with the land (Kimmerer, 2013).

The approach to land use planning enacted by colonists could not take place in European cities, given the density of the built-up form that was in place already. In these “new” lands, however, the early theories of methodical town planning found space to become manifest. As Porter (2010) points out, it was “in the colonial moment that Europe realized it could determine the arrangement of space on its own abstract terms” (p. 49). European Enlightenment ideas, such as capitalism and liberalism, among others, “either found their best expression, or were re-shaped, newly moulded, dissolved away, or challenged into obscurity” (Porter, 2010, p. 43). These ideas were enmeshed in the Judeo-Christian theology of dominion. The idea of dominion with the emerging lens of liberalism and capitalism and the accompanying logic of mastery over nature through the scientific method, combined with the seemingly

unending abundance of the new lands being discovered, and created the context for a relationship with the land that came to be divorced from responsibility *to* the land.

From the beginning of European exploration of the “New World”, there was a conflicted perception of these lands and waters. As early European explorers in the 15th and 16th century encountered lands that were new to them, and in those lands they encountered people who seemed so different that the Europeans wondered if they were even human at all, questions arose about whether these explorers had found the actual location of Eden (Greenblatt, 2017, p. 235). Eden was on the minds of Europeans, both the explorers and those back home. In his book *A Brief Destruction of the Indies*, Dominican priest Bartolomé de las Casas critiqued the Spanish *conquistadors* for their massacre of Indigenous peoples, describing those peoples as resembling the innocence of Adam and Eve in Eden (in Greenblatt, 2017, p. 236). In 1550, de las Casas engaged in a debate commissioned by King Charles V of Spain, examining whether or not the people that these explorers were encountering in these “new” lands were considered fully human. It was around this time that the meaning of the word “brute” expanded from simply meaning “dull, stupid, insensible” to encompassing these seemingly strange humans who lived lives so rooted in the earth that the Europeans couldn’t conceive of as humans like them (Ghosh, 2021, 187; Danowski and Viveiros de Castro, 2017). Thus, while explorers were on the one hand encountering lands that they seemed to associate with the Garden of Eden, the idea was also emerging that these lands were to be viewed as dark, foreboding, and something against which settlers would have to battle.

The notion that the people living in these lands were “brutes” emerged around the same time as philosopher Thomas Hobbes wrote his 1651 work *Leviathan*, in which he described the natural world without political community as “nasty, brutish, and short” (1997, p. 70). In order to keep such dangerous forces at bay, Hobbes concluded, European society had come to an agreement – a contract, if you will – to give power to one overarching sovereign in order to protect that community from the brutish world beyond the borders of this imagined political community. Not long after, John Locke (1632-1704) was theorising about the mixing of man’s sweat and blood with the earth, in a process of labour that Locke argued was how humans were to respond to God’s gift of land. In the absence of a particular form of labour to develop the land from its “virgin” state, Locke argued that the lands were thus left as waste. Indeed, one of “the most repeated justification[s] for occupying frontier lands turned on a single word: waste – the waste of land, the waste of water, the waste of Native labour” (Weaver, 2005, p. 88). This

took place in England as well, with the division and privatisation of so-called wastelands such as fens, marches, heathlands, downlands, and moors (McCloskey, 1975, p. 146).

The tension that exists between viewing the land as paradisaical on the one hand, and barren, even terrifying, wasteland on the other, is such that “[p]icturesque landscapes are described [in the 18th and 19th century] in such a way as to invite colonization; once a colony is implanted, however, the land is then constructed according to the ‘gloomy, melancholy and monotonous’ paradigms of description” (Ryan, cited in Porter, 2010, p. 63). These settlers could not recognise the work of landscape management done by Indigenous peoples as desirable development. Indeed, to describe the lands they encountered as “wild” and “untouched” meant that they did not consider the work of Indigenous land management as worthy of consideration. As Weaver (2005) points out, rather than acknowledging the value of the diversity of cultural adaption to ecologies “as evidence of skilful use of available flora and fauna, colonizers, driven to multiply their introduced and domesticated plants and animals, scrutinized and graded imputed discrepancies between indigenous usage and an expected climax of exploitation” (p. 88). Practices such as controlled burning were mostly perceived as “backwards and uncivilized” even when it was acknowledged that without these efforts the landscape, in Australia in particular, would have been much less amenable to European agricultural ambitions (Porter, 2010, p. 61). The connection between these ideas of land that were shaping how settlers approached and changed the land, and in turn were shaped *by* those processes, reflected the increasing embeddedness of a post-enlightenment European worldview, and the particular way that those ideas intersected with the “discovery” of “new” lands.

Early settlers’ understanding of the value of property (which continue to inform Western thinking today) can be fairly neatly summarised across a range of theories, and indeed has been very helpfully done by various authors, as summarised by Lewis (1992). Lewis (1992) sketches out the traditional theories, and the associated broad critiques of those theories. There is the theory of occupancy, that is, the right of an individual to own land that he discovers – this is apparently largely irrelevant as there is a negligible amount of land that is not subject to some individual or ownership entity, however its impact continues to be felt, as we can see in this examination. Right to property can also be explained through one’s labour, though this theory is complicated by the fact that labour is usually conducted by more than one person, it doesn’t account for the needs of others, and it doesn’t account for inheritance and transfer. There is the right to property simply because a person’s freedom can be made possible by the opportunities inherent in private property; and it follows that there is also

the right to property justified by the amount that a person could earn off of that property, or that apparently more can be done with a property by one individual than by many. These can be critiqued for their neglect of community needs, for instance.

In discussing what interests the existence of private property serves, we learn that regardless of which of the two main avenues surveyed one looks at, there is a general consensus that “individuals have an interest in owning things which is sufficiently important to command respect and to restrain governmental action” (Lewis, 1992, p. 414). According to one avenue of thought (Hegelian), ownership is simply a basic human interest held by all individuals; according to another (Lockean), this interest is a result of having done something to the property in question, or through acquisition. The general-rights-based theory rests largely on the ability to theorise around property without discussing relations between individuals or things. These rights are justified largely by or in connection with rights of freedom and liberty, not simply negative “freedom-from”, but also positive, as in, what is gained through one’s own efforts (Lewis, 1992, p. 415). According to this logic, “[a] natural resource has no purpose unless given one by an individual – by investing a natural resource with a purpose, an individual becomes aware of the importance of will and rationality” (Lewis, 1992, p. 416). It seems that our fundamental ideas about property are tied to those about freedom, which are inherently disconnected from the earth, and from an idea of ourselves as integral parts of an interconnected web as the thing which governs our decisions.

According to Locke (2005), general rights to property are not legitimate; rather, one’s efforts to till the land out of its state-of-nature existence, into what was perceived to be more productive state, was what established an individual’s right to exist (p. 33). This theorising around land makes perfect sense in the context of mass clearances of lands, when those working the land found themselves without right to the use of that land by those who simply could afford to purchase the land. If you bring in the use of scripture to justify this idea, it is easy to understand how Locke and others would have looked to Genesis, in which we read that God ordained humans to till the land, to justify such arguments. However, Lewis (1992) points out that this, and any other such special-interest theories around claims to property, are not deemed to be useful, as their logic can be dismissed easily. Nevertheless, these ideas held strong influence on the ways that land use was justified, showing up in the language used by settler administrators to discuss Indigenous rights to land. In short, settlers’ understanding of land (and human-earth relations) propelled them both to see the “New World” as an

empty space and to see themselves as morally justified in making that ostensibly empty space productive.

The Lockean ideas of property sought a shift away from the “common man”¹² tilling the land for the benefit of a lord, and instead towards him having the right to a plot of land due to his efforts to mix his labour with the land. This must have been inspiring in the face of massive enclosures and loss of common lands. In reality, power over land of course simply shifted from one ruling class to another. Although the mass enclosure of lands hitherto held in common, beginning in the 15th century and lasting well into the 19th, was resisted by many (Liddy, 2016; Monbiot, 1995), ultimately these efforts were successful in alienating the population from the majority of land in England and Scotland. As a result of these enclosures, some of these populations were forced to move to the colonies. The 15th, 16th, and 17th century conflicts of the various Christian sects vying for power over the hearts and minds of people meant that many were driven out, choosing to find a home on Turtle Island/North America, a land strange and new to them, in the hopes that they would find relief from the sectarian violence. As well as aspiring to live in a place free from violence, settlers also came to Turtle Island in search of the seemingly endless supply of resources that would stimulate unimaginable wealth generation, and help to fuel the myriad changes brought about by the industrial revolution. Without this new context, free of established landlords enclosing lands, the potential for the common man to own a plot of land through his own efforts became a reality, so of course Locke’s theory of property and this particular interpretation of scripture from Genesis would have taken hold.

The 16th century was a time of much turmoil and struggle over who had the right to own or access land in Europe. The era breezily referred to with a broad brushstroke as the Protestant Reformation involved immense violence, with monarchs and religious leaders pushing back and forth over which theological ideas should prevail across Europe, ideas which of course had political implications. In England, King Henry VIII established the Church of England when he broke with the Catholic Church in Rome, setting himself as sovereign at the head of the Church. He abolished monasteries across the kingdom, either destroying the abbeys, appropriating them for the Crown, or establishing them as Church of England Cathedrals (Leiss, 1994, p. 81). At this same time, lands that had been held by the Church monasteries were being appropriated by the Crown and used for their wealth, or sometimes re-established as houses of the Church of England. The push and pull between Catholics,

¹² I use the word “man” here purposefully, as it was used then both as a general term, and when talking about rights given that men were the only sex considered to hold those rights.

traditional Protestants, and radical Protestants created a very turbulent time. This followed several centuries of civil wars during which the political boundaries and governance structure were greatly in flux. The Reformation period flowed into further civil war in the 17th century. This period saw more violence, as well as a significant loss of common land as a result of increased enclosures and privatisation of lands.

This worldview that accompanied settlers to Turtle Island was a conflicted worldview grounded in the emerging political philosophy of liberalism, enmeshed both with a particularly Judeo-Christian interpretation of Creation on the one hand, and the western scientific method that sought a comprehensive understanding of God's Creation in order to gain mastery over nature on the other. The world outside of political community of the liberal social contract was increasingly seen as chaotic and dangerous, even inherently evil. This perspective provided the lens through which Europeans viewed these lands and peoples on Turtle Island that were hitherto unknown to Europeans, and it continues to inform our relationship with the land today, and the decisions that we make regarding how we make use of what we understand as the "resources" on the land.

The political structure of liberalism and the apparent stability of the theories around property served a valuable purpose for a society recovering from the trauma of centuries of intense violence and disconnection from land. Alongside liberal ideas emerged the so-called rational scientific method and the quest to achieve mastery over nature. For a society reeling from centuries of violence and disconnection from land, it makes sense that ideas emerged around individuals creating stability for themselves by asserting their power and autonomy over a parcel of land, and asserting their right to hold that land for themselves and keep hostile others at bay by way of boundaries around their property. The emergence of liberalism as an organising political theory was rooted in the idea of the autonomous individual, rather than the material reality of the earth. The constitutional logic of liberalism created the context for certainty, or at least the *impression* of certainty, and it reenforced hierarchical orders through its inherent hierarchy of rights that we see today. Awareness of Creation stories from biblical scripture, and of the particular ways that the 17th and 18th century European – particularly English – mind and society interpreted that scripture with the lens of liberalism and the scientific method, is crucial for understanding conflicts and tensions around land use today. This reality certainly shaped the minds and worldview of those explorers and settlers who came to Turtle Island, and we ought to add this to the roots of Mills' (2019) legality tree analytic for liberal constitutionalism.

III. Solidification and Enforcement of Settler Worldviews

i. Mastery Over Nature: How it Emerged, and led to Divorce of Sacred and Secular, Religious and Cultural, Human and Earth

As liberalism was becoming an increasingly influential logic for western Europeans, and thus for those settlers finding their way to unfamiliar lands such as Turtle Island, this was also a time when they were trying to grasp more fundamentally what they saw as miracles in nature. The scientific method that we know so well today emerged as a system in the 17th century. Alongside this method of learning and discovery emerged the focus on achieving a “mastery over nature”. Bacon and Descartes, who were viewed at the time as the “twin prophets of a new age for mankind”, asserted that by accepting the scientific method, society (“men”) would achieve “mastery over nature” (Leiss, 1994, p. 21). According to Leiss (1994), “the belief that nature was capable of performing miracles [...] and that the discovery of these hidden wonders would raise man’s stature and dignity [...] was a powerful motivational force in winning adherents to the cause of scientific work” (p. 74). The glorification of nature, that is, the idea that nature could perform miracles, “served as a spiritual midwife in the great transitional period when what would later be called modern science (but then still known as ‘natural philosophy’) slowly separated itself from magic, alchemy, and astrology” (Leiss, 1994, p. 74).

As the scientific and the spiritual realms began to cleave apart, so too did the religious and the cultural. According to Bacon (whose writings, Leiss (1994) argues, are the “single most important direct source of present usage” of the idea of mastery over nature), religion and science were both tools for society to recover from the “fall” that occurred in the story of Adam and Eve: “[f]or man by the fall fell at the same time from his state of innocency and from his dominion over creation. Both of these losses however can even in this life be in some part repaired; the former [innocency] by religion and faith, the latter [dominion] by arts and sciences” (Bacon, cited in Leiss, 1994, pp. 48-49). For 17th and later century Christians, science was the solution for the perceived problems associated with the fall from Eden, namely, the apparent loss of dominion over Creation and the lowering of humans to the level of animal. While western European society would have moderated its behaviours largely according to Christian ethics, Bacon for the most part believed that the human tendency to lean towards excess would be tempered by the virtues that he saw as inherent in the growth of knowledge. According to Leiss (1994), Bacon saw that the growth of knowledge would “serve as an instrument for repressing the permanent instinctual threat to social peace. Burgeoning desire will be gratified via the achievements of science and technology, and its destructive potentialities will be checked by the devices of culture” (Leiss, 1994, p.

57). With Christianity decreasingly acting as the predominant force for morality, the loss of that religious ethical framework meant that the idea of dominion was no longer held “in balance between the opposing poles of domination and subordination... instead, mastery over nature took on a “unidimensional character – the extension of human ‘power’ in the world” (Leiss, 1994, p. 35).

Nevertheless, religion continued to play a part - Bacon contextualised his ideas about mastery over nature within the framework of the Book of Genesis, insisting that scientific progress fit squarely within the biblical words that “in the sweat of thy brow shalt thou eat they bread” (Leiss, 1994, p. 49). By using Christian imagery familiar to his 17th century readers, Bacon won over followers to his ideas of scientific progress, the handmaid to his concept of mastery over nature, and in so doing, perhaps unknowingly set the course of secularisation of Europe: “His contention that science shared with religion the burden of restoring man’s lost excellence helped create the climate in which earthly hopes flourished at the expense of heavenly ones” (Leiss, 1994, p. 53). This is certainly the idea according to Lockean ideals, which see land that was not “improved” through human efforts as “wasted”, and thus manifest an “unfulfilled duty to God” (Porter, 2010, p. 56). Whatever humility or sense of responsibility that might have existed as a result of religious ideas or stories around the consequences of *mistreating* the earth waned in the face of triumphalist attitudes bolstered by the apparent successes of liberalism and capitalism, the processes of which are “based firmly on humanity’s technological mastery over nature” (Leiss, 1994, p. xviii-xxii). Yet the notion of progress through mastery over nature, though separating from the ethics of responsibility to the earth, was nevertheless justified through the socio-political interpretation of scripture around the 17th century. While these roots in a biblical, faith-based understanding of settlement are important to acknowledge, they do not represent an objective interpretation of biblical scripture, nor indeed of the entirety of the Judeo-Christian perspective on human-earth relationships. These are 17th and 18th century interpretations of theology very much shaped by the emergent political theory of liberalism, and the western scientific method.

The improvement of land was imbued with a moral overtone, and became “the material expression of imperial authority and cultural sensibilities in the colonies” (Porter, 2010, p. 64), a manifestation of colonial success. Indeed, the story of progress has replaced much of the religious stories at the heart of our culture (Kingsnorth and Vaughan-Lee, 2018, 5:30; Weaver, 2005, p. 85). One of the most “dangerous things about the story of progress is that we don’t think it’s a story. We think it’s the truth. We think it’s real, rather than that it’s simply an interpretation of the world which we have chosen to believe” (Kingsnorth and Vaughan-Lee, 2018, 7:25). The theological notion that “man

completes and perfects the work of creation” was understood by Bacon and his 17th century contemporaries “along more ‘activist’ lines” (Leiss, 1994, p. 74). “Nature was said to require the superintendence of man in order to function well, and this was understood as meaning a thorough transformation of the natural environment, rather than mere occupation or nomadic passage” (Leiss, 1994, p. 74). According to Porter (2010), quoting an extract from the New Zealand Parliamentary Debates of 1862, these early settlers were concerned with restoring “the wilderness to its original gardenlike condition”, and at the time, gardens were idealised in formal, rigid, and bounded forms (p. 64).

Looking to the history of plants, horticulture, and botany can often reveal the minds of a culture, particularly by examining gardening practices of the English of the 17th and 18th centuries. These gardens featured formalised plantings and labyrinths, which symbolised the importance of understanding and controlling nature; the garden provided an opportunity to manifest that desire by grasping control of nature within the bounds of the garden, and keeping the wilderness at bay outside of the bounds of those gardens, all to the glory of God (Don, 2015a, 18:00min). Whether that control was made manifest in a landowner’s garden, or in the books of their contemporary philosophers, the enmeshment of the idea of mastery over nature with Christian tradition as interpreted in and around the 17th century deeply informs science and technology of today (Leiss, 1994, p. 32). The 18th century saw the rigid formality of gardens give way to a romantic approach to gardening, in order to create a space that gives the idea of being natural, through very strict and controlled measures (Don, 2015b). Space was becoming theorised such that colonists were able to inscribe their worldview onto the landscape, thus making possible the idea that “improvement of land in European terms was the hallmark of progress in a colony”, a perspective which consequently shaped the ability to own land, as well as make use of others’ land, for the British at home and in the lands where they asserted sovereignty (Porter, 2010, p. 63).

ii. Liberalism’s Violence to the Earth, and Violence to Indigenous Peoples

Liberal law was – and continues to be – deeply concerned “with the drawing and policing of boundaries”, a process which is inherently violent (Blomley, 2003, p. 123). The assertion of settler sovereignty over these lands was made possible through the notion of mastery over nature and the associated logic that land left undeveloped by European hands was wasted (thanks to the concept of terra nullius) and through the violence inherent in settler law, planning, and mapping. Bringing together Euro-settler cosmology and foundations of settler-earth relationships, with the physical realities of

settler colonialism, one can better understand some of the fundamental differences between settlers and Indigenous understanding of human-earth relationships.

Put plainly, on the one hand, in *Tsilhqot'in Nation v. British Columbia*, the Supreme Court of Canada (2014) stated that *terra nullius* was not a founding doctrine for the settler state in Canada, and in fact Indigenous peoples held what the settler state calls “title” to these lands before settlers arrived (Supreme Court of Canada, 2014, para. 69; Borrows, 2019, p. 72). On the other hand – and practically in the same breath – the Supreme Court of Canada nevertheless insists that the Crown “acquired radical or underlying title” to lands that were occupied and governed by other people before settler arrival (in this particular case, referring to British Columbia) (Borrows, 2019, p. 72). This apparent contradiction reveals, as John Borrows (2019) succinctly points out, the dishonesty of the courts to “uphold the effects of this fiction while declaring the invalidity of *terra nullius*” (p. 80). These lands were perceived by settlers as empty and awaiting fulfillment by Europeans. That perceived emptiness was not only a “central trope of colonial writings” but it was “also the legal fiction upon which colonization depends” (Porter, 2010, p. 57). The concept of *terra nullius* has supported the Crown’s subversion of Indigenous governance, and until it is meaningfully removed as a formative concept (not just nominally, but by addressing its effects), “Canada remains a deeply colonial state tangled in the vilest of discriminatory tenets”, and Indigenous nations will continue to struggle “for their very existence” (Borrows, 2019, p. 80).

The notion that transforming the natural environment through, for example, agricultural development and the establishment of planned towns, represented the only right relationship between humans and the land, as perceived by Europeans – in contrast to “mere occupation or nomadic passage” – was an idea used to justify “the conquest and resettlement of so-called backward areas, such as the New World of the Americas, where it was claimed the native populations were not improving sufficiently the regime of nature” (Leiss, 1994, 74). This quotation reminds us that early settlers could only understand development in the form that European development took, and were often blind to the changes or development of the landscape made by Indigenous peoples. Even when they were aware of such changes to the environment by Indigenous peoples, settlers held fundamentally different ideas of what was “good” to do to the land – that which was considered “development” or “progress” was worthy of consideration, that which was not seen as progress or good development was thus not deemed worthy (Porter, 2013).

On the other hand, this quote reveals an ongoing blindness of even those such as Leiss (1994), who seek to challenge conventional thinking about settler history. By referring to Indigenous ways of living on the land as “mere occupation or nomadic passage”, Leiss (1994) reveals the ongoing belief of settler peoples that Indigenous peoples’ way of living on the land was not as deeply engaged as settler peoples due to the lack of built form. For instance, the idea that nomadic people who lived closely with caribou herds were not engaged in shaping (i.e., developing) the land illustrates a blindness to the vast scale of landscape management by herders (Indigenous Circle of Experts, 2018; Porter, 2010; Riley, 2015). Notwithstanding the fact that Leiss’ (1994) view unintentionally reinforces the point that he is critiquing, his overarching point holds true: the perceived right relationship with the land, according to 17th century thinking, was one of “rational-minded” humans controlling the land, as well as the flora and fauna upon those lands.

In examining the structure of liberalism, we can see its inherent violence, as it is asserted over Indigenous bodies, culture, worldview, and the legal structures that hold up Indigenous lifeways. Returning to Mills’ (2019) discussion of liberal and rooted constitutionalisms, the Canadian idea of a “‘living’ tree is free-floating in imaginative space, untethered from earth, water, air, and sun. Recall that the liberal Creation story takes as its genesis point the human decision to separate from “nature”; political communities are literally defined *in opposition* to a state of nature” (p. 196). Mills (2019) sums it up neatly by explaining that whereas “rooted creation stories are disclosures of the earthway; liberal creation stories are displacements of it” (p. 196). This difference is at the crux of the issue at hand, namely, the conflict between Indigenous and settler approaches to caring for the land. For European settlers who conceived of the land as empty wilderness devoid of civilised culture, laying down their own culture atop of the land was critical to their assertion of sovereignty. Settler law relies on a frontier against which to define itself. In the face of protest (e.g., a blockade), law defines that protest as violent, and the violence with which the state responds (riot police, tear gas, etc.) as the restoration of order: a necessary violence. Indeed, “the very existence of that deemed property has long relied upon a distinction to a domain of nonproperty. Inside the frontier lie secure tenure, fee-simple ownership, and state-guaranteed rights to property. Outside lie uncertain and undeveloped entitlements, communal claims, and the absence of state guarantees to property. Inside lies stability and order, outside disorder, violence, and “bare life” (Blomley, 2003, p. 124). In colonised lands, this articulation of land as either known and stable on one side of a boundary, or unknown and wild on the other, began with the process of mapping.

In order to make territory that was new to them “known, legible, and available for settlement” (Porter, 2010, p. 69), cadastral surveys were used, articulating boundaries that made the land visible on paper, and made the landscape known in terms of topography. Cadastral surveys had (and continue to have) both a social and legal function, articulating legal boundaries with which to establish culture on the perceived wild and uncivilised ground, making known what land was available to be taken up, and systematising the natural features (Porter, 2010, p. 69). The work done by surveyors in these lands was critical in settler efforts to possess the lands. These systems and tools that were used to mark the land through mapping, recording, and categorizing, were the colonial spatial technologies that formed the foundations of modern planning. The connection between ideas about good and evil and European built form are made plain in the work of Jeremy Bentham, whose writing is nestled within the roots of land use planning. As Bentham (cited in Blomley, 2003, p. 125) puts it:

The interior of that immense region offers only a frightful solitude; impenetrable forests or sterile plains, stagnant waters and impure vapors, such is the earth when left to itself. The fierce tribes which rove through these deserts without fixed habitations, always occupied with the pursuit of game, and animated against each other by implacable rivalries, meet only for combat, and often succeed only in destroying each other. The beasts of the forest are not so dangerous to man as he is to himself. But on the borders of these frightful solitudes, what different sights are seen! We appear to comprehend in the same view the two empires of good and evil. Forests give place to cultivated fields, morasses are dried up, and the surface, grown firm, is covered with meadows, pastures, domestic animals, habitations healthy and smiling. Rising cities are built upon regular plans; roads are constructed to communicate between them; everything announces that men, seeking the means of intercourse, have ceased to fear and to murder each other.

Bentham’s description of the landscape of Turtle Island at the time illustrates succinctly the contrast between the safety and certainty that was understood to exist in the realm of property and security, and the violence understood to exist where property did not exist (Blomley, 2003, p. 125).

How much this quotation reveals about the perspective that shaped the foundations of settler relationships with the land! It is infused with a lack of understanding of what they encountered – Bentham could not see that the landscape had been in any way shaped by the people living there, and he could not understand that the broad use of territory, seen by Europeans as nomadic, in fact revealed a measured and deeply familiar relationship with a territory of impressive scale. The need to define boundaries and to assert settler presence was enmeshed with map making, thus mapping professionals and technologies had a profound impact on “the way in which the colonial state imagined its dominion” (Campbell, 2005, p. 35). However, there were some places that eluded this facet of colonialism.

Conclusion

The settler worldview that came to shape the way we relate to and manage the landscape has displaced Indigenous peoples in multiple ways, though – importantly – not entirely, as we saw in Chapters 5 and 6. Initially, this displacement was through the establishment and growth of settler towns and cities, when development and “improvement” of the perceived “wild” lands into “civilised” lands was the goal, leading to the displacement and forced removal of Indigenous communities. Later on, in the 19th century, this manifested in urban dwellers seeking places of escape, in order to leave behind the intensity of the industrial cities, when the wild-ness of landscapes acquired newly positive meaning and came to be sought-after. Most 19th century North Americans shared the belief “that humanity, since Adam in Eden, was responsible for governing the rest of Creation; that progress resulted from the “improvement” of nature, by transforming raw wild nature into productive land; and that this process was key not only to the economic health of society but to its moral and social integrity as well” (Campbell, 2005, p. 63). If we do not acknowledge the presence of a particular interpretation of religious ideology at the foundations of our scientific and liberal worldview or lifeway, and, with it, our relationship with “the spiritual”, then our efforts to address our dysfunctional relationship with the earth and the resulting climate crisis will remain at a surface, material level, and will thus evade radical transformation.

If, as Kimmerer (2013) suggests, we ought to think of time as a circle, and trust that we can find the answer to today’s problems (at least in part) within the past, then perhaps taking a decolonising lens to the scriptural stories of Creation is a good place for settlers to go in order to tease out the colonial (i.e., liberal, imperial, etc.) facets of those stories, and see what’s left when we try to disentangle those threads. If the term “colonisation” describes, in part, a period of time when Europeans sought to acquire dominion in its possessive and extractive form over lands beyond Europe, then to de-colonise is to pull apart the ideas of that era that so shaped our relationship with Creation and Creation stories and myths, to find what’s left when we tease out that influence of imperialism and mastery over nature devoid of responsibility to the earth. In distinguishing between the influence of the 17th century liberal interpretation of scripture, and the stories themselves, we can better examine how these different threads serve us in our efforts to transform our relationship with the earth and return our ecosystem to some sort of equilibrium.

As Mills (2019) argues quite effectively, the logic of liberal constitutionalism (the “sovereignty thesis”) “necessitates the severing of earth relationships from constitutionalism. Liberal constitutional orders necessarily consume earth (which is construed as resources, not as persons, and thus which is absent legal agency) to empower human freedom” (p. 204). In contrast, the logic of rooted constitutionalism (the “humility thesis”) “necessitates that if human-earth relationships (and by necessary implication, the earth itself) are destroyed, rooted constitutional orders become unviable. There’s no earthway outside of earth” (Mills, 2019, p. 204). As the Truth and Reconciliation Commissioners point out, “Reconciliation between Aboriginal and non-Aboriginal Canadians, from an Aboriginal perspective, also requires reconciliation with the natural world... reconciliation will never occur unless we are also reconciled with the earth... [and] humans must journey through life in conversation and negotiation with all creation” (Truth and Reconciliation Commission, 2015b, p. 13).

Perhaps settler peoples can see that we have the ability to re-imagine our relationship with the earth with the help of ancient stories that once rooted our Judeo-Christian ancestors to the ground – as well as the many other cultural ancestors of settler society – and with the help of Indigenous ways of knowing, we could once again root us to that earth. Kimmerer’s (2014a) comparison between the Judeo-Christian story of the fall of Eve with the Haudenosaunee and Anishinaabe stories of Skywoman reveals one particular perspective of that story of Eve – that the resolution to The Fall was exile from the garden of Eden and a life of hardship and disconnection from that garden, in contrast to Skywoman’s collaboration with the animals to create earth on the back of a turtle. From a brief exploration earlier in this chapter, it seems that there are indeed more rooted interpretations to look to. Part of the effort to decolonise settler/western human-earth relations is for us to disentangle that Creation story from the idea that it is telling us we have been forever barred from a relationship with the earth.

This approach to decolonisation doesn’t require that one hold to a particular faith in the Abrahamic traditions, or profess any sort of belief in God/a god/Creator/etc.; however, I believe that we nevertheless must engage with these religious origin stories. But once again, let us remind ourselves that this is not just a theoretical exercise. Firstly, if we can have the humility to let ourselves explore those Creation stories, which are so foundational to settler peoples’ relationship with the earth, then perhaps we’ll have the grace to listen more genuinely to Indigenous peoples when they speak of the centrality of Creation stories and relationships between humans and all their relations in Creation. Secondly, having in some small way contextualised our ideas about human-earth relations, we find ourselves having journeyed across conceptions of space and time and relations, back up to the

discussion of settler cottagers and environmental conservation efforts in Georgian Bay. In the following chapter, I endeavour to bring that journey to bear on the issue of how settler cottage communities, and settler environmental conservation efforts, are enmeshed with one another, and implicated in the dispossession of Indigenous lands.

Chapter 8. The Co-Emergence of Cottage Communities and Conservation, and Loss of Indigenous Lands

I. Introduction

At the outset of this dissertation, I spoke of the significance that my family's cottage and Georgian Bay itself holds for me personally. I spoke of the waters of Georgian Bay showing up often in my dreams, and of the apparent solidity that the cottage represents for me and my family when so many other aspects of life feel in-flux. The significance of a cottage, or a second-home associated with leisure space, has been illustrated in the literature over the past decade or so. Harrison (2013) points out that this type of second-home ownership provides meaning by “presuming an implicit link to recreation and place; a place of family/childhood connection and memories; a return to nature as a primal/therapeutic/restorative space; a non-urban but not-quite-wilderness place; a place of community, belonging, and, for some, a place of spiritual connection; and a place of escape” (p. 22). Indeed each of these themes emerged in interviews and focus groups with cottagers for this research.

This chapter traces how ecology and romantic back-to-the-land movements starting in the 18th century emerged from and deepened the settler worldview's division of nature and human civilization. I show how this motivated the cottagers who flocked to Georgian Bay to escape urban life, and how the presence of Indigenous peoples in the area was ignored or erased through bureaucratic implementations of the “empty land” worldview. This, I argue, meant that it was relatively easy for cottagers to settle in Georgian Bay while Indigenous communities like Moose Deer Point struggled to maintain their lives there and were even shuttled around. Moreover, I argue that while the development of cottage communities relied on the narrative of Georgian Bay as wild and uninhabited, these same communities also appropriated the culture and names of the Indigenous communities who lived there — revealing an unaddressed lack of depth and fragility in settler identities' connection to land. I continue this analysis by arguing that conservation efforts in general (and specifically in Georgian Bay) further extended this conflicted logic, removing and restricting Indigenous peoples from their lands in order to keep those lands empty for conservation and leisure. The following chapter explores the outcome of this logic.

II. Wilderness as Refuge, and “The Cottage” as Gentler Way to Get Back to the Land

The emergence of cottage communities in Georgian Bay, and indeed elsewhere in Canada and the United States, in the late 19th and early 20th centuries was deeply informed by the Romantic, Arts and Crafts, and back-to-the-land movements, which found their roots partly in environmental ideas which began forming clearly over the previous century. The 18th century saw the emergence of the idea of “ecology”, an approach to science and understanding nature that sought to focus on the interrelational character of the environment, rather than take an atomistic view. The emergent field of ecology initially took two main forms: arcadian ecology, on the one hand, which drew on ideas of paganism, and imperial ecology, on the other hand, which drew more explicitly on Christian pastoralism (Worster, 1994, p. 26). According to Worster (1994), in *Natures Economy: A History of Ecological Ideas*, whereas “the arcadian view advocated a simple, humble life for man with the aim of restoring him to a peaceful coexistence with other organisms” (p. 2), and which drew on pagan “paraphernalia” like satyrs and nymphs (p. 26), the imperial view drew on an interpretation of Christianity that focused on the idea that humans had dominion over nature, with an imperialistic interpretation of “dominion”.

Gilbert White is seen as the “father” of the arcadian school of thought, with his *The Natural History of Selborne*, a book of letters published in 1789 detailing his examination of the interconnectivity of the flora and fauna in the village where he lived. White experienced and expressed a deep connection to the land on which he grew up and lived, which was intensified by his “deep reverence for the divine Providence that had contrived this beautiful living whole” (Worster, 1994, p. 7). His writings reveal a man apparently little interested in the political upheaval of the 18th century all around him, and made little mention of technological advancements that were undoubtedly shaping the relationship of British with the earth. The factory system was taking hold, and subsequently populations swelled, transforming villages and towns into cities, and creating huge demands on and thus “sweeping transformations” of agriculture. This pressure on agriculture contributed to the increase in enclosure, mentioned in the previous chapter.

The 19th century saw the emergence of the natural history essay and the popularisation of White’s writing. These natural history essays by the likes of writers such as Henry David Thoreau and John Muir were written in an attempt to restore to the realm of scientific enquiry “some of the warmth, breadth, and piety which had been infused into it [by White]” (Worster, 1994, p. 17). According to these naturalists, the scientific enlightenment had alienated modern society “from nature as well as from God” (Worster, 1994, p. 16). This movement critiqued the modernist atomisation of all of Creation,

which they saw as cold and obsessed with mastery over nature rather than working towards balance in an ecosystem, leading to the dislocation of modern science from the moral fabric of society (Worster, p. 19, 1994). Resistance to the technological momentum towards unlimited economic growth was characteristic of Gilbert White's writing and of the ecology movement that emerged (Worster, 1994, p. 23).

In contrast to the arcadian view, the imperial view of ecology, also known as the Linnaean school of thought, was utilitarian and "strongly echoed the values of the Manchester and Birmingham industrialists" as well as agrarianists. Economists of the time, such as, most notably, Adam Smith (a follower of Linnaeus) shared these utilitarian values, seeing nature "as no more than a storehouse of raw materials for man's ingenuity" (Worster, 1994, p. 53). Linnaean thought viewed the laws of nature as governed by a force such as Hobbes' *Leviathan*, without confidence that the creatures of Creation would live out just lives without that sovereign rule (Worster, 1994, p. 45), within which, humans (scientists) had to take on the role of a shepherd. In Worster's (1994) description of Linnaean thought, the idea that Christianity and Judaism are fundamentally anti-nature is reenforced in one brief comment, dismissing Christianity "and its Judaic background" as "anti-natural" (p. 27).

Although holding different values, both schools of thought emerge from Francis Bacon, discussed in the previous chapter with respect to the concept of "dominion". While Worster (1994) described arcadianism as rooted in pagan thought and Linnaeanism as rooted in Christian pastoralism, they were both essentially grounded in Bacon's interpretation of the scriptural story of the fall of Adam and Eve into sin – Bacon "dreamed of restoring a prelapsarian harmony to the world through science; what The Fall had created, the power of science might restore" (Oelschlaeger, 1991, p. 103). Both arcadian and Linnaean thought emerged from the movement in Europe towards an idea of "planetary consciousness", which saw the scientific world as "increasingly interested in classifying the elements of the natural world" (Porter, 2010, p. 61). Linnaean ecology, with its mechanistic thinking placing humans apart from a world created for them, largely prevailed over arcadian ecology, however it seems that arcadianism, which came and went in waves, came to be the voice of restraint to reign in the instinctual excesses of modernist ecological thinking (Campbell, 2005; Worster, 1994, p. 55). In response to the utilitarian view of the environment, the Romantics (those nature writers, poets, and visual and musical artists drawing on the works of White and his ilk) responded by retreating from the urban industrial landscape, towards what they viewed as the undeveloped wilderness, in search of "the sublime, for contact with the divine" (Porter, 2010, p. 61).

Romanticism and the Arts and Craft movement were both partly reactions to the dehumanising experience of rapid industrialisation, and its perceived prioritisation of mechanised reproducibility over human skill (Luckman, 2013). Romanticism, generally speaking, focused on the emotional experience of the individual, often in the context of an awe-inspiring or sublime and idealised natural (non-urban) landscape, one which was largely empty of human civilisation except for the individual within whose gaze it appeared (Damrosch, 1985). Connected with Romanticism, the Arts and Craft movement emphasised the importance of individual craftsmanship, in contrast to manufacturing technologies.

The founding members of the Madawaska Club and other clubs like it in Georgian Bay and beyond, were undoubtedly influenced by the Romantics and the Arts and Crafts movement. My own great-grandparents, James and Cornelia (née McMaster) MacCallum were patrons of the Group of Seven, hosting them at their cottage as a base for some of their Georgian Bay painting trips (Focus Group 4). The work of the Group of Seven typifies the pictorial perception of wilderness – that it is to be *viewed* by the wilderness-seeker, and ideally without the intrusion of modern life’s bric-a-brac or technology (Jessup, 2002). The conflicted idea of wilderness as both attractive and savage was reinforced through such work. A.Y Jackson, of the Group of Seven, became most famous for his 1913 painting of Georgian Bay called *Terre Sauvage*, which “signalled a new era in Canadian art” (Campbell, 2005, p. 139), during which landscape painters would depict culture within urban life (towns or cities) and wild nature outside of those bounds. The romantic gaze of the urban dweller became drawn to those non-urban places they had read of in the works of the nature writers, and had seen in the works of the landscape painters. Would-be cottagers sought a wilderness, yes, but a wilderness that was somewhat sheltered, as with the cabin in *Walden* (Thoreau, 1854), rather than out in the elements as with the *Maine Woods* (Thoreau, 1864).

Not only was the emergence of these at-first-informal and eventually formalised settler communities (whether cottage or fishing clubs) enabled by the state selling lands and building infrastructure, but it was also enabled by a shifting narrative about wilderness. The archipelago of eastern Georgian Bay came to be seen as “the realization of the Romantic ideal”, given that the “very qualities that frustrated the standard grid system made the area appealing to the back-to-nature set. The irregular lines of the archipelago, an obvious foil to the geometric order of modern planning, seemed to manifest values such as individuality and freedom from external control” (Campbell, 2005, p. 44). What was once deemed a hostile landscape, now became “pretty”, “desirable”, “cute”, “a perfect little gem”, reaching “a state of magnificence not to be excelled anywhere” (Campbell, p. 45, citing a

surveyor from the Ontario Land Survey in 1900). Such descriptors built on the shifting perceptions of landscape brought about through the Romantic movement, as examined earlier.

The landscape of Georgian Bay appealed because of its apparent wilderness character: “Disordered and chaotic could be read as wild and natural; rugged and uneven as picturesque and intriguingly asymmetrical; unsettled as primeval” (Campbell, 2005, p. 44). This perspective is reflected in the style of early cottage design, which revealed a rustic quality that appealed to cottagers both for its rugged-chic style and its convenience. This design approach drew on the influence of William Morris (1834-1896), the main influence on the Arts and Crafts movement, who took to designing furniture so that it was deliberately left unfinished, showing the craftsmanship and what he saw as the beauty of the material (Obniski, 2008).

Indeed, this shift in aesthetics mirrored shifting settler perceptions of wilderness in Georgian Bay in the 19th century. While the challenging nature of the Georgian Bay landscape posed difficulties for military attempts to make use of the Bay, and for resource extraction industry, it provided an idyllic landscape for those seeking to leave the bustling urban centres in search of some sort of sublime wilderness. Our notions about nature are revealed in our very reactions to Georgian Bay, and those reactions are shaped by the landscape itself. As Campbell (2005) points out, this “transition [of Georgian Bay’s character, as perceived by settlers] from primary industry to recreation occurred not because the environment had changed but because expectations of wilderness had” (p. 64).

The idea of non-urban space as an inviting, welcoming, wilderness was in turn reinforced by the work of fictionalised histories (Tuck and Yang, 2012), as well as artists such as the Group of Seven, who were themselves supported by the tourism industry (Jessup, 2002), and individuals such as my own great-grandparents who hosted members of the Group at their cottage in Go Home Bay. “Looking at the silent night on Pine Island [referring to *Night, Pine Island*, by Group of Seven painter A.Y. Jackson], we are looking into the past, at how the Canadian experience has been inextricably intertwined with the natural environment” (Campbell, 2005, p. 2). With this artistic contribution, the idea of a beautiful (rather than terrifying and hellish) wilderness was firmly established, one which was empty and waiting to be viewed and experienced in solitude by would-be cottagers trying to escape the crowded modern city. Would-be cottagers were looking for ways to transcend their urban lives, to find some sort of spiritual experience in nature, and even to establish more authentic-seeming roots in this land where settlers were still only a handful of generations in place, at most (particularly when considering the mainly anglophone, as opposed to francophone, settler community).

Of particular relevance for our task in examining the foundations of environmental conservation and settler relationship with the earth is the Romanticist notion that human civilisation was suspect. While the realm of natural (non-urban) space was seen to be the ideal location to achieve some sort of spiritual experience, it was in large part because of the perceived absence of human civilisation and technologies in those spaces. Nature writers from the United States proved heavily influential to the emergence of ecology. Henry David Thoreau (1817-1862), who is frequently referenced in surveys of ecological thinking, is most famous for his book *Walden or Life in the Woods*, in which he writes about his two years spent living alone at Walden Pond in Massachusetts observing life unfolding around him.

Walden (published in 1854) is a prime example of the Romantic approach to coming to understand the environment in isolation from other people, and builds on the legacy of Gilbert White and his study in isolation at Selborne. Thoreau developed his ideas at a time when Europeans and European-settlers were beginning to consider the value that “archaic societies” might be able to provide modern society, with respect to the earth (Oelschlaeger, 1991, p. 144). Indeed, in *Walden*, Thoreau reflects on an Indigenous man he encountered nearby named Rice, who was apparently “as rude as a fabled satyr” but he admonished himself, saying “I suffered him to pass for what he was, for why should I quarrel with nature?” (cited in Oelschlaeger, 1991, p. 144). Thoreau is sympathetic to this Indigenous man; however, he views him more as part of the flora and fauna than as an equal to him and his society. According to Oelschlaeger (1991), Thoreau is taking a “self-conscious step across the boundary between wilderness and civilization”, and is “seeking the foundations of the experience of his culture” (Oelschlaeger, 1991, p. 145). This reveals the emergence of the idea that nature was a refuge from modern life, which would come to inform how cottagers understand their place in Georgian Bay.

In a subsequent work, *The Maine Woods*, Thoreau (1864) encounters nature in a less controlled context than at Walden Pond, and here he comes to believe that “we have not seen pure Nature, unless we have seen her thus vast and drear and inhuman... Nature was here something savage and awful, though beautiful”; “Here was no man’s garden... It was the fresh and natural surface of the planet Earth, as it was made forever and ever... Man was not to be associated with it...There was clearly felt the presence of a force not bound to be kind to man. It was a place for heathenism and superstitious rites, - to be inhabited by men nearer of kin to the rocks and to wild animals than we” (Thoreau cited in Oelschlaeger, 1991, p. 149). Thoreau is illustrating the conflicted nature of settler relationship with the earth – that he aspires to gain a deeper connection by trekking into rougher territory, farther off the beaten path, and yet when he gets there, he can only imagine men “nearer of kin to the rocks and wild

animals” as belonging there. According to William Cronon, while settler society has “invested it [wilderness] with both negative and positive qualities over time, their concepts of wilderness have consistently placed it outside of history” (cited in Loo, 2006, p. 2).

This perspective is certainly reflected in the North American landscape painting movements of the mid-19th (Radaker, 1986), and 20th centuries (Bordo, 2011), which played a significant role in shaping the idea of wilderness for tourists in North American society (Jessup, 2002), including the late 19th century emergence of hunting, fishing, and leisure clubs in what is now popularly referred to as “cottage country”. Indeed, according to Campbell (2005), “[i]t is often difficult to sense any genuine or original response to the specific features of Georgian Bay in nineteenth-century tourism literature. Instead, we have endless accounts of a place that fits very neatly with the Romantic ideal” (p. 141). Indeed, judging from the literature and interviews conducted for this research, such ideas continue to infuse cottagers’ thinking about their place in nature within the Madawaska Club itself. There continues to be the sense that this place is in its ideal state when one has the opportunity to witness “nature” largely devoid of human civilization. Community can exist in the context of the cottage or the cottage community, but it loses its ideal form when that community crowds the view.

Interview and Focus Group participants spoke of finding in their Georgian Bay cottage a “spiritual renewal” (Focus Group 3, 19:07), that “it grounds you” (Focus Group 3, 19:14), of the cottage being a “spiritual home” (Focus Group 3, 20:49C), of “getting my soul back” (Focus Group 3, 20:35), “my soul is there” (Interview 5, 03:04), that it seems so sacred a place that it is akin to a church (Interview 4, 06:49), and that being on the water can be a “meditative” experience (Focus Group 4, 25:54). Many feel that it is a place of calm, of respite from the hectic nature of city life, and that their love of the place means that they feel that they are caretakers of the land, and hold a responsibility to protect it from (further) development. Such sentiments are reflected in other research about cottage communities (Campbell, 2005; Harrison, 2013; Coburn, 1977; Davidson, 2022)

For this research, most of the cottagers interviewed articulated their experience of the cottage as a solid foundation for the family, as a place of permanence in the context of geographically dispersed families, of the arrival of children prompting knowledge transfer across the generations, either simply about family history or about the lands and waters and community around them. It is a place where their feet know the paths in the dark, and where their eyes know the treeline well enough to drive their boat home at night. It is a place where people feel connected to the lands, waters, plants, animals, and the elements of wind and rain in particular.

Some cottager participants expressed a conflicted sense of identity when it came to the discussion about Indigenous peoples in the area, and about truth and reconciliation. On the one hand, several expressed a sense that their cottage community was an ally to Indigenous peoples, and explained that perspective with stories about their families buying crafts from a few Anishinaabekwe who rowed to the community to sell quill work in 1950s and 1960s, and also through becoming patrons of the Indigenous-owned local marinas. On the other hand, there is the history book of the Madawaska Club, of which most interviewees are members, which notes the community's objections to Indigenous people using the lands that those Indigenous people had historically used, which fell within the boundary of the Club's recently purchased lands. However, all of the cottager interviewees spoke of their deeply-felt connection to the land and waters at and around their cottage, and several interviewees articulated a perceived alignment of values with Indigenous peoples due to their own sense of the importance of caring for the environment.

As mentioned previously, I have heard cottagers (including some in influential leadership positions) express the notion that conserving land through a land trust is inherently in the interests of First Nations, aligning with Indigenous values. Interviews and focus group discussions with cottager participants revealed similar thinking. One participant remarked that "I think by preserving lands... it's preserving nature, and all the things that, same values that the Indigenous peoples had, and that the land belongs to everyone", (Interview 5, 44:54), while another remarked that "our feeling is to this place, is probably closer to what native communities feel to their place than any other place I've... had... just because of the nature of it, that you're so grounded, you're so based, you're so connected to the water and to the weather... I mean it's just, you're much more focused on the outdoor world here" (Focus Group 3, 23:35).

Despite what I believe are good intentions, these reflections from the research conversations were not supported by in-depth knowledge on the part of these same cottagers of the Indigenous history of the place, revealing a lack of understanding of the fundamental differences explored in the previous chapters of this dissertation. And this tension was not lost on them – several participants expressed shame or embarrassment about how little they know about Indigenous peoples in the area, often following up that they wished the Georgian Bay Land Trust would engage more with Indigenous people, and some articulating a desire for Indigenous people to be able to make use of Land Trust lands.

It is important to consider the way that cottage communities emerged, because as Campbell (2005) again points out, "[h]ow Canadians think about Georgian Bay... is shaped by the early cottages of

Go Home Bay [the Madawaska Club] and Cognashene [another cottage community south of Go Home Bay, a member of which was interviewed for this research], but also by the National Gallery of Canada” (p. 14). Indeed, the original walls of my great-grandparents’ Go Home Bay cottage living room are housed today in Ottawa at the National Gallery, displaying the Group of Seven mural painted directly onto them (my great-grandmother was not exactly pleased to return to her cottage and find her walls thus covered). This art doesn’t just sit in a private collection and in a national gallery, it is very much part of popular culture – a poster-copy of one of those murals can be seen on the walls of an “ONroute” service plaza near Midland, Ontario: the image of Champlain meeting with Indigenous men and perhaps *coureurs des bois* (reflecting as well the only recently-changed Ontario license plate, “Yours to Discover”). The ways that settler society’s perception of the relationship between humans and the earth that Campbell touches upon are indeed significant, and cottage communities such as the Madawaska Club have had a great influence on settler-Canadian perceptions of the environment.

III. Emergence of Formalised Cottage Communities and Associations Into Landscape of Contested/Unsettled/Uncertain Sovereignty

i. Reminder of the Indigenous Context

By the 1870s, when settler campers and would-be cottagers were making their first forays into Georgian Bay, so too were the commercial fishing and forestry industries. However, these leisure and industry arrivals were not coming into so-called virgin or empty territory as they so often described it. Rather, these waters and lands had not only been occupied by Indigenous peoples since time immemorial, the landscape had been significantly shaped by those living there. Indeed, it can be said that far from being some pristine wilderness, the landscape of Georgian Bay that those first settlers – the military men, the forest and fishing industrialists, the campers and cottagers – encountered, was in fact a widely *developed* landscape.

If the word of Indigenous people is not enough to convince us settlers, that their communities have been living here and shaping the land for *countless* generations, then perhaps the word of contemporary settler nature writers might be. John L. Riley (2013), in his book *The Once and Future Great Lakes: An Ecological History*, surveys a range of texts to make the point that Indigenous peoples have historically shaped the landscape through many means, including for instance fire. In order to make the case for this long history of controlled burns as a form of land management, Riley (2013)

draws on historical accounts of settlers commenting on the bare rocks, and the cleared forests that were so easily navigable, or remarking on the practice of setting fires that they witness, or maligning the apparent “carelessness” of Indigenous people setting fires without caring about their impact – whether settlers understood these fires as purposeful or not, altogether these accounts paint a picture of the Indigenous peoples that have inhabited the Great Lakes region (the Huron-Wendat, the Anishinaabeg, the Haudenosaunee) as having profoundly and more or less permanently shaped the landscape with great intent (Riley, 2015, pp. 358-363).

Not only had this landscape been developed historically, Indigenous peoples continued asserting their sovereignty over these lands and waters by hunting, trapping, and fishing, as well as travelling and maintaining kinship networks across the Great Lakes, as seen in Chapter 6. At the same time, however, the settler state asserted *its own* sovereignty by way of conducting surveys to map out and stake ownership over lands. Where agriculture and resource extraction were possible, mapping flourished and towns and cities emerged, and the land was made known to settlers as civilised. The early mapping that was conducted in Georgian Bay was a result of war efforts, during the American Revolution, when the British and American navy forces both sought different routes in order to gain an upper hand militarily. Surveys and maps came to be “metaphors for both the process of scientific research and the ideal of the ordered state of nature” (Blomley, 2003, p. 128).

Where resource extraction was elusive, however, that land came to represent wilderness in a new way. Campbell (2005) sums it up, stating that “encounters with this portion [Georgian Bay] of Lake Huron had not been encouraging. It was remote, hazardous, and largely unknown. The war prompted the Admiralty to undertake a comprehensive survey of the Great Lakes, but these early impressions of the Bay would die hard” (p. 35). The land north of Port Severn remained largely unmapped until the end of the 19th century, and the eastern Georgian Bay shoreline was not fully mapped until the 1980s (Campbell, 2005). Indeed, until very recently, the Ontario license plate displayed a motto for the province that reflected this unmapped mentality: “Yours to Discover”.

Settlers were entering what was very much contested territory, with a contradictory (and settler-development-enabling) false narrative: on the one hand, this was an empty wilderness, which was, on the other hand, sprinkled with the charming presence (when not deemed a nuisance) of an apparently “dying race” of Indigenous peoples. It was in this context that my great-grandfather and other community members up and down the eastern archipelago of Georgian Bay and elsewhere in

Ontario and Canada were purchasing lands from the Crown, via the Department of Indian Affairs, establishing a settler presence overtop of the Indigenous one.

ii. Settlers Seeking to Establish Certainty in a Time of Uncertainty Around Indigenous Land Ownership or Occupation

The almost-parallel arrival of settler fishery and forestry industries alongside the emergence of hunting, fishing, and cottage communities in Georgian Bay was enabled by the uncertainty around Indigenous sovereignty (i.e., the tension between Indigenous insistence on their sovereignty, and the Crown's resistance to it). As discussed in Chapter 6, during the first half of the 19th century, the emerging international borders between the newly formed United States and Canada took several decades to solidify (Bellfy, 2011; Campbell, 2005). Despite the presence of Indigenous peoples visiting the British garrison for trading and annuities even as they shifted location around Lake Huron and Georgian Bay numerous times during this period, there was nevertheless the general perception that the area from Penetanguishene (near the south-eastern shore of Georgian Bay) to Sault Ste. Marie (the point where Georgian Bay/Lake Huron meets Lake Superior, via St. Mary's River) was "a bleak, barren, and inhospitable coast, entirely uninhabited" (from an 1825 report to the Duke of Wellington, cited in Campbell, 2005, p. 35). In the late 19th century, Georgian Bay remained largely unmapped, and it wasn't until the 1890s that settlers began to look to this place as a location for their retreats.

In the 1890s, a group of wealthy Torontonians established themselves as the Tadenac Club, a fishing club with land in Freeman Township (under which is found the southern portion of the Moose Deer Point territory), along the southeastern shore of Georgian Bay. The newly-established Tadenac Club claimed that the area was uninhabited, as part of their justification for requesting additional lands (St. Pierre, n.d., p. 35). Tadenac member Henry Mickle wrote to Crown Commissioner E. J. Davis in 1901, requesting a discounted rate to purchase additional lands, arguing that there was "no settler on or within miles of the land" (St. Pierre, n.d., p. 34). The Tadenac Club was successful in their endeavour to purchase these lands, no doubt aided by such arguments of landscape emptiness. And yet we know that the Crown as an entity at least, if not at the individual level in this case, *did* have knowledge of the occupation of these lands. As discussed in Chapter 6, there were numerous instances when the Crown became aware of Indigenous presence in the Georgian Bay region, including the 1849 Indian Affairs survey which informed the Robinson-Huron treaty, as well as numerous petitions on behalf of the people of Moose Deer Point regarding their right to have their territory acknowledged.

The Tadenac Club's assertion of landscape emptiness paired with the Crown's knowledge of landscape occupation tells us a number of things. Perhaps the settler state either did not consider the Indigenous people living in the area (of which they had knowledge) as "settlers", and so the Crown could then agree with the Tadenac Club's argument that there were no settlers nearby. This presents us with a conundrum, however. On the one hand, the settler narrative has typically referred to the Moose Deer Point community (and the Pottawatomi peoples more broadly), as outsiders, refugees, and indeed *settlers*, and not a people traditionally Indigenous to the Georgian Bay area. On the other hand, the narrative found in the Tadenac Club's correspondence with government, above, contradicts this outsider/refugee/settler characterisation of the people of Moose Deer Point, thus leaving us to conclude that in this case, the Tadenac Club was implying that they viewed the people of Moose Deer as *local*, not settler, Indigenous peoples. Such shifting characterisation by settlers about Moose Deer Point First Nation illustrates the capricious nature of settler assertions of sovereignty over Indigenous peoples, which suits the needs of settler cottage community to assert its own belonging.

The Tadenac Club's success in acquiring land based on their assertion of landscape emptiness alongside their argument of the Club's ability to protect the environment illustrates how conservation ideals were used to justify Crown-sanctioned occupation of lands by settler communities. Those of us within the cottage community of Georgian Bay have benefitted from this environmental conservation justification – the narrative of empty landscape paired with the ability of wealthy communities seeking land to actually protect the environment paved the way (pardon the inappropriate metaphor) for a dramatic rise in cottager communities such as my own, the Madawaska Club at Go Home Bay only a few years after the establishment of the Tadenac Club.

When the Tadenac Club was establishing its land base, families that were living in the original Moose Deer Point settlement location were encouraged by the members of the Tadenac Club to move north along the shore, to be closer to the other Indigenous families, according to multiple Moose Deer Point interview participants. One participant, whose grandfather worked for founding Tadenac Club member Wallace Nesbitt, believes the Moose Deer Point First Nation families living in the southern area of their settlement, were told that in order for the community to acquire allocated reserve lands, they *had* to move (Interview 1). Were they *persuaded* to move, in order to be allocated reserve land and acquire Indian Band status, or *forced*? (Does the means by which they came to the decision to move even matter, in the context of such power difference?) It was certainly much easier for a community like the Tadenac Club to acquire lands, than it was for the Moose Deer Point First Nation to have their

traditional and treaty rights acknowledged, let alone their mere presence (St. Pierre, n.d.). The fact of white/settler privilege surely comes into play here, when the settler community was able to petition for as much land as they wished to purchase, far beyond the bounds of their clubhouse, while the Indigenous community could not even get the land on which they were living, and on which they depended, set aside for their use – although they eventually were allocated land in a reserve, it did not come to even half of the amount they had requested. The fact of settler ability to access lands in a region within which an Indigenous community had been for years seeking to have their presence acknowledged by the state helps to problematise the settler cottage community's presence in Georgian Bay.

Settler communities like my own have benefitted from the narrative of landscape emptiness and from the conveniently shifting narratives of the people of Moose Deer Point First Nation, enabling them to be bureaucratically erased from the landscape so that our communities could settle here instead. The end of the 19th and early 20th centuries saw a kind of frenzy of settlers purchasing lands along the eastern shores of Georgian Bay, and the Moose Deer Point community seems to have been stuck playing monkey-in-the-middle. Lands were being sold off north and south of Moose Deer Point. The lands to the south were managed by the federal government, which, through Indian Affairs, were being sold off on behalf of the Christian Island band (where many of the Moose Deer families had lived, and had close relatives still living there); north of Moose Deer Point, the provincial Department of Lands and Forests was selling off lands that *it* managed (Campbell, 2005, p. 44). In 1905, when the Department of Indian Affairs opened up the islands south of Moose Deer Point for sale, it “began fielding requests for maps from people seeking to select an island or locate a newly purchased property” (Campbell, 2005, p. 45). That is, settlers were purchasing land at such a rate that map-making wasn't even keeping up. Both the federal and provincial governments were commissioning land surveys, which did not always match up (Campbell, 2005, pp. 46-47). It seems that land sale and purchase was a bit of a free-for-all (or rather, a free-for-some), with cottagers conducting their own haphazard surveys and sending them in to the seemingly hapless Indian Affairs office, and with much confusion arising from discrepancies between government and would-be-cottager surveys. Moose Deer Point First Nation occupied a liminal space, a boundary point that represented simply a boundary line between settler jurisdictions rather than part of the traditional territory of an Anishinaabe people of the Great Lakes.

But it wasn't just the Tadenac Club; at the turn of the century, numerous cottager clubs and associations formed in this area of Georgian Bay, including the Wah Wah Taysee Association, the

Manitou Association, the Cognashene Cottagers' Association, the Sans Souci and Copperhead Association, the Madawaska Club/Go Home Bay (my own family's cottage community), among numerous others farther south and north along the Georgian Bay coastline. The informal and formal emergence of these communities came at the same time as Indigenous communities continued to assert their sovereignty, in particular the Moose Deer Point community and the Christian Island band. Although these settler communities sought to assert their right to place over Indigenous communities, at the same time, people from these communities frequently spoke with great fondness of their connections with Indigenous communities. Club histories invoke stories and memories of those relationships from previous generations, as well as acknowledge that Indigenous people in the area enabled the various clubs' founding cottagers to establish themselves in the first place with the help of their services as guides and caretakers, and with transportation. Such stories and fondness emerged in the interviews and focus group discussions with cottagers as well; there was little reflection about the economic hardships that led Indigenous women to sell crafts to cottagers, or for Indigenous men to work as guides for cottagers. It seems that settlers were comfortable assuming that Indigenous people simply wanted to sell their crafts, and aspired only to work in service of settlers looking to escape the city. This, surely, is an example of Arendt's (1963) banality of evil.

My reflection: Even today, there is an incredible ignorance about the challenges faced by Indigenous peoples. I have been in conversation with people in my community who seem genuinely perplexed as to why Moose Deer Point First Nation has struggled so recently with water quality issues, or poverty in general. Indeed, I too felt genuinely perplexed as to why this was the case, until I engaged for years in this research, and eventually worked in the community and got a sense of how complicated it is to move big projects forward. The harm of colonisation seems to continue with such small but somehow willful acts of ignorance - this is the banality of its evil. For evil, as Hannah Arendt (1963) reflected, "comes from a failure to think. It defies thought for as soon as thought tries to engage itself with evil and examine the premises and principles from which it originates, it is frustrated because it finds nothing there" (n.p.). In examining how settler cottagers contribute to the continuation of colonisation, I need look no further than my own ignorance, and that of my family and community. We believe ourselves to be good people, who champion charitable causes, who raise money for Indigenous communities and causes, and yet, it continues to be convenient for us to remain ignorant of the Indigenous histories of the place we call our home. Did I really need a PhD and time spent working in the community to learn that the narratives about Moose Deer Point First Nation are incomplete and problematic? Did I need to work for the First Nation to better understand why a community in Canada in 21st century could still struggle with poverty and water quality issues? If so, then I think I now have a responsibility to make sure that these stories are brought more easily to my community's knowledge.

While the narrative of this apparently empty and wild landscape was becoming entrenched in the settler idea of the north (meaning, more or less, north of Toronto), at the same time the culture of Indigenous peoples was being appropriated by those same communities. The Madawaska Club chose its

name after the Madawaska River, which ran through the property they had originally intended for the Club near Algonquin Park; instead, due to the constraints posed by local lumber industry, they were forced to choose a new location, and settled on the Go Home Bay area (Madawaska Club, Historical Committee, 1923, p. 9). Most of the other cottager clubs in the area named above took on Indigenous names (Wah Wah Taysee, Tadenac, Manitou, Cognashene) and some even took on Indigenous symbols (Manitou). The presence of the Moose Deer Point First Nation is often referenced in the “About” section of cottager association/club websites, implying or outright articulating a close connection between the cottager communities and the First Nation. Indigenous crafts are often on display in cottages – representing a point of pride for individuals who have been able to support Indigenous handicraft artists. Stories of adventure that I hear and read about in community documents are dotted with the presence of local Indigenous people who came to the rescue of cottagers during near or real disasters. It is clear that the presence of Indigenous culture, its artefacts and encounters with Indigenous communities, are part of the way that cottagers reinforce their own sense of belonging.

Place and identity are “inseparably intertwined” (Basso, 1996, p. 35), such that we are shaped by the “geographic and cultural relationships that arise in a particular place” (King, 2013, p.75). Speaking of the Apache people with whom he spent time and conducted research, Basso (1996) argues that the past “lies embedded in features of the earth... Knowledge of places is therefore closely linked to knowledge of the self, to grasping one’s position in the larger scheme of things, including one’s own community, and to securing a confident sense of who one is as a person” (p. 34). Although this quotation is speaking about Indigenous peoples with a long history in place, I wonder if it can help us to understand settler experience of place. It’s clear from literature on cottager communities (Campbell, 2005; Coburn, 1977; Davidson, 2022; Harrison, 2013) and from interviews for this research, that settler cottage communities do indeed feel some sort of connection between landscape and identity. Perhaps some of this landscape-identity linkage is shrouded, hard to pinpoint, because it is tied to Indigenous peoples’ loss of their lands – a reality that is no longer deemed socially acceptable. From the interviews and literature, it seems that cottager identity is still shaped by the nostalgia of a past when Indigenous peoples were present on the land, without boundaries, while now Indigenous people are hemmed in by reserve lines and land acknowledgements. An identity formed out of nostalgia doesn’t seem particularly solid. Perhaps this lack of solid footing for settler identity explains the anxiety that emerges at the mention of Indigenous land rights.

In addition to the link between settler identity and dispossession of Indigenous peoples from their territory, I believe that cottagers – and indeed all of us living in this settler state grounded in a liberal worldview – cannot ultimately find Basso’s “confident sense” of who we are as a people or community in connection to features of the land, because we are grounded in a liberal worldview that fundamentally prevents us from being in relationship with the earth (as explored in Chapter 7), and because we maintain a local and society-wide ignorance about the history of place.

This tension — between the supposed emptiness of Georgian Bay that enabled cottage settlements and the cottagers’ appropriation of the culture of the Indigenous people who lived in this region — reveals something important about settler identity: whether American or Canadian, it seems to lack a certain amount of depth. When settler connection to land is seemingly threatened – when our legitimacy to belonging in place is challenged or critiqued – the fragility of settler identity is revealed. Sarah King (2013, p. 77) names the manifestation of this fragility as “place-panic”, which emerges “when it is suggested that *their* place, the centre and root of village life and culture, is not legitimately theirs and may someday be lost to them”. For King (2013), “they” are villagers in Burnt Church/Esgenoôpetitj, New Brunswick, during a time of settler-Mi’kmaw conflict around lobster fishing; for this research, “they” are cottagers in Georgian Bay.

My reflection: I have experienced place-panic numerous times throughout the research and writing of this dissertation. I have witnessed place-panic in various fellow cottagers in my community, as I presented them with my research questions, and spoke with them about the ideas I am exploring. Place-panic can cause roadblocks in important conversations, but it can also be a vehicle towards deeper engagement. Those who engage in the Land Back discourse who live within places that are not the focus of the proposal that land owners give land (back) to Indigenous communities – for instance, those living in cities, a geography that asserts a finality of settlement (Blatman-Thomas and Porter, 2018) – are able to engage in this discourse with less to lose, and as a result with more zeal. Yet those living in places where they do have something to lose, also have the potential to be transformed into an ally to Indigenous peoples, potentially exploring alternate modes of sharing land, water, and the gifts of Creation (what settlers might call “resources”).

Such tensions bring us right back to the three Happenings described in Chapter 1. With the first Happening, the Madawaska Club’s objection to the assertions of sovereignty by Indigenous families apparently from Christian Island led to the board petitioning the Minister of Indian Affairs at the time to order them to stay away. With the second, cottager resistance to provincial plans to return land to the Wikwemikong Unceded First Nation led to cottage community interest group seeking to shape government decisions around land use and deny the Indigenous community the opportunity to make decisions about land themselves. The place-panic I interpreted within the third (regarding the creation

of the Tadenac Conservation Area on the traditional lands of Moose Deer Point First Nation without consulting them), is in fact the response to my request for an interview with someone from the Georgian Bay Land Trust. The response I was given was that engaging in such an interview might risk besmirching the reputation of the organisation, and possible legal ramifications of any discussion of a land claim (a topic which had not in fact been raised in the email or interview questions posed within the email thread).

As Philip Deloria points out about Americans (though he might as well have been describing Canadians), “[t]he indeterminacy of [settler] identities stems, in part, from the nation’s inability to deal with Indian people. Americans want to feel a natural affinity with the continent, and it was Indians who could teach them such aboriginal closeness. Yet, in order to control the landscape, they had to destroy the original inhabitants” (cited in Tuck and Yang, 2012, p. 8). Indeed, the 19th century saw a major push towards erasure of Indigenous peoples from what settlers perceived as the “wilderness” (Jessup, 2002, p. 146). This can be seen most clearly in the context of the creation of national and provincial parks, and the emergence of cottager communities too was enabled by and in turn re-enforced such erasure through its dependence on the language and morals of environmental conservation. It is to this that I turn our attention in the following section.

IV. Enmeshment of Conservation and Cottagers: A Force to Reckon With, in the Realm of Land Use Planning

i. Creation of National and Provincial Parks

National parks were created across North America, as a way for settlers to escape the clamour and chaos of modern urban life, into a landscape where they might experience some kind of Edenic landscape, providing opportunities for settlers to experience the sublime. Indeed, national parks in the United States are frequently referred to as “America’s best idea” (Burns, 2009). The United States and Canada began establishing national parks in the late 1800s: Yellowstone Park was the first, in Wyoming, in 1872; and in 1887 the Rocky Mountain Park (now Banff National Park). The creation of these so-called wilderness spaces was deeply informed by ideas espoused by writers such as Henry David Thoreau and John Muir, who believed in the importance of protecting landscapes that were thus far not developed into cities and preserve them in a state that they saw as essentially virgin or untouched.

The language of conservation legislation echoes Henry David Thoreau’s idea that wilderness is set apart from civilisation. According to the United States Wilderness Act (1964), “wilderness, in contrast

with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain". Wilderness is further described as a landscape without "permanent improvements or human habitation", is "primeval", provides opportunities for "solitude" and "primitive and unconfined type of recreation" (United States Wilderness Act, 1964). Although the Canadian Wildlife Act does not in fact define "wildlife", the National Parks Act defines "wilderness areas" within the context of national parks to be "any area of a park that exists in a natural state or that is capable of returning to a natural state to be a wilderness area" (Canada National Parks Act, 2000, §14(1)). When we think back on the discussion above of the perception of wilderness, as well as the relationships between humans and the earth that undergird these ideas, it seems safe to say that both Acts are similarly informed and centred on the idea that the intention is for people to interact with these spaces in a temporary fashion – indeed the United States Wilderness Act explicitly directs people to "not remain" there.

So it ought to come as no surprise that the history of conservation efforts across North America (and internationally), particularly in the establishment of national and regional parklands, that Indigenous peoples have been forcibly removed, either through unhospitable planning legislation, or outright force. While conservation included protection of certain animals and other species, some animals were not deemed appropriate in a particular landscape, and legislation was put in place that led to their eradication, and with it, the removal of Indigenous peoples who were reliant on those animals (Loo, 2006; Calverley, 2018; Phillips and Light, 2019; Treuer, 2021). In Yellowstone Park, the first national park in the United States (established in 1872), hunting and gathering activities of Indigenous peoples living there were severely restricted, thereby making it next to impossible for Indigenous peoples to remain there and survive. In Yosemite, Indigenous peoples were forcibly removed by the use of United States Cavalry, a method that came to be known as the Yosemite Model, which thereafter guided the removal of Indigenous peoples from subsequent national park creations (Nabakov and Loendorf, 2004). In Canada, legislation around what could be hunted was somewhat capricious. In some places, particular animals were off limits for hunting, governed through game laws, and informed by settler morals around hunting that were largely geared towards sport rather than consumption needs (Loo, 2006, p. 26). In other places, hunting was forbidden to all but Indigenous peoples "in order to avoid the potential costs of supporting a group of Aboriginal people who could no longer feed themselves through customary means" (Loo, 2006, p. 23).

The sportsman's creed declared that "no man can be a good citizen and also a slaughterer of game" (Loo, 2006, p. 26). This creed, which had no small influence on wildlife management policies, "asserted that wildlife was simply too important to be eaten. It was meant to serve a larger purpose, namely elevating the human condition by providing sport and diversion for modern men" (Loo, 2006, p. 27). Conserving wildlife for the sports pursuits of the modern "over-worked men" was seen as a way to treat the symptoms of modernity, enabling that worker a chance to refill their metaphorical cup before returning to the grind of modern life: ironically, the modern back-to-the-land movement created a way to "increase human efficiency" (Loo, 2006, p. 34). Such an idea about the purpose of animals illustrates a contrast of settler perspective on animals (in which their life and the entertainment they can provide humans is valued over the nourishment that their death can provide), and Indigenous view of an animal in which its life is valued as part of a cycle and story of Creation. This perspective shaped conservation laws across the continent (Loo, 2006; Calverley, 2018); and conservation management broadly speaking has been shaped by settler ideas about what the landscape ought to look like (untamed, dense, wild), what purpose it ought to serve (relief from the ills of modernity, spiritual solace, sublime witness, entertainment, leisure). National and regional parks have been sites of tension between keeping conservation parks empty of people, in a settler-grounded idea of protection of the flora and fauna (Treuer, 2021) and protecting Indigenous peoples living within those spaces but preventing them from modernising (Shepard Jr et al., 2010; Rashkow, 2014), that is, keeping them in a so-called "primitive" condition. Whichever the direction, both these perceptions of how conservation space should be managed are rooted in the perception that modern civilisation exists *outside* of the bounds of "nature".

This has certainly played out in the Georgian Bay context. For instance, the Tadenac Club, which came to own about one third of Freeman Township (just over 8000 acres, becoming the only private landowner to gain exclusive access to the surface of a Canadian waterbody through fishing rights), justified its pursuit of these lands through the language of conservation. A letter from Club member Henry Mickle to a cabinet minister argued that the Club's protective "work of game and of the fur-bearing and other animals is almost entirely in the public interest", and that the fact of their private ownership of Tadenac Bay maintained safe spawning area for local fish populations (St. Pierre, n.d., p. 34). Furthermore, Mickle argued that their ownership of the lands was altruistic, as much of the land was "useless for the Club's purpose, or indeed any other purpose" – such argument was used explicitly to request a discounted rate for the lands they sought to purchase (St. Pierre, n.d. p. 34).

The Madawaska Club at Go Home Bay too made use of conservation as justification for their purchase of lands, and for the then restrictions around Club membership. Madawaska Club members were originally restricted to University of Toronto professors in order to to enable “experimental work in Forestry, Biology and other branches of Natural Science” (Madawaska Club Historical Committee, 1923). This enmeshment of seasonal leisure or resort communities and science was typical for the time (Knight, 2015; Pauly, 1988; Rozwadowski, 2011). Such enmeshment was certainly used to Club members’ advantage and interests – in 1903 founding Madawaska Club member W. J. Loudon managed to get funding from the Canadian government for the Go Home Bay biological research station, proposing a study of the black mouthed bass fish, which was reserved for sport fishing, though continued to be fished for commercial and subsistence purposes. Loudon published some of his research, and argued for increased regulation (Knight, 2015; Loudon, 1910). Another Madawaska Club member, B. A. Bensley, served as the research station’s director for much of its duration and went on to become the Director of the Ontario Fisheries Research Laboratory at the University of Toronto (Knight, 2015).

The Go Home Bay Biological Station is an interesting example of seemingly benign activities around environmental conservation (Knight, 2015). Notions of “wise-use conservation” were espoused such as increased regulation to conserve sport fish “as a ‘profitable resource’” as well as “Go Home’s utility as a ‘breathing spot, where one may obtain fresh air during the hot summer months’” (Knight, 2015). While the Station no longer exists, today organisations such as the Georgian Bay Land Trust inherit and reinforce such perspectives, which weave together leisurely escape from the hot and busy city with recreation and scientific excellence, as seen in the Georgian Bay Land Trust (2023a) mandate. These early initiatives emerged at a time when, in the late 19th century across North America, settlers were at once seeking to conquer the landscape and extract much of its resources and also preserve areas from that rapacious development (Eichler and Boumeister, 2021).

What are the implications for Indigenous peoples – particularly a community such as Moose Deer Point First Nation, which has historically been denied the meagre protections provided to Indigenous communities by recognition of treaty rights? Is this example simply a one-off, or are there other connections between the establishment and growth of cottage communities in Georgian Bay, and environmental conservation efforts? What are the implications when we reflect on Happening 1, of the Madawaska Club pushing out Indigenous peoples who continued to make use of these their traditional lands, and of communities such as the Tadenac Club, which justified their exclusive use of the lands and waters by way of the language and morals of conservation, ignoring the presence of Indigenous peoples

who were using the lands and waters prior to the settlers' arrival? How does the settler worldview – both legal and spiritual – that we explored in Chapter 7 inform the ways that such settlers were shaping land use policy by way of environmental conservation policy? We are, I hope, beginning to see that the notion that whatever a settler environmental conservation organisation does to “conserve” and “protect” land, is *not* necessarily or inherently aligned with Indigenous rights and interests. It is becoming difficult to separate the emergence of cottager communities and environmental conservation efforts in Georgian Bay from the loss of Indigenous lands and sovereignty. We've looked at the emergence of institutional conservation efforts and seen how land use policy was shaped by the cottagers with these ideas; now let's examine how settler cottager access to these lands and waters continues to be enabled and supported by way of environmental conservation, to the detriment of Moose Deer Point First Nation.

ii. Environmental Conservation and Land Trust Organisations as Cottager-Led Informal Arm of Government

The first land trust in Canada was established in 1919, the second not until 1931, followed by the third in 1971 (Bunce and Aslam, 2016, p. 27). In that period, the federal and provincial governments implemented programs dedicated to protecting and conserving land, so this may be partly why so few chose private land trust methods during that time. The 1980s marked the start of a general decline in government funding for national and provincial parks as well as conservation efforts, which was followed quickly by a marked increase in land trusts (Bunce and Aslam, 2016; Hanson and Filax, 2009; Merenlender et al., 2004; Holmes, 2012). The early 1990s saw another increase in land trusts and conservation NGOs – mostly focused on agricultural or so-called wilderness areas (Bunce and Aslam, 2016) – largely in response to urban encroachment. In the late 1990s, land trust alliances began to emerge, in an effort to consolidate the efforts of small groups and individuals, and to try and influence public support for conservation and push for government funding (Bunce and Aslam, 2016, p. 28).

The use of land trusts by environmental organisations enables their leadership to become influential in how sensitive ecosystems are protected. The work of conservation land trusts is co-opted by various levels of government to achieve their own targets (Logan and Wekerle, 2008), and some argue that conservation and land trust organisations, in tandem with philanthropy, actually contribute to neoliberal de-funding efforts by providing alternate sources of funds and expertise in order to solve these environmental challenges (Holmes, 2012, p. 188). However, when it comes to Indigenous peoples,

when environmental conservation efforts are led by non-governmental organisations, their rights are unsurprisingly not part of the broad efforts of these organisations. A prime example of this is the easement donation of the Tadenac Club property to the Georgian Bay Land Trust. This donation led to the creation of the Tadenac Conservation Area, which was further enabled through a donation just shy of \$1,000,000 from the federal government, and was explicitly promoted as working towards the federal government's Target 1 goals of increasing conservation area across the country in order to combat climate change. This example also shows an instance in which the Crown is able to make or be involved in land use decisions without consulting the affected Indigenous community, precisely because the change is being made by way of a non-governmental body, in this case, the Georgian Bay Land Trust, which, as a private organisation and not an arm of the Crown, holds no fiduciary duty to Indigenous peoples. But the Georgian Bay Land Trust is just one of several charitable organisations in Georgian Bay that play an increasingly influential role in local planning policy and in federal efforts to combat climate change, sometimes referred to as the GB4. These include the Georgian Bay Association, Georgian Bay Forever, the Georgian Bay Land Trust, and the Georgian Bay Biosphere.

The Georgian Bay Association is an organisation focused on the needs and interests of smaller cottager associations along the eastern shore of Georgian Bay. It serves as a special-interest body that represents the interests of the member associations to government, including First Nations and regulatory bodies, as well as non-government organisations, corporations, individuals, and key stakeholders, in order "to preserve the unique characteristics and ensure the careful stewardship of Georgian Bay" (Georgian Bay Association, 2017). In its 2017-2022 Strategic Plan, the key priorities included water quality, membership, communications, vision for the Bay in 100 years, and land claims (especially with regard to the Wiikwemikoong land claim). While it is a charity and thus not an arm of the Crown, the Georgian Bay Association holds an influence that is not insignificant. Although it was founded in 1916 initially to address water pollution and the protection of fish and game (Campbell, 2005, p. 171), shortly after its founding the Association began lobbying for the creation of provincial parks in Georgian Bay, with the justification that they would make "good wildlife sanctuaries as well as ideal sites for boating, picnicking, and scenic appreciation" (Campbell, 2005, p. 171). Cottager associations successfully lobbied the Ontario government to impose restrictions on development along the Georgian Bay archipelago (the eastern up to the north shore) (Campbell, 2005, p. 177). The Georgian Bay Association pushed for the creation of the Township of the Archipelago (Georgian Bay Land Trust, 2023b), which was established in 1980 (Campbell, 2005, p. 52) and likely influenced the establishment of the Township of Georgian Bay within the District of Muskoka, bringing together three smaller towns that

shared Georgian Bay shoreline and bringing a stronger voice to seasonal residents (Campbell, 2005, p. 51). The Georgian Bay Association regularly submits briefings directly to Ministers of the Environment, in 1999 describing to then Minister Tony Clement that Georgian Bay is a “largely pristine resource” and seeks to prevent particular kinds of uses that do not fit with the intended uses of a wilderness park (Campbell, 2005, p. 138). Until the establishment of those districts, the Muskoka District Local Government Review of 1967 demonstrated that the Georgian Bay Association was unofficially the representative government for that region (Paterson, 1967); nevertheless, since then the Association “remains the closest thing there is to a regional authority in the archipelago, given its membership of 24 cottager associations running the length of the northeastern shore (Campbell, 2005, p. 188).

The Georgian Bay Land Trust was founded in 1991, during that time of marked increases in land trusts mentioned earlier. The Georgian Bay Land Trust’s stated focus was on preserving lands and waters in the eastern shore of Georgian Bay and the North Channel of Lake Huron. According to the Georgian Bay Land Trust, its vision was seeded when the Georgian Bay Association was working to establish the Township of the Archipelago, and the idea of using a land trust as a tool to protect and preserve the environment was suggested by Conservation Authority of Toronto founder Dr. Ross Lord (whose family was a founding member of the Madawaska Club). In fact, the initial intention was for “the land trust to be created as a planning tool and made part of the Official Plan”; while this did not pan out, the Georgian Bay Land Trust and its members nevertheless see it as “a critical tool to preserve the environment that they loved” (Georgian Bay Land Trust, 2021b). It describes itself as a community made up of “residents, cottagers, boaters, sailors, kayakers, canoeists, native communities, fishers, campers, hikers and nature enthusiasts” who all “share a passion for preserving this incredible area for future generations of Canadians” (Georgian Bay Land Trust, 2021b). To do so, the Georgian Bay Land Trust solicits and receives donations of property by way of ownership transfers in the form of fee simple donations, sales, or life estates (allowing the owner to remain on the property until their death, even if the transfer is via sale or donation), and retaining ownership in the form of conservation easements (which simply ties a permanent legal agreement to the title of the property, outlining the allowable land uses for the property, while allowing for inheritance and sale of the property) (Georgian Bay Land Trust, 2023c).

Georgian Bay Forever, founded in 1995 (formerly the Georgian Bay Association Foundation), is focused primarily on water, by way of “scientific research and public education on Georgian Bay’s aquatic ecosystem” (Georgian Bay Forever, 2023). The Georgian Bay Forever aligns neatly with the

Georgian Bay Association's interests in water. The Georgian Bay Biosphere is an environmental charitable organisation focused on enhancing "our collective capacity to sustain the life and spirit of Georgian Bay" through "highly collaborative partnerships for learning and action" in order to "nurture a balance between humans and nature in the Georgian Bay Biosphere Region" (Georgian Bay Biosphere Region, Strategic Plan, 2019).

By and large, this work is informed by and reflects the interests of cottager communities, and more broadly of settler understanding of human-earth relations. For example, when water levels hit a historic low in 2013, the Georgian Bay Association worked directly with the provincial Ministry of Natural Resources "to fast track applications for dredging and blasting to ensure that our members could maintain access to their properties" (Georgian Bay Association, 2023a). Together, the combined efforts of the GB4 illustrate the power of communities working together to shape policy and landscape to enable the interests of particular communities. These organisations are supported financially through donations from private supporters as well as grants, but also through tacit endorsement by ceremonial and elected leaders. In 1992, Ontario's Lieutenant Governor Hal Jackman dedicated Friend Island, near Pointe au Baril, one of the first properties donated to the Georgian Bay Land Trust; the Georgian Bay Association's 100th celebration featured guest speeches from Ontario's Lieutenant Governor Elizabeth Dowdeswell, as well as the Minister Glenn Murray of the (then) Ministry of Environment and Climate Change (Georgian Bay Association, 2023b). In 2019, the Georgian Bay Land Trust's ceremony announcing the establishment of the Tadenac Conservation Area was attended by then federal Minister Carolyn Bennett (Georgian Bay Land Trust, 2019).

These organisations intersect, as the informal monicker of "GB4" (i.e. the four main environmental non-governmental organisations in Georgian) and the frequent evidence of partnership indicates, and although they articulate a vision of a future in Georgian Bay "for all", with the exception of some of the work of the Georgian Bay Biosphere, it seems clear that the focus is largely on the interests of cottage communities. At the personnel level, the GB4 are all led (in staff and board membership) primarily by members of Georgian Bay cottager communities, although the Georgian Bay Biosphere had, at the time of writing this, at least one Indigenous board member and two Indigenous staff members. This dearth of Indigenous voices in the GB4 seems to be reflected in the priorities of these four organisations. Again, other than the Georgian Bay Biosphere, three of the GB4 organisations do not appear fundamentally to be informed by Indigenous interests. The Georgian Bay Biosphere's name unofficially includes the Anishinaabemowin "Mnidoo Gamii"; its current strategic plan indicates

that it seeks to inform its work with Indigenous knowledge – and an Indigenous staff runs the Georgian Bay Anishinaabek Youth initiative. The Georgian Bay Association’s Strategic Plan indicates that its only Indigenous focus is regarding the land claim issues, which, given the endorsement by the Georgian Bay Association leadership of the letter featured in *Happening 2*, seems to be entirely revolving around cottager interests.

While I am aware, because of my own proximity to the community and organisation, that the Georgian Bay Land Trust is involved in work with Indigenous communities through partnerships and initiatives established by the Georgian Bay Biosphere, there is very little indication, at least publicly, of significant or two-way engagement with Indigenous communities. There is one mention, in the Georgian Bay Land Trust’s 2019 Annual Report, that refers to engagement with two Indigenous communities: a four-year partnership with the Georgian Bay Biosphere and Shawanaga and Magnetawan First Nations to improve conservation mapping and planning tools for the coast.¹³ It is quite striking to me that this partnership, articulated as a “second milestone” for the organisation, immediately followed the creation of the Tadenac Conservation Initiative, an endeavour that neglected to involve Moose Deer Point First Nation, on whose territory the Tadenac Club resides. The Tadenac Conservation Initiative (perhaps this is the Land Trust’s “first milestone”?) encompasses a land use planning decision involving the federal government that completely ignores the rights of Moose Deer Point First Nation, which holds oral agreements with the Club that Moose Deer Point’s members’ rights to hunt and fish in what is now Tadenac property, rights that are not referred to in the Georgian Bay Land Trust-Tadenac Easement Agreement, and which have been increasingly ignored by Tadenac management (Wesley-Esquimaux, 1992; 1996; and referred to in all interviews and focus groups with Moose Deer Point First Nation members).¹⁴

While the insistence that I have heard numerous times throughout this research that “anything we [settlers] can do by way of conservation in Georgian Bay is in the interests of Indigenous peoples” might lead one to argue that the focus on conservation is inherently a focus on Indigenous interests, the exploration of earlier chapters in this dissertation leads me to think otherwise. There is a serious conflict

¹³ An examination of the Land Trusts newsletter most recently made available online (2021) indicates that these two First Nations remain the only ones partnered with the Land Trust.

¹⁴ Ultimately, my multiple requests for interview with Georgian Bay Land Trust and Tadenac Club leadership were ignored. The tenor of the response that I did receive from the Georgian Bay Land Trust inferred a strong desire to steer clear of discussions of land rights for Moose Deer Point First Nation. This discomfort with land rights was reflected in one of the interviews in which the participant reflected that the Board has continually shied away from serious conversations about Indigenous rights (Interview 4).

here that must be addressed: despite the interests of many cottagers to be allies to Indigenous peoples, our efforts around conservation nevertheless undermine Indigenous rights and Indigenous understandings of relationships between humans and the earth.

Conclusion

While it can seem that there is no connection between the work of a land trust conducting conservation efforts through acquiring land donations (given that these are private donations) and the loss of one particular Indigenous community's land sovereignty, the interactions of land trust and land donations inherit a legacy of logic that dictates how land should be used. In the southeastern shores of Georgian Bay, surrounding Moose Deer Point First Nation, lands were sold to settler peoples by the Crown, during a time when the sovereignty of these lands was in question – when Indigenous peoples continued to assert their sovereignty over these same lands that were increasingly being used by cottagers, either Crown lands or recently purchased lands. Over subsequent generations, this tension has dissipated somewhat, and the assertion of settler sovereignty has seemingly settled over the lands and waters, particularly when it comes to Moose Deer Point First Nation, a community continually referred to as “from elsewhere”, not traditional to this place, not a treaty nation. Increasingly these privately-owned lands are being donated to the Georgian Bay Land Trust, and the management of these lands more broadly – whether private, non-profit, Crown – is being shaped by cottagers and the environmental and interest organisations that they run, fund, and benefit from.

The approximately 100 year process of transforming these lands from traditional territory into Crown lands, then into private lands, and back into the semi-private/public domain of conservation lands (promoted as being preserved for future generations) essentially cleanses property from the stains of a culturally-destructive and violent process of the Crown removing land from Indigenous peoples. The end process of this “land-laundering” is that the property being donated – the process of the donation, and the property itself – becomes seen as virtuous (charitable; rewarded with tax relief), and the work of the organisation receiving the property is asserted as in-line with Indigenous rights and interests, even when those rights and interests are being trampled in that very process. The example of the Tadenac donation to the Georgian Bay Land Trust, which was enabled through an almost \$1,000,000 grant from the federal government, is a stark example of a parcel of property which was once governed and used by an Indigenous community, subsequently formally cordoned off from their use through sale to a fishing club without their consent (even if there was an informal agreement with the now-owners for Moose Deer Point First Nation to continue accessing this land under certain conditions), and

ultimately donated by that property owner to a charitable organisation in the business of acquiring property for environmental conservation purposes and endorsed by that same government that took the lands from the Indigenous community in the first place. The federal government is able to shirk its fiduciary responsibility to Moose Deer Point First Nation through the logic of private property and environmental conservation.

Despite their non-governmental status, I argue that environmental conservation and land trust organizations in Georgian Bay operate as an informal arm of the settler state, and their work to secure land for conservation purposes with settler-crafted land use rules governing these lands further dispossess Indigenous communities like Moose Deer Point First Nation from their lands. I do not believe that this is what these organisation *want* to be doing, nevertheless I believe it is part of the long-term effect of their work, and it is critical to examine these perhaps unintended consequences. We have enough knowledge of the past to know that such unintended consequences are not uncommon, and that Indigenous communities have been harmed by settler so-called good intentions. Given the ways in which the settler state is relying on these types of organisations to do the conservation work sanctioned by the state, environmental non-governmental organisations such as the Georgian Bay Land Trust ought to be *required* to involve Indigenous communities throughout the region.

The Tadenac Conservation Initiative is the most blatant example of the Crown ignoring Moose Deer Point First Nation's rights, and the Georgian Bay Land Trust facilitating that breach of the Crown's duty. The Georgian Bay Land Trust's lack of awareness of this context could be seen as unwitting ignorance – after all, not everyone has ability to conduct the research needed to better understand this wider context – yet at this point, given the societal knowledge developed through the various inquiries and ubiquitous public discourse about Indigenous rights, that this ignorance should really be called “weaponised” ignorance¹⁵. As an environmental non-profit organisation, the Georgian Bay Land Trust does not technically hold the Crown's fiduciary responsibility towards Indigenous peoples as it is not an arm of the government (despite its initial aspirations to gain planning authority-like status). Yet, the federal government is making use of the Land Trust to help Canada reach its conservation goals. The Georgian Bay Land Trust was not responsible for consulting Moose Deer Point First Nation. The federal government breached its fiduciary duty in not consulting Moose Deer Point First Nation in the creation of the Tadenac Conservation Initiative. Organisations like the Georgian Bay Land Trust have a moral duty

¹⁵ Borrowing from the term “weaponised incompetence”, coined by Jared Sandberg in his Wall Street Journal article “The Art of Showing Pure Incompetence At an Unwanted Task” (2007), accessed 15/08/2023: <https://www.wsj.com/articles/SB117675628452071687>

to reflect on the ways that their work continues the legacy of colonisation and dispossessing Indigenous peoples of their lands, and to collaborate with Indigenous communities to review the governance process of the organisation (including land use policies of a land trust).

This is challenging work. It undermines our sense of belonging as settlers, as cottagers, and it brings up uncomfortable truths about our history, which elicits responses such as defensiveness, remorse, guilt, anger, fear, sadness. Yet, this work can transform our unstable sense of belonging, with which many of us hold erroneous assumptions about how settler conservation values align with Indigenous values, into a belonging that grows roots deeper into this soil, and shows us how to be better neighbours.

Chapter 9. Conclusion

I. Introduction

For a long time, now, I have been keenly interested in how we – cottagers, settlers, Canadians, people living in and governed by “western” states – understand our relationship with Creation: with the lands, the waters, the creatures (great and small), the elemental beings (both seen and unseen), and exploring the sensations that are aroused when we find ourselves in particular places and landscapes, and presented with particular views. I have felt myself caught, like a tangled thread on the issue of differences between settler and Indigenous perspectives on caring for the land – the more frustrated I become, the more tangled seems the thread. In this dissertation, I asked myself “how does environmental conservation land use planning contribute to the dispossession of Indigenous peoples from their lands and waters, and how does it undermine Indigenous legal orders and governance in Georgian Bay?”. With that research question, I embarked on a wide-ranging exploration that delved into the spiritual and philosophical foundations of a society’s relationship with the environment, with the earth, with Creation, and brought that to bear on one settler-cottager community and an Indigenous community whose recent history is somewhat entangled. Through their ability to influence land use, whether historically through direct contact with government officials, or today through environmental activism, cottagers have wittingly and unwittingly impinged upon Indigenous sovereignty. I sought to understand how this came about, and how it continues today.

The three Happenings presented in Chapter 1 point to some of the particular ways that cottager communities, either through their communities or the environmental organisations they support, have directly and indirectly prevented Indigenous communities from enacting their own sovereignty. By and large, it seems that cottagers are able to work collectively to affect land use, either through cottager associations or through their creation and support of environmental organisations. In many ways, their efforts lead to helpful developments in ecological knowledge – a better understanding of the biosphere and additional voices to pressure local and regional governments on safeguarding the environment. And yet, these sorts of research endeavours are also often intertwined with dispossession of Indigenous lands. The history of the Madawaska Club, and by extension organisations such as the Georgian Bay Land Trust and others, is entwined with the history of Indigenous peoples being dispossessed of their lands. The very presence of cottage communities in Georgian Bay was enabled by government policies to sell Crown lands at low cost, at a time when Indigenous peoples were very much still asserting their

sovereignty over these lands. The idea of studying the ecology of the region was used as a justification to take up more land, thus tying environmental research to the loss of Indigenous lands.

With the increase in cottager community presence, Indigenous communities have lost access to their traditional lands, and with that loss has come language loss, and other detrimental impacts to the community – impacts which continue to ripple out today, causing community members to consider a harmful dichotomy: whether to teach their children to follow settler-state law and continue to undermine Indigenous law, or break settler laws in order to access the lands that would enable this cultural learning. The people of Moose Deer Point First Nation have been impacted uniquely: while other First Nations around Georgian Bay were included in treaties and land claim proceedings, through which they were able to have land allocated as reserve-lands, Moose Deer Point First Nation was not included in treaties or land claims, despite their ancestors' history of occupation across the region and relations with various treaty communities. While Moose Deer Point First Nation was able, eventually, to have land set aside for a reserve, the land base allocated was nowhere near the size they requested. As a result of their inadequate land base, their exclusion from treaties, and the creation of environmental conservation areas without their consultation or involvement, the community has had to struggle with the settler state and its property and environmental laws in order to continue accessing the lands and waters. For Moose Deer Point First Nation people to enact governance over their traditional lands and waters, to follow the laws of their own Anishinaabe legal system, requires directly breaking settler laws. In light of this, working to incorporate settler land acknowledgements and knowledge sharing seems inadequate for redressing the harms of the past and the continuing present.

We now know that the places with the greatest biodiversity around the world are those places where Indigenous peoples live. Settler approaches to conservation lean on notions such as “wilderness” and “pristine”, which fundamentally conceive of humans as belonging *outside* the of the conserved area, only to engage with the land on a superficial basis of observation. This approach fundamentally undermines Anishinaabe (and, broadly speaking, rooted) conceptions of human-Creation relations, in which humans live *in relationship* with the land. Cordoning off lands for conservation (within which no extraction can occur, and outside of which extraction occurs beyond the earth's capacity to provide) reinforces the problematic perspective on human-earth relations that has led to the climate crisis we face today, and which has accompanied the violent colonial history of settler society dispossessing Indigenous peoples of their lands, and causing massive amounts of death and cultural harm over the centuries. So if cottagers, and the environmental organisations they – we – support, understand that we

are entwined with this process of colonisation, we must arrive, then, at the inevitable question of “so what do do we do now”?

II. What Do We Do Now?

Everything that we do to protect the environment is in the interests of First Nations – this statement has been said to me either verbatim or in similar words by various people supporting or working at the Georgian Bay Land Trust over the years of my research, and it demonstrates the ongoing reality of colonialism: in saying so, settler communities continue the erasure of Indigenous ways of knowing by asserting the universality of settler ways of knowing and doing. A lack of deep awareness about the foundations of rooted (Indigenous) and liberal (settler) legality means that those wishing to be allies are mostly unable to see the harm that they continue to inflict. It seems clear to me that the environmental conservation organisations working in Georgian Bay care about engaging with Indigenous peoples. In some cases, they have worked hard over the past few years to collaborate with Indigenous communities around the bay, creating positions on staff for Indigenous people to bring their knowledge to bear on the work of the organisation, and in some cases bringing in an Indigenous presence on advisory councils. It also seems that there is a segment of cottager society that cares about Indigenous rights, and wishes to learn more about our colonial history and the ways that the settler state and society has inflicted violence upon Indigenous peoples (although my research did not study how big this segment of cottagers is). The interviews and focus groups with cottagers conducted for this research showed a desire, on the part of some cottagers who volunteer and donate to the Georgian Bay Land Trust, for the Land Trust to engage more meaningfully with Indigenous communities, and for the Trust to enable Indigenous communities to use the Land Trust land. And yet the logic of settler approaches to conservation nevertheless remains fundamentally different than Indigenous logic and continues to manifest in “tone deaf” consultation notifications to Indigenous communities (C. Isaac, personal communication, August 21, 2023). It is quite clear that emergence and continued presence of cottage communities has impinged on Indigenous rights; and at the same time, some of these cottagers, who have benefitted from this very process of dispossession, also feel very strongly about Indigenous rights and about redressing harms that their – our – families and society have caused.

There is a range of actions that settler peoples can take. Perhaps counterintuitively, however, it ought to begin with acting inwards rather than outwards. In the context of cottage communities, there ought to be a collective effort to lean into the *Truth* portion of the Truth and Reconciliation calls to Action by learning of our history – and in the case of cottage communities, to learn of the community’s

own history as it relates to the Indigenous communities in the area. This is not news; we did not need another dissertation to learn this – the Truth and Reconciliation Commission called us to do so, the Royal Commission on Aboriginal Peoples did so too, and Indigenous rights activists continue to call all Canadians to do this learning in the contexts where they live. (See Appendix C for some ideas of how to go about this learning as a community). This learning must be focused on repairing relations - an idea which is so often at the heart of treaty relations within the legal context of rooted law.

I've been reflecting on the lessons I can draw from when it comes to my own journey of teaching my young son the discipline of compassion and to develop emotional intelligence. When he hurts someone, either physically or verbally, I don't demand of him that he apologise immediately, although I do make sure in general that he knows the importance of an apology for making amends and rebuilding bonds. Instead, in these moments, I try to remember to vocalise my observation of the conflict (gently preventing him from causing actual harm, if necessary), and then I ask him to look at the person he has hurt and tell me what he thinks they're feeling. He usually seems to feel ashamed and resists my request at first, looking away or sometimes even laughing; yet he will eventually do as I ask, look at the person, and then tell me what emotions he thinks they're experiencing, whether it's sadness, frustration, disappointment, or something else. I then suggest to him that he ask this person "Is there anything you need to feel better?" or "Can I do something to make you feel better?". Sometimes they don't ask for anything, sometimes they ask for a hug or an apology, or something else. Often my son will apologise to me about the event later, and he sometimes apologises to that person unprompted. In so doing, he is not learning to say the "right" thing, but instead he is learning that his behaviour impacts other people, sometimes hurtfully, and that he is responsible for repairing those relationships. Instead of learning to say the right statement to placate me, he's learning what words and actions to use to repair the relationship with that person.

This communication journey my son and I have been walking together, learning the discipline of repairing relationships, is the same one that I believe Canadians are being asked to embark on through the journey of truth and reconciliation. Rather than becoming fixated on saying the "right" thing, making a land acknowledgement, or using the most up-to-date and socially-accepted terminology, we ought to be focused on repairing relationships. To do so, we need to observe what is happening, and be humble enough to ask the other person or community "Is there anything we can do to help you feel better?" – or better yet "to help you thrive?".

Members of Moose Deer Point First Nation asked me to use my dissertation to find out how the Georgian Bay Land Trust will impact the next generations. Although the Land Trust strives to do good by protecting the environment from further and harmful development, nevertheless its work maintains the reality of lands that were governed by Indigenous communities now being kept in private hands, albeit for the stated benefit of all future generations. Members of Moose Deer Point First Nation also asked me how relationships between MDPFN and cottagers might be improved. It seems that there is within the realm of environmental conservation the potential for truly transformational work to be done, in collaboration between cottage communities, organisations like the Georgian Bay Land Trust, and Moose Deer Point First Nation (and other Indigenous communities around Georgian Bay and elsewhere, for that matter). Access to lands and waters is critical for the important work of cultural and economic revitalisation at Moose Deer Point First Nation. This community has been dispossessed of the lands that previously supported them, and as a result they have been disconnected from their laws, their language, and their kin (human and otherwise). We cottagers, we settler peoples, must do more than land acknowledgements and cultural learning – we must think creatively about how to use our resources and our efforts to care for the environment so that we can also benefit Indigenous communities.

Although there are many actions that can be taken, on the part of cottagers, environmental organisations, and land use planners (see Appendix C for recommendations), one major action ought to be brought explicitly to the table: returning land to Indigenous communities, and supporting those communities so that they can build up the capacity necessary to manage these lands in ways that will support their cultural and economic well-being. The Land Back movement has raised the importance of increasing Indigenous land base as a way to achieve this goal, and there are various examples of citizens working creatively to do so – one example being the Saskatchewan farmers who founded the Treaty Land Sharing Network to connect land owners with Indigenous people in the area, and invite them to make use of the land as well (Simes, 2022). Many Georgian Bay cottagers are donating land to the Georgian Bay Land Trust, in order to maintain the land in as healthy a state as possible, to the best standards of the latest ecological science. If we know that biological diversity is highest in lands held by Indigenous peoples, then conservation organisations should seriously consider shifting their work so that Indigenous communities are sitting alongside them in the drivers' seat, to establish new decision structures that enable Indigenous peoples to shape how conservation takes place in Georgian Bay. If my family had been offered a way to ensure that our donation of land went to the benefit of Moose Deer Point First Nation, I believe we would have taken that option. But cottagers need not wait until organisations make such radical transformations; they – we – could in fact reach out directly to

Indigenous communities like Moose Deer Point First Nation, and embark on efforts similar to the Treaty Land Sharing Network in Saskatchewan. This is one way that we could hold ourselves accountable to the impact our communities have had on Moose Deer Point and other First Nations, as well as our responsibility for holding up the settler side of treaty promises made across Turtle Island: to share the land.

III. What Am I Doing Here, and Why Does This Matter?

The story of my own family and this land in Georgian Bay brought me to this exploration. The realisation that I ought to draw from that personal story as the heart of this dissertation was shaped by Indigenous methods, and subsequently I sought to follow Indigenous methods as best I could manage in order to conduct this research. In doing so, I have contributed to the academic literature an example of one settler researcher's attempt to grapple with decolonising her approach to research, by engaging in a deeply reflexive research process, and laying my journey bare throughout the writing of the dissertation. With this dissertation I have brought into dialogue ideas about land use planning, ecology, and spirituality – insisting that the journey of truth and reconciliation calls us to do just that, as uncomfortable and even incongruous as that may be to some reading this.

The spiritual component of this dissertation research came as a surprise to me, yet I believe it is one of the most important elements of this work. All faiths have within them an ethic of living in good relation with the earth. Although the ideals of every faith have been obscured at some point or other, to one degree or another, yet the spiritual foundations exist for all peoples for good relations within our biotic community. Part of the work of decolonisation is to untangle our various ethical and spiritual foundations from the corrosive legacies of their entanglement with institutions of power. Even Christianity, which is often named as being responsible for the current dysfunctionally extractive relationship of liberal-capitalist worldview, has at its roots an ethic of care that can be of service to us as we seek to transform our relationship with the earth, regardless of whether one is a person practicing this faith or any other for that matter. Looking well beyond the roots of our political-economic legalities, we must re-familiarise ourselves with the earth-centred ethics that are to be found at our spiritual-cosmological roots.

As a cottager myself, I am using my position as an insider when it comes to the cottage community and the Georgian Bay Land Trust, to critique these communities and structures that I value highly, because I believe that they can do better: I believe we can become genuine and radical allies to Indigenous peoples precisely *because* of our love for Georgian Bay. We have much (un)learning to do,

but at the same time we have the capacity to bring much strength to the efforts of creating the conditions for Indigenous self-determination, and to transforming western notions of human-earth relationships. These constitute a tall order, however, the efforts that we as a local community can take towards these goals can have a ripple effect, just as our ancestors and their efforts around environmental conservation created ripple effects that continue to be felt today (for good and ill).

Settler peoples have had, historically, an immense impact on Indigenous peoples, directly and indirectly causing harm through settlement practices of acquiring land and cutting of Indigenous peoples from their territories. And indeed, their continued presence – once again I say “*our*” continued presence, for I, myself, along with many of those reading this are implicated– continues and reinforces this alienation of Indigenous peoples from their lands and waters. If it were only for this, you could say that our presence is entirely negative. Yet at the same time, it is through peoples’ connection to the land, the environment, Creation, that genuine allyship can emerge. Settler cottagers feel a strong connection to the land, often holding the belief that their relationship with the landscape is similar, if not the same, as Indigenous peoples relationship with the land. It doesn’t take long for an examination into these beliefs to reveal problematic and erroneous assumptions, and a shallow understanding of Indigenous worldviews. However, this examination also reveals something of the growing roots, though perhaps still shallow, that settler peoples are developing in this land. Being able to revealing both the ways in which settler (liberal) and Indigenous (rooted) perspectives differ and what common ground *does* exist, is critical in order to address meaningfully the harms of colonialism to Indigenous peoples, to the land, and to settler peoples themselves. Revealing both these differences and the common ground is also the key to allying together to transform the ways that settler society lives in relationship with Creation.

Cottage communities like my own in Georgian Bay, and other leisure/second home communities across Turtle Island, are filled with settler peoples who hold a wide range of positions of power. Not only will you find leaders of environmental conservation organisations such as the Georgian Bay Land Trust, or cottager associations such as the Georgian Bay Association, but you will find those with decision-making power within land use planning bodies; municipal, provincial, and federal leaders; lieutenant governors and governors general; lawyers, developers, investors, etc. These are people leading organisations and institutions that make significant decisions about how we live on and share the land. These are also people voting for leaders and donating to the environmental conservation efforts. This dissertation takes a critical look at the foundations of settler-cottager-led environmental conservation,

and its impact on Indigenous communities, in particularly Moose Deer Point First Nation. The work that environmental organisations in Georgian Bay have been doing over the past several years to engage more meaningfully with Indigenous communities is heartening to see. And yet, this work must go deeper than the level of knowledge sharing and consultation. Cottagers in Georgian Bay (and elsewhere, for that matter), must consider ways that these communities have benefitted economically from the work of environmental activism over the decades, often at the expense of Indigenous communities' own economic well-being. And these reflections ought then to lead discussions about what it might look like to balance those scales.

This critique can be intensely uncomfortable to face – I know this because I have first asked myself these uncomfortable questions, and this research has pushed me into a state of existential crisis at various times. I can see that I, myself, have benefitted from this history of settler colonialism that has dispossessed Indigenous peoples of their lands, and that my own family has contributed to a system that reinforces this dispossession. Yet at the same time, I care deeply about truth and reconciliation, about addressing these harms, and about the particular communities that have lost access to their lands. I hope that this dissertation – the questions I have posed, the challenging conclusions I have danced with – draw you deeper into this examination within your own context, whether it is within the same cottage community as me, or elsewhere in the world. I invite you into conversation with one another, to listen to different stories, to disentangle our own stories, to tell new stories that draw on forgotten and buried stories. With this work, I hope to encourage myself and those around me to move beyond the notion of allyship that seems to rest largely on land acknowledgements, cultural workshops, and consultations, and instead into a state of informed, sensitive, reflexive, and self-critical dialogic partner with Indigenous peoples.

I hope to find ways to support the cultural revitalisation and economic strengthening work that Indigenous communities are doing by building on the relationships that I have established, and responding to their needs when I am able. As Thomas King says, I cannot now say “I didn't know”, and I believe it is my responsibility to share what I have learned with the Moose Deer Point First Nation community and my own cottage community, and beyond. Indeed, my research has already caused a small butterfly effect in a number of different contexts beyond the academic realm, of which I am proud. Perhaps the best thing this dissertation does is somehow provide support to the goals of Moose Deer Point First Nation, some of which my work has already contributed. Academic researchers should look to Moose Deer Point First Nation as a community with which to collaborate on research, whether

environmental, historical, legal, or otherwise. Environmental organisations in Georgian Bay should examine their own governance structures in order to explore ways to more meaningfully involve Indigenous communities in their decision-making that affects land use over these Indigenous territories, and collaborate with Moose Deer Point First Nation, among others, to find out how their work could help to create the conditions for their self-determination. I will endeavour to translate what I have learned in researching and writing this dissertation into a format that can transmit that learning – to my own cottage community the Madawaska Club, to the Georgian Bay Land Trust, and to Moose Deer Point First Nation. Hopefully this work can also be shared beyond these communities.

If we can confront the reality of the historical and ongoing impacts of settler presence on Turtle Island, *as well as* examine our own roots and dis/connections with Creation, perhaps then we can begin to disentangle the problematic narratives from the good teachings of our foundational stories and embark on that important transformation of our relationship with the earth that is so necessary for arresting the climate crisis.

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APPENDIX A

Excerpt from the United Nations Declaration on the Rights of Indigenous Peoples. Excerpted articles include Articles 8, 10, 13, 25, 26, 29 (https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration;
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

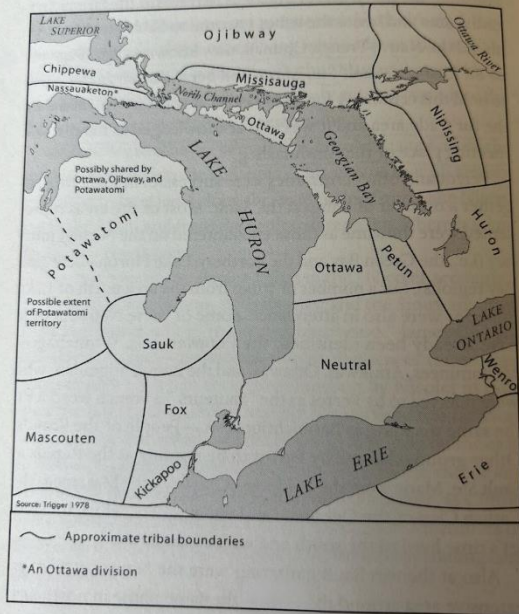
Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

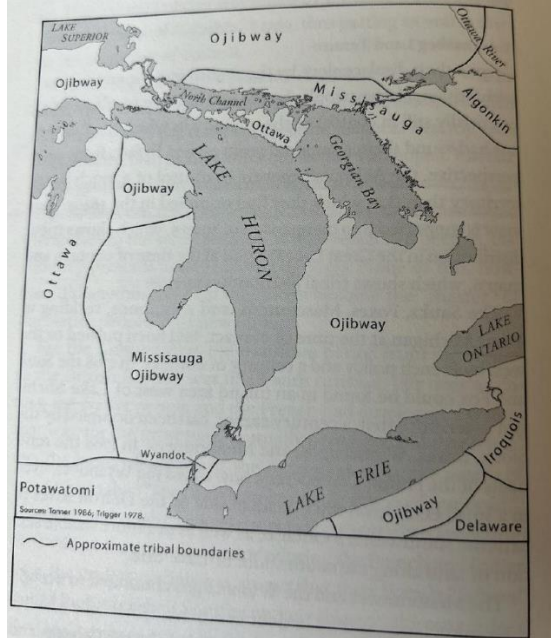
APPENDIX B

Two maps to show Anishinaabeg territorial movement across the 16th and 17th centuries in and around the Great Lakes (Bellfy, 2010).

Map 5. Tribe Locations at Time of Contact



Map 6. Native Settlement Patterns in the Mid-1700s



Appendix C

Recommendations

Many of these recommendations are in fact rather simple, yet apparently they still bear repeating.

i. Cottagers

- Find opportunities to learn together, in discussion groups, about these histories:
 - Start a discussion group that begins by sharing stories about how you came to be on this land – not simply Georgian Bay, but the Great Lakes region in general, or Turtle Island. Engage your cottage community and its association, if there is one, to build up relationships with the nearby Indigenous communities;
 - Build up a library of resources (physical and/or digital) from which young and old community members can learn more about this history and invite people in the community who have relevant knowledge and resources to share those with the community in this resource library;
 - If your library already has documents that tell some of this story, make sure people know where to find them. If they have dated language (e.g., words like “Indian” rather than “First Nation” or “Indigenous”) avoid purging these documents; instead, contextual them by including a book plate inside the jacket that might suggest other reading to go with this.
- Establish a formal relationship between your cottage community association and the nearest Indigenous community:
 - The Chair of the association’s board, if there is one, could reach out to the community’s band administration and Chief, in order to set up a meeting to introduce yourself;
 - Inquire about whether the community has any particular projects or funds that the cottage community might contribute to;
 - Find out about events taking place in the Indigenous community, which members of your cottage community could attend, e.g., a pow-wow, a community anniversary celebration, etc.
- Engage in mutual aid:
 - If you are considering donating some or all of the land you own, consider making such a donation directly to an Indigenous community. Or, if you are considering making that donation to an organisation such as a land trust, consider collaborating with that nearby

Indigenous community in crafting the agreement around land use. This is indeed an opportunity to contribute to Indigenous communities' reconnection with their territory, and at the same time to maintain your own connection to the land.

- If you learn about a community crisis, consider asking your own cottage community or family to donate financially to help out.

ii. Environmental Organisations e.g., Land Trusts, Conservation Organisations, etc.

- Ensure Indigenous communities in your region have genuine opportunities for affecting the work you do:
 - Organise events to bring together representatives of the Indigenous communities whose reserve and/or territory lies within your organisation's region and mandate, and engage in a meaningful dialogue about the very foundations of your organisation (its vision and mission, the foundational values that guide your work) and ensure they have the opportunity to share their concerns. Invite their ideas for how they might become involved in your organisation – they may not have the capacity or desire to put a representative on your Board of Directors, but perhaps they might have other ideas for how to be involved;
 - Establish additional positions on your organisation's Board of Directors for representatives of each of the Indigenous communities whose reserve and/or territory lies within your organisation's region and mandate, so that they have an opportunity to more directly guide the work of the organisation;
 - Where relationships have already been established with Indigenous teachers and Elders, ensure that you continue to reach out and build your network so that you are not relying on one individual. Being relied upon like that could lead to burnout. It is also important to ensure multiple perspectives are brought to the table, rather than relying solely on one.
- Engage in meaningful reflection on your organisation's or community's impact – both positive and negative – on Indigenous communities in the region:
 - Organise events with these communities and make use of tools or resources that facilitate deep conversations about your relationship, such as the "Stronger Together" Toolkit, from the Federation of Canadian Municipalities' First Nation-Municipal Community Economic Development Initiative. This "Stronger Together" Toolkit provides

an extremely useful template for building relationship formally and for organising meetings that facilitate deeply engaging discussions about your respective histories and goals.

- Consider emerging research that is directly critical of environmental conservation, both historically and contemporaneously, and reflect on how or where your organisation sits within this critique:
 - Invite one or more of those researchers to speak to your organisation or a group or organisations;
 - Invite someone to conduct an evaluation of your work and provide comments on whether or not your organisation ought to consider shifting something about your approach to conservation.
- Organisations that acquire property, e.g., land trusts, should consider entering into deeply collaborative partnerships with First Nations that would enable Indigenous communities to benefit directly from these properties, through a variety of means, such as
 - Job creation: creating training and capacity-building specifically opportunities for First Nation in the area to take over the conservation work, with support from the organisation;
 - Develop alternative land use rules for these properties that would explicitly enable practices such as harvesting and hunting, or the construction of infrastructure to support cultural revitalisation, such as a lodge or centre for on-the-land learning.
 - This could be especially helpful for communities that have very little land within their reserve boundary, such as the Moose Deer Point First Nation, or which are struggling to staff their own conservation endeavours.

iii. Indigenous Communities

- Develop formal relationships with cottager communities as well as environmental organisations within your nations' territory:
 - Council could establish relationships with someone from the nearby cottager communities. Most of these kinds of communities have some sort of governance or community organising structure – perhaps establish a relationship with the person in leadership.

- Council could build a relationship with the collective cottager associations, e.g., the Georgian Bay Associations. These are organisations that lobby on behalf of cottager communities, and in this way cottage communities are organised to influence government policy.
- Learn about the ways in which your community has been affected by the emergence of cottager communities and environmental organisations:
 - Find researchers who can present this sort of information to your community;
 - Establish relationships with researchers who could help the community build this sort of capacity, e.g., collaborating with staff members, community engagement activities, conducting specific research projects for the community, etc.
- Propose ideas for collaborative events/projects with nearby cottage communities.
 - This could look like events where participants can learn about some sort of art or craft, and invite the cottager community to contribute to the cost;
 - Or community clean-up events, to which you invite cottagers to participate.
- When environmental/conservation organisations contact you with letters of consultation or notification, ask that they send someone from their leadership to visit you on your reserve to introduce themselves:
 - Use this as an opportunity to raise current or historical issues that have been left unaddressed;
 - Ask about what opportunities there are for the First Nation to benefit from the work of this organisation;

iv. Professional Planners and Other Land-Use Decision-Makers

- Ensure that your institution is effectively engaging with Indigenous communities in the region within/around which you work:
 - Learn about all the Indigenous communities in your region, and their histories;
 - Find out what your institution's legal responsibilities are to engage with Indigenous communities;
- Reflect on the foundations of your institution and human-earth relations:
 - Learn about the history of your organisation/institution – its vision and mission, the context in which it was formed, as well as the critiques that have been made against it.

- Engage in ongoing discussions with colleagues about human-earth relationships, exploring how those relations are shaped by the Creation stories at the root one's cultural foundations and the economic system in which we live.