



**WATER RITES:
Reimagining Water in the West**
Edited by Jim Ellis

ISBN 978-1-55238-997-3

THIS BOOK IS AN OPEN ACCESS E-BOOK. It is an electronic version of a book that can be purchased in physical form through any bookseller or on-line retailer, or from our distributors. Please support this open access publication by requesting that your university purchase a print copy of this book, or by purchasing a copy yourself. If you have any questions, please contact us at ucpress@ucalgary.ca

Cover Art: The artwork on the cover of this book is not open access and falls under traditional copyright provisions; it cannot be reproduced in any way without written permission of the artists and their agents. The cover can be displayed as a complete cover image for the purposes of publicizing this work, but the artwork cannot be extracted from the context of the cover of this specific work without breaching the artist's copyright.

COPYRIGHT NOTICE: This open-access work is published under a Creative Commons licence. This means that you are free to copy, distribute, display or perform the work as long as you clearly attribute the work to its authors and publisher, that you do not use this work for any commercial gain in any form, and that you in no way alter, transform, or build on the work outside of its use in normal academic scholarship without our express permission. If you want to reuse or distribute the work, you must inform its new audience of the licence terms of this work. For more information, see details of the Creative Commons licence at: <http://creativecommons.org/licenses/by-nc-nd/4.0/>

UNDER THE CREATIVE COMMONS LICENCE YOU MAY:

- read and store this document free of charge;
- distribute it for personal use free of charge;
- print sections of the work for personal use;
- read or perform parts of the work in a context where no financial transactions take place.

UNDER THE CREATIVE COMMONS LICENCE YOU MAY NOT:

- gain financially from the work in any way;
- sell the work or seek monies in relation to the distribution of the work;
- use the work in any commercial activity of any kind;
- profit a third party indirectly via use or distribution of the work;
- distribute in or through a commercial body (with the exception of academic usage within educational institutions such as schools and universities);
- reproduce, distribute, or store the cover image outside of its function as a cover of this work;
- alter or build on the work outside of normal academic scholarship.



Acknowledgement: *We acknowledge the wording around open access used by Australian publisher, re.press, and thank them for giving us permission to adapt their wording to our policy <http://www.re-press.org>*



Arthur Moore (2008) by Elizabeth Moore.

embodying kinship responsibilities in & through nipi (**water**)

michelle daigle

***Mushkegowuk** (Cree), member of Constance Lake First Nation
assistant professor, department of geography,
university of british columbia*

2 water rites reimagining water in the west

*knowing **nipi**¹ through embodied and storied practice*

Angela and Bert Moore, my *kokom*² and *moshoom*,³ were born in the 1920s on the muskeg lands and waters of our nation: the *Mushkegowuk* Nation, now known as Treaty 9 territory. At the beginning of summer each year they would leave their respective communities, where they resided during the winter months, and travel with their families along *Kishiichiwan*, otherwise known as the Albany river.⁴ They would drink water directly from the river, fish for pickerel and pike, snare rabbits, pick berries, and towards the beginning of fall, hunt for ducks and geese. Throughout the summer, they would visit many place-names on *Kishiichiwan*, and they would gather with other *Mushkegowuk*, *Anishinaabe*, and Oji-Cree families at “the forks,” where *Kishiichiwan* meets the *Kenogami* River. There they would visit with their relatives, get updated on local news and gossip, discuss pressing political concerns, and renew diplomatic relationships.

It was through this time on *Kishiichiwan*, through embodied experiences, that every summer my grandparents learned their responsibilities to *sibi*,⁵ and more generally to *nipi*. Simultaneously, they learned their responsibilities to *Mushkegowuk* kin who depend on *Kishiichiwan*. These are kin that they came to know while being out on *Kishiichiwan*, including animal and plant kin. It is how they came to understand that what they learn from these kin, as well as their responsibilities to these kin, make up *Mushkegowuk* forms of governance: governance practices that extend much further back than colonial settlement, and which continue to be renewed into the present and future.

Although it became increasingly difficult, my *kokom* and *moshoom* maintained their relationship with *Kishiichiwan* despite the increasing impacts of colonial capitalism in our home territory. They continued to renew their relationship despite being forced to attend residential school,⁶ and despite relocating 300 kilometres south of the James Bay area — where they grew up — to a newly vested reserve in Treaty 9, Constance Lake First Nation (CLFN). They left the James Bay area in search of new employment; many Indigenous families were experiencing the economic impacts of the end of the fur trade era. New jobs were becoming available a few hundred kilometres south in the booming lumber industry, and in the infrastructural development of the Trans-Canada Highway and the Canadian National Railway. My *moshoom* worked in the pulp and paper mill and, later on, the lumber mill that was established in CLFN, which supplemented his income from fur trapping that he continued to do during the winter. Meanwhile, my *kokom* increasingly became tied to the domestic sphere as she took on sole responsibility for their children: my *moshoom* spent extensive time on their

embodying kinship responsibilities in & through nipi (water) 3

trapline during the winter, and worked long hours in the lumber mill during the summer months. In addition to this reproductive labour, my *kokom* engaged in seasonal employment, such as tree planting, and eventually found a more permanent position as a Cree language teacher in a public school in a nearby town.

In some ways, their everyday lives were becoming much different from those of their parents and grandparents; they became increasingly dependent on the growing settler Canadian economy. Yet they returned to *Kishiichiwan* whenever they could. In some instances, they travelled down *Kishiichiwan* to visit their children at St. Anne's residential school (they could not afford plane tickets). In other instances, during the summer break, they would bring their children on *Kishiichiwan* as their parents had once brought them. Extended travels, however, remained difficult due to their employment obligations and the geographic distance of *Kishiichiwan* from CLFN. They started building new relationships in the place where they now resided, spending a great deal of time on the *Kabinakagami* river, a river that is part of the Albany river watershed, and which flows through CLFN. Eventually they built a cabin on the *Kabinakagami* River. This is the river that I and their grandchildren came to know through fishing, hunting, swimming, berry picking, tending to the garden my grandparents planted at the cabin, and drinking *wabaanomakun* (tea pulozz) long into the evening hours.⁷

My *moshoom* passed on into the spirit world in 2008, at the age of eighty-two. Many of the stories shared about him during the grieving time took place on the *Kishiichiwan* and *Kabinakagami* rivers. Family member shared stories they had been told about people's first encounters with my *moshoom* on *Kishiichiwan*, as he travelled down the river with his parents as a newborn. Meanwhile, my *kokom* told me about the times she and my *moshoom* paddled from Fort Albany, down to the area where CLFN was eventually established, to visit family and friends who had already relocated to one of the many settlements that existed in the area before Indigenous peoples were forced to live on reserves. As a young adult, these stories reminded me that my family and nation's stories flow through these rivers. My *moshoom* was teaching me this, even as his physical presence was no longer with us.

A few years passed before I started asking my *kokom* for more stories about the *Kishiichiwan* and *Kabinakagami* rivers. When I did, her eyes lit up with love and excitement. Whereas she once taught me while being out on *ask*⁸ — at the age of ninety-one — she now teaches me through her stories. I travel home from *Musqueam*, *Squamish*, and *Tsleil-Waututh* territories, otherwise known as Vancouver, British Columbia, where I now work and live as a Cree visitor, and I sit with her. I sit and I listen.

4 water rites reimagining water in the west

Her stories have taught me that *nipi* is our kin, a relative and legal actor with whom we must renew our relationship, just as we must renew relations with our human kin. Without a direct and intimate relationship with *nipi*, how can we continue to be in good relation? “You need to go there,” my *kokom* tells me.⁹ In this way, her stories complicate the notion of human rights to water that has overwhelmingly framed water security and governance policy-making within national and international institutional forums. Indeed, Indigenous communities across the globe, including those in Treaty 9, continue to fight for water security and governance by mobilizing a human rights discourse. At the community level, however, many Elders and Knowledge Holders who are the legal caretakers of water according to Indigenous laws and political orders, continue to centre the *responsibilities* and *accountabilities* we have to our kin, *nipi*.¹⁰ Further, her stories stress the accountabilities we have to our animal, plant, and human relatives that depend on *nipi*, and that we are temporally and spatially connected to through our waterways. Specifically, they teach us that the everyday and intimate relationships that we build in and through water, through embodied and storied practice, ripple out through time and space. Our relational accountabilities encompass this vast kinship network.

nipi is sick

My *kokom*'s stories also teach me about how our kinship relations have been impacted through capitalist dispossession and violence. She, like many other Indigenous peoples, is witnessing, embodying, and testifying to the ways our sacred waters are increasingly becoming entangled in extractive developments. It is common to hear from Elders and community members that *nipi*, as well as pike, pickerel, deer, and moose, are sick because of these developments, just as we would describe how human relatives experience sickness. These are people who have intimate relationships with *aski*, through land and water-based practices such as hunting, fishing, and trapping. Throughout the years, they have observed changes in animals such as deer — notably changes in their livers — as well as changes in local vegetation. As my *kokom* says, such shifts are all connected to the contamination and pollution of the Mushkegowuk waters that these animals and plants depend on.

Currently, the Albany and Attawapiskat watersheds are entangled in mining developments. The De Beers Victor mine has been operating outside of Attawapiskat First Nation since 2008. Furthermore, a proposed mining development dubbed the “Ring of Fire” is reported to be the largest chromite deposit in North America, with an estimated value of 30 billion dollars.¹¹ If approved, the project will span 5,000 square kilo-

embodying kinship responsibilities in & through *nipi* (water) 5

metres. Additionally, a graphite deposit, now known as the Albany deposit, or the “Arc of Fire,” has been identified on the lands of CLFN. By 2015, nearly two dozen companies held claims in Mushkegowuk territory, and 278 million dollars was spent in exploratory drilling alone.

Due to mining activity at the De Beers Victor mine and initial exploratory drilling for the “Ring of Fire,” mercury and methylmercury are on the rise in the Albany and Attawapiskat rivers. This is disproportionately impacting caretakers of these rivers, including pike and pickerel, as well as Indigenous women and children. Indigenous women in the area are experiencing higher cases of infertility, miscarriages, and birth deformities, as *nipi*, herself experiencing violence, is unable to fulfill her responsibilities to give and support life. Hence, the first place where Indigenous women, children, and water come into relationship — the womb — has become a particularly precarious place, even as it still, always, embodies love and strength.

Mining is simply the most recent instance of dispossession and violence in a much more extensive history of resource extraction that has contaminated and poisoned *Mushkegowuk* waters. Some scientists have connected the rising levels of methylmercury, in the Albany and Attawapiskat rivers, to mercury that was originally generated through the pulp and paper and lumber industries. Specifically, mercury deposits generated through the lumber industry are released through new mining activity that generates methylmercury, a neurotoxin that threatens the health of human and aquatic life. De Beers has strategically deployed the lumber industry’s connection to mercury in Treaty 9 to evade legal and economic accountability to Indigenous communities. The company has continued to use this corrupt rationale to deny all accountability to the ecological, infrastructural, and health hazards that the Victor Mine has caused in and around Attawapiskat First Nation. This continues to happen despite the people of Treaty 9 demanding accountability from De Beers and the Canadian government.¹²

At the same time, the impact of extractive industries is directly tied to the contamination of clean and safe drinking water in Treaty 9. The Canadian government’s longstanding colonial and racist refusal to economically support the infrastructural development of water treatment facilities within Indigenous communities across the country further exacerbates this negative impact.¹³ Consequently, many Indigenous peoples have and continue to outsource, and even purchase, their drinking water. During my childhood, for example, my grandparents would come to our home every Saturday, which was located in a town approximately thirty kilometres away from CLFN. They would fill up water jugs, and this would be their drinking and cooking water for the week.

6 water rites reimagining water in the west

Many Indigenous families across Canada outsourced their water for decades throughout the twentieth and twenty-first centuries, and many continue to do so today. In June of 2017, 132 water advisories were in effect across Indigenous communities in the country (Health Canada 2017).¹⁴ This is a conservative estimate given that reports do not include advisories in Indigenous communities in British Columbia, and within the Saskatoon Tribal Council. Furthermore, the Canadian government limits its reporting to Indigenous communities south of the 60th parallel, thus excluding communities in northern parts of Nunavut, the Northwest Territories, and the Yukon Territory.

Water deficits in Treaty 9 communities, and accompanying colonial and racialized narratives of Indigenous communities as poverty-stricken sites of individual failings and physical and social decay, have become central to the ways the Canadian government, industry, and mainstream media legitimate proposed mining developments. Mining, they argue, will serve as a solution to poverty and the lack of infrastructure within Indigenous communities — including the lack of water treatment facilities. Yet these technocratic solutions rarely generate jobs and new flows of capital in Indigenous communities. Instead, mining companies increasingly use Impact Benefit Agreements (IBAs) to limit their accountability to the capital and employment they promise to Indigenous communities. Moreover, IBAs are used to discipline and sanction Indigenous resistance when such agreements are not met. Hence, many Indigenous peoples of Treaty 9 understand mining as a continuation of structural colonial power relations and Indigenous land dispossession.

Pushbacks against colonial technocratic “solutions” are reinforced by community members’ understandings of interconnected and relational ecologies. For example, in 2016 CLFN opened up its first water treatment facility. Many Elders in the community, however, continue to buy filtered bottled water from a nearby town. Initial conversations suggest that Elders continue to outsource their drinking water due to a fundamental mistrust in state-sponsored strategies that is, in turn, rooted in years of witnessing and experiencing colonial dispossession. Furthermore, many community members stress how *Mushkegowuk* lands and waters continue to be contaminated and polluted through unsustainable resource extraction, thus contextualizing clean and safe drinking water within larger regional environmental issues (not to mention legal issues, since these extractive developments continue without Indigenous peoples’ full and informed consent).

embodying kinship responsibilities in & through *nipi* (water) 7

This is not to state that access to clean and safe drinking water is not crucial, especially given that Indigenous communities continue to face legal, financial, and technical challenges therein. Rather, the point is that drinking water issues must be situated within the larger framework of land and water dispossession for private industry's accumulation of wealth, and to secure Canada's political and economic sovereignty — all of which is facilitated and legitimated through settler colonial laws. For example, Aboriginal rights have never been factored into water allocation regimes in British Columbia. Meanwhile, there are ongoing disputes over how water figures into various treaties and land-focused legal claims signed between Indigenous peoples and the Crown.

In Treaty 9, the language of water was first introduced in the treaty agreement in the 1929–30 adhesions.¹⁵ Like the earlier clauses on land in the treaty documents, the inclusion of water is specifically to secure and legitimate the Canadian government's access to *Mushkegowuk* territory for settlement, immigration, trade, travel, lumbering, and mining, as well as any other purposes identified by colonial authorities. People of Treaty 9 continue to contest the government's interpretation of the treaty agreement based on Lockean conceptions of property, and the notion that our ancestors actually ceded and surrendered *aski*. Indeed, the very idea of selling kin, our land and water relatives who are legal actors in their own right, does not fit into *Mushkegowuk* political and legal frameworks. Moreover, the people of Treaty 9 have extensively argued that the treaty agreement was corruptly and illegally formalized. Yet the state and industry continue to strategically deploy colonial readings of the treaty agreement, to secure their own political and economic sovereignty.¹⁶

As such, many people in *Mushkegowuk* territory do not believe that structural colonial dispossession and power relations between Indigenous peoples and the Canadian government can be solved through better regulations and simple investments in water infrastructure. Rather, they understand struggles for water, in all its complexity, as embedded in the historical and ongoing rupture of Indigenous peoples' self-determination, including our political and legal relationships with *nipi*. Specifically, community members such as my *kokom* are increasingly concerned about Indigenous peoples' ability to fulfill our responsibilities as caretakers of *nipi*, amidst the extractive developments that have been and continue to be facilitated and legitimated through colonial Canadian law.

8 water rites reimagining water in the west

reclaiming kinship responsibilities in and through nipi

In 2011, CLFN community members requested a moratorium on mineral exploratory drilling. The Chief at the time, Arthur Moore, filed a motion in the Ontario Superior Court to seek an order that would stop Zenyatta Ventures, a mining company based out of Thunder Bay, Ontario, from exploratory drilling. Simultaneously, community members protested at Zenyatta's exploration base camp. Meanwhile, members of Marten Falls First Nation blocked the runway at their airport to prevent mining executives from landing in the community. Yet these engagements with the state and embodiments of direct action are just a few of the practices that make up a larger constellation of Indigenous resistance in *Mushkegowuk* territory. The more visible forms of resistance are incited, guided, and sustained through everyday practices of reclamation and resurgence that renew relationships with *nipi*. As my *kokom* says: "You need to go there." She's referring to *Kishiichiwan*.

Over the last several years, Indigenous peoples of *Mushkegowuk* territory have organized community paddles on their waterways. CLFN community members organized a paddle to *Mammattawa*, a cultural land-based camp that is located at the convergence of the *Kenogami* and *Kabinakagami* rivers. While my *kokom* was not able to physically attend, some of her children and grandchildren were there, such as Arthur, Elizabeth, Luke, and Jacob Moore. They were there continuing the paddling traditions of our ancestors, embodying what my *kokom* and *moshoom* taught them, and taking on leadership roles to teach others.

Meanwhile, community members of Fort Albany First Nation started the *Paquataskamik* Project, or the Albany River Coalition. *Paquataskamik* is a Cree concept that can be roughly translated as the expansive and interconnected ecologies and kinship relations of *Mushkegowuk* territory. As founders of the Coalition say, the concept "reminds us that *Mushkegowuk* land is vast. It's not just the reserve, it's not just the camp (where the project takes place), but an area that ties together family, history, and identity." Like the paddles organized by CLFN community members, the *Paquataskamik* project is aimed at connecting youth with Knowledge Holders and Elders while engaging in land and water-based practices. More than this, one of the aims is to educate community members — and particularly youth — about *Mushkegowuk* water struggles, as they are entangled in unsustainable and illegal developments such as mining.¹⁷ The members of the project do this through clean-up projects on *Kishiichiwan*.

In other instances, *Paquataskamik* has organized community mappings of *Mushkegowuk* place-names and sacred sites along rivers. For example, a group of Elders, adults, and youth travelled from CLFN, down the *Kabinakagami*, *Kenogami*, and *Kishiichiwan* rivers, to Fort Albany First Nation. Throughout their journey, the youth and adults interviewed Elders about the sites and stories along the rivers, and erected signs of *Mushkegowuk* place-names and sacred sites as an act of reclamation. Once the journey was complete, they created a community map that has been widely circulated throughout *Muskegowuk* territory. One version of the map has all of the *Mushkegowuk* place-names written in Cree syllabics.

Through these paddles, community members learn that *Mushkegowuk* peoples have always been water people — people of the river — and always will be. For this reason, we have a responsibility to care for and protect water, so that she can also care for us, and heal us. As the paddles reflect, these responsibilities are learned, transmitted, and embodied through everyday practices that rebuild and reclaim kinship relations with *nipi* and through *nipi*. Simultaneously, these everyday practices re-honour the political and legal authority of water caretakers such as Indigenous women, Elders, and youth, who have been historically relegated from the band council system that continues to shape many governance decisions in *Mushkegowuk* territory.¹⁸ This even applies to the political and legal authority of our non-human kin.

In this way, these are living examples of Indigenous peoples (re)creating their/our own circles of governance that are accountable to *nipi*, as well as kinship relations cultivated through *nipi*. This starts at the most intimate scale, as responsibilities and love for *nipi* are renewed through embodied and storied practice. This ripples outward, as *nipi* reminds us that our kinship responsibilities are not confined to the immediate present, nor to our immediate surroundings. They expand throughout time and beyond the colonial confines of reserves, treaty territories, provinces, and even the geopolitical boundaries of colonial Canada. That is, *nipi* teaches us, through embodied and storied practice, that *Mushkegowuk* kinship relations expand across the spatio-temporal life of our waterways and, thus, our responsibilities do too.

10 water rites reimagining water in the west

notes

1. *Niji* is Cree for water.
2. *Kokom* is Cree for grandmother.
3. *Moshoom* is Cree for grandfather.
4. My *kokom* lived in Fort Albany First Nation and my moshoom lived in English River. *Kishiichiwan* translates to “fast water.”
5. *Sibi* is Cree for river.
6. My *kokom* attended St. Anne’s Indian Residential School in Fort Albany, and my moshoom attended St. Joseph’s Indian Boarding School in Fort William Ontario.
7. *Wabaanomakun* translates in English to “white brew.” Tea pulozz is Cree slang for *wabaanomakun*. It is tea mixed with fat, either animal fat or lard. My grandparents, like many other *Mushkegowuk*, Anishinaabe, and Oji-Cree peoples of the Treaty 9, used to drink tea pulozz on their trapline during the winter and continue to do so in their homes.
8. *Aski* is a Cree word that encompasses land and water of a territory. It is a concept that expresses the holistic relationship of land and water, and which does not set up a binary between land and water.
9. Personal interview with Angela Moore, June 2016.
10. I use the term Knowledge Holders to denote Indigenous peoples who are knowledgeable authorities, intellectuals, and leaders but are not yet considered Elders.
11. Initial exploratory drilling has also identified deposits of graphite, copper and nickel in the region, with speculations that additional diamond deposits will be discovered.
12. See Vicki Lean’s film *After the Last River* (2015) for an extensive examination of the impacts of mining in Treaty 9 territory.
13. Water security and governance within Indigenous communities across Canada continues to be entangled in, and obstructed by, the settler state’s purposeful deployment of colonial jurisdictional laws. Specifically, the multiple branches of Canadian government strategically manipulate the multiple levels of jurisdictional law in Canada to evade responsibility and accountability to Indigenous sovereignty.
14. The water advisories range from long-term advisories that have been in place for over a year, to short-term temporary water quality issues on a specific water system. Health Canada identifies three different types of water advisories including: 1) a boil water order; 2) a do not consume order; and 3) a do not use order.
15. Treaty 9, or the James Bay Agreement, was first signed in 1905–06.
16. For a more extensive examination of the Treaty 9 agreement, see Alanis Obomsawin’s *Trick or Treaty?* and John Long’s *Treaty No. 9: Making the Agreement to Share the Land in Far Northern Ontario in 1905*.
17. I use the term “illegal” here to stress the lack of full and informed consent in most resource extractive negotiations with Indigenous communities in Canada. I also use the term to denote that state and industry continue to strategically mobilize colonial readings of the Treaty 9 agreement.
18. This statement is not to disrespect all of the leaders in *Muskegowuk* territory who tirelessly fight for *Mushkegowuk* sovereignty and well-being through the band council system. Rather, my intention is to stress that the band council system is itself a colonial structure that has historically excluded the political and legal authority of many important Indigenous leaders and decision-makers, along the lines of Eurocentric conceptions of gender, sexuality, and age.

acknowledgements

A deep and heartfelt *meegwetch* (thank you) to my *kokom* and *moshoom*, Angela and Bert Moore, and to members of the Moore family. *Meegwetch* to my mother, Jackie Moore, for comments on an earlier draft of this paper. *Meegwetch* to Jim Ellis for inviting me to contribute to the “Water in the West: Rights of Water/Rights to Water” community forum at the Calgary Institute for the Humanities, and for inviting me to contribute to this book. *Meegwetch* to all Indigenous caretakers and protectors of water — past, present, and future — across our diverse and interconnected waterscapes.

bibliography

- Canada, Health. (2017). Drinking Water Advisories: First Nations South of 60. <https://www.canada.ca/en/health-canada/topics/health-environment/water-quality-health/drinking-water/advisories-first-nations-south-60.html> [Accessed August 2017].
- Lean, Vicki. (2015) *After the Last River*.
- Long, J. S. (2010). *Rupert's Land Record Society Series: Treaty No. 9: Making the Agreement to Share the Land in Far Northern Ontario in 1905*. Montreal: McGill-Queen's University Press.
- Moore, A. (2016). Personal Interview. Constance Lake First Nation.
- Obomsawin, A. (2014). *Trick or Treaty?* National Film Board of Canada.
- Stevens, S. (2016). Personal Interview. Constance Lake First Nation.