

Resurging through Kishiichiwan: The spatial politics of Indigenous water relations

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Abstract

In this paper, I center Indigenous water governance at the nexus of extractive capitalist development, water contamination and dispossession, and Indigenous self-determination. I do so by focusing on colonial capitalist legacies and continuities that are unfolding on Mushkegowuk lands of what is otherwise known as the Treaty 9 territory in northern Ontario, Canada. Through a spatial analysis, I trace contemporary forms of water dispossession through mining extraction to the larger colonial-capitalist objectives of the original signing of the James Bay, or Treaty 9, agreement. I argue that the colonial capitalist dispossession of water, through the seizing of land and interconnected waterways, and through the accumulation of pollution and contamination, is inextricably linked to larger structural objectives of securing access to Mushkegowuk lands for capitalist accumulation, while simultaneously dispossessing Mushkegowuk peoples of the sources of their political and legal orders. I end by discussing how Mushkegowuk peoples are resurging against settler colonial and capitalist regimes by regenerating their water relations, and how water itself cultivates a particularly spatial form of resurgence that regenerates Indigenous kinship relations and governance practices.

Keywords: *Indigenous water governance, resurgence, mining, colonial capitalism, ring of fire, Treaty 9*

Kishiichiwan

Kishiichiwan spans a distance of 928 kilometers, flowing northeast from Cat lake in northwestern Ontario, into the James Bay. It is one of Canada's largest rivers and is part of the Albany river watershed which contains three water diversions from the James Bay drainage basin. Historically, Kishiichiwan was a fur-trading route, with the first Hudson's Bay Company (HBC) post erected along the river in 1675 and 1679 (Long, 2010). A few years later, in 1683, the British named the fort and river after James, Duke of York and Albany, who later became King James the 2nd of England. Today, many people know Kishiichiwan by these physical characteristics and by the settler colonial name, the Albany river. Over the last few years, I have come to know Kishiichiwan through my family's stories, particularly those shared by my kokom and moshoom.¹

Angela and Bert Moore were born in the 1920s on the muskeg lands and waters of the Mushkegowuk² 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 relatives along Kishiichiwan. 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. My kokom has particularly fond memories of gatherings at "the forks," where Kishiichiwan meets the Kenogami river, as she and her family visited with relatives from various areas in Mushkegowuk territory. Through their mutual relationship with Kishiichiwan, they would gather, visit, get updated on local news and gossip, discuss pressing political concerns, and renew relationships.

As my grandparents' stories progress from childhood to adolescence to adulthood, those of Kishiichiwan become less frequent. As my kokom recalls, she longed for times on Kishiichiwan as she attended St. Anne's residential school in Fort Albany in 1936, while my moshoom was sent to Sioux Lookout Indian Residential School. Subsequently, as young adults they, like many other Indigenous people in the James Bay area, were forced to relocate in search of new employment as they were experiencing the economic impacts of the end of the fur trade era. They relocated 300 kilometers south to a newly vested reserve in Treaty 9, Constance Lake First Nation (CLFN). New jobs were becoming available in the 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 engaged in seasonal employment such as tree planting and eventually secured a position as a Cree language teacher in a public school in a nearby town, while taking on the brunt of reproductive labor in the home. As my kokom recalls, everyday travels and relations with Kishiichiwan became increasingly difficult during this time, particularly for Mushkegowuk women as they were relegated to the domestic sphere while many of their male relatives were able to maintain a connection, albeit a limited one, through seasonal fur trapping.

¹ Kokom is Cree for grandmother and moshoom is Cree for grandfather.

² Mushkegowuk translates to "people of muskeg lands." I use the term throughout this paper to denote Cree people who come from the muskeg lands and waters of the James Bay area who are oftentimes referred to as Swampy Cree. While I identify as Mushkegowuk and write this piece from the embodied perspective of a cis-gendered Mushkegowuk woman, I would like to acknowledge Anishinaabe and Oji-Cree relatives in Mushkegowuk territory and how they, along with animal and plant relations as well as land and water, make up the larger network of kinship relations within Mushkegowuk territory.

In many ways, my grandparents' everyday lives were becoming much different from those of their parents and grandparents as they became increasingly dependent on the growing settler 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 as they could not afford plane tickets up north. 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. Thus, 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 their grandchildren and their great-grandchildren came to know through fishing, hunting, swimming, berry picking and tending to the garden at my grandparents' cabin.

In 2008, my moshoom passed on into the spirit world. Many stories shared about him during our family's grieving time took place on the Kishiichiwan and Kabinakagami rivers. Family members shared stories 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 people were forced to live on reserves. As a young adult, these stories reminded me that my family and nation's stories and political relations flow through these rivers. My moshoom was teaching me this, even as his physical presence was no longer with us.

It took some time after my moshoom's passing before I started asking my kokom about the Kishiichiwan and Kabinakagami rivers. When I did, her eyes lit up with excitement. While she once taught me while being out on aski,³ at the age of ninety-two she now teaches me through her stories which are entangled with joy, love, and pain. As she enters the tenth decade of her life, she worries about the well-being of Kishiichiwan and Mushkegowuk waterways as they become entangled in the impending mining developments that are sweeping across our territory. "You need to go there," she tells me.

Decolonizing water politics

I begin by recounting parts of my grandparents' stories, as they interweave the multiple scales of Mushkegowuk kinship, political geographies, and the colonial capitalist dispossession and violence that is brought to bear, as I think about the politics of water for Mushkegowuk people. These stories demand that we address the theme of this special issue—the politics of water—within the larger structures of colonial capitalism that continue to attack Indigenous self-determination, including how this continues to be reproduced through resource exploitation.

Indigenous waterways are entangled in colonial capitalist resource exploitation on a global scale, including decades of mercury poisoning from the pulp and paper industry in the Anishinaabe community of Grassy Narrows; Coast Salish people's protection of the Salish Sea from impending

³ 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.

pipeline developments; impacts of the Bonneville dam on the Columbia basin used by a number of Indigenous nations such as the Nez Perce and Yakama nations; environmental impacts of mining waste on Indigenous campesino communities on the Bolivian Altiplano and on Maori lands and waterways in New Zealand; and Oceti Sakowin's (The Great Sioux Nation) protection of sacred waterways from the Dakota Access Pipeline (da Silva, 2010; Colombi, 2012a, 2012b; Estes, 2016; Norman, 2017; NYC Stands with Standing Rock Collective, 2016; Perreault, 2013; Schneider, 2013; Smale, 2017). In this paper, I seek to contribute to the growing body of interdisciplinary scholarship on Indigenous water governance by situating ongoing struggles for water within geographies of colonial capitalist resource extraction. I begin by tracing water dispossession in Mushkegowuk territory to a series of mining developments—the “Ring of Fire” and the “Arc of Fire”—which are facilitated and legitimated by a colonial deployment of the James Bay, or Treaty 9, agreement. While I pay attention to how water figures into the treaty agreement, I specifically consider how Mushkegowuk governance and political geographies spanning across and through regional waterways became re-territorialized once Treaty 9 was passed, thus rupturing our ability to protect land and water amidst impending resource developments. Simultaneously, I seek to make a modest contribution to the critical and innovative breadth of scholarship on Indigenous resurgence by considering how Indigenous political geographies are activated through the mobility and interconnectivity of water relations. Specifically, I end by discussing how Mushkegowuk people are resurging against colonial capitalist legacies and continuities through community paddles on regional waterways. The spatial politics of Indigenous water relations, I argue, are integral to regenerating Indigenous political geographies of governance and self-determination by rupturing settler colonial boundaries of the reserve and province, as well as rigid conceptualizations of Mushkegowuk territory and nationhood (Daigle, 2016).

Mushkegowuk water governance in a colonial state of extraction

In April 2013, the *Canadian Mining Journal* awarded Zenyatta Ventures Ltd., a mining company based out of Thunder Bay Ontario, the “Discovery of the Year” award to recognize the company’s exceptional discovery of a graphite deposit located on the land of Constance Lake First Nation. The deposit, which spans 300,000 acres, is commonly known as the Albany deposit or the “Arc of Fire”. It is but one of many mining developments on Mushkegowuk territory. The De Beers Victor mine, outside of Attawapiskat First Nation, is located a few hundred kilometers north. Further, the proposed mine sits amongst a number of others that make up the “Ring of Fire,” a mining project that is projected to span 5,000 square kilometers and is claimed to be the largest chromite deposit in North America with an estimated value of 30 billion dollars.⁴ By 2015, nearly two dozen companies had held claims in Mushkegowuk territory and 278 million dollars had been spent in mining explorations alone (Porter, 2015).

Mining companies’ scientists and engineers claim that chromite and graphite will enable a range of innovative clean-tech applications, such as low-cost solar cells, super computers, and rapid charge batteries. Accordingly, these Canadian developments are framed by industry as not only ethical, compared to atrocious and violent forms of mining in the ‘far-away’ places of Africa and South America (Pasternak, 2015), but also as vital to environmental sustainability on a global

⁴ This estimate only includes chromite, not graphite nor the copper, silver, and diamonds that prospectors believe will be found once the mining begins.

scale. In reality however, these developments pose enormous risks to regional ecosystems, including the Attawapiskat and Albany watersheds, and to the animal, human, and plant life that depend on the interdependent ecosystem fed by these sacred water sources. 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, disproportionately impacting pike and pickerel (Lean, 2015; Porter, 2015). Meanwhile, the rise of methylmercury has been correlated to rising rates of infertility, miscarriages and birth deformities, as violence inflicted on Mushkegowuk waterways is inter-relationally inflicted on Indigenous bodies, particularly those of women and children (Women’s Earth Alliance & Native Youth Sexual Health Network, 2016).

Mining is the most recent instance of colonial capitalist resource extraction that has contaminated and poisoned Mushkegowuk waterways. 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 (Lean, 2015). Specifically, mercury deposits generated through the lumber industry have been 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 the ecological, infrastructural and health hazards and risks that the Victor Mine has caused in and around Attawapiskat First Nation (Ibid). This continues to happen despite Indigenous people of Treaty 9 demanding accountability from De Beers and the Canadian government.

Settler colonial logics of discovered empty and unused wastelands that have driven exploratory drilling in the resource ‘peripheries’ of the north are reinforced as mining is simultaneously framed as a solution to the grave poverty and welfare dependency in Treaty 9 (Pasternak, 2015). Crucially, deficit narratives entangled in such rationales are reinforced by water crises discourses. That is, although water crises discourses are effectively mobilized by some Indigenous leaders to demand accountability to human rights violations to safe drinking water, they simultaneously become mediated through popular discourse to reproduce colonial and racialized narratives of Indigenous places and peoples, which the Canadian government and industry strategically mobilize to legitimate resource extractive developments (AANDC, 2013; Baird & Plummer, 2013; Bharadway & Maya, 2013; Health Canada, 2017; Murdocca, 2010; Patrick, 2011; Watt, 2008).⁵ For example, the 2005 Kashechewan “water crisis” in Treaty 9 was predominantly framed in mainstream media as a result of Indigenous people’s failure “to regulate themselves and cope with the pillars of liberal life,” rather than situating drinking water issues within structural colonial legacies and continuities such as the Canadian government’s ongoing disinvestment in infrastructure within Indigenous communities (Murdocca, 2010, p. 385). Colonial neoliberal narratives of Indigenous communities’ individual failings are subsequently mobilized

⁵ My intention here is not to imply that access to drinking water is not crucial given that in June 2017, 132 water advisories were in effect across various Indigenous communities in Canada (Health Canada, 2017) who continue to face structural, legal, financial, and technical challenges in accessing clean water, including the lack of funding and resources for capacity building coupled with the high costs of water facilities. 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. Crucially, 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.

by the state and industry to frame proposed resource developments as a crucial pathway to generating new flows of capital into the community for infrastructural development, including the construction of water treatment facilities. As Shiri Pasternak (2015) argues, the solution to poverty in Indigenous communities offered by Canada has not been to recognize Indigenous jurisdiction over lands, as they have consistently demanded.⁶ Rather, the focus has been on replacing Indigenous modes of reproduction with industrial production by way of entrepreneurial and employment opportunities made available through resource extraction (Pasternak, 2015), which are fraught with safety and health risks (Talaga, 2011).⁷

However, at the community level, employment opportunities rarely materialize as promised by industry (Pasternak, 2015). Moreover, infrastructural developments that are sometimes—and, partly—made possible through additional flows of capital into the community do not erase community members' everyday awareness and experiences with resource exploitation on Mushkegowuk homelands and waters.⁸ For example, while a new water treatment facility opened in CLFN in 2016, some community members such as my *kokom* remain hesitant to drink tap water as they cannot compartmentalize treated drinking water from the larger regional ecologies—more specifically, Mushkegowuk relations—that remain entangled in illegal and unsustainable resource exploitation. In the next section, I examine how an extractive settler economy was secured and legitimated through the Treaty 9 agreement and how Mushkegowuk governance and political geographies became increasingly re-territorialized after the passing of the treaty.

The rupturing of Mushkegowuk political geographies

The language of water was first introduced in the Treaty 9 agreement in the 1929-1930 adhesions, after its original signing in 1905-1906. Like the earlier clauses on land in the treaty documents, water is included specifically to secure and legitimate the Canadian government's access to

⁶ See Shiri Pasternak's *Grounded Authority: The Algonquins of Barriere Lake against the State* (2017) for an extensive theoretical and empirical analysis of settler colonial and Indigenous conceptualizations and materialities of jurisdiction.

⁷ Environment Canada has projected that occupational exposure in the "Ring of Fire" will lead to lung, nasal and sinus cancers.

⁸ The Province of Ontario and the Government of Canada has increasingly provided funds to Indigenous communities in Treaty 9, such as CLFN, to build water treatment facilities (CLFN used a combination of funding from the provincial and federal government as well as community funds). Although government funding is indeed a response to the expansive water advisories across Indigenous communities in Canada, it must be simultaneously understood as a government strategy that is tied to facilitating and legitimating the accumulation of capital on Indigenous territories. In the case of Treaty 9, for example, governmental funds provided for water infrastructure must be situated within the Canadian government and industry's objectives of securing and legitimating mining developments on Mushkegowuk territory. That is, government funding that is made available to subsidize Indigenous communities' costs of developing water infrastructure becomes crucial to ostensibly pacify Indigenous communities' unrest (or, some community members) tied to poverty and to use as leverage in ongoing negotiations with band council members for resource extractive developments. Indeed, mining companies have also, I would argue, strategically provided small sums of funding for various programs in Indigenous communities, such as youth programs, amidst negotiations.

Mushkegowuk territory for settlement, immigration, trade, travel, lumbering, mining, and any other purposes identified by colonial authorities:

“[...] we, the said Ojibway, Cree and other Indian inhabitants, in consideration of the provisions of the said foregoing Treaty being extended to us, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for His Majesty the King and His Successors forever, all our rights, titles and privileges whatsoever in all that tract of land, and land *covered by water* in the Province of Ontario, comprising part of the District of Kenora [...] on the North by *the waters of Hudson Bay*, and on the East by *the waters of James Bay* and including *all islands, islets and rocks, waters and land covered by water* within the said limits, and also all the said Indian rights, titles and privileges whatsoever to all other lands and lands *covered by water*, whenever situated in the Dominion of Canada” (Long, 2010, p. 325, emphasis added).

As Mohawk scholar Audra Simpson (2015) argues, the original signing of Treaty 9 marks a pivotal moment, as Indigenous political orders of this area were brought under the regime of settler governance, specifically the legal life of the settler state and capitalist accumulation.⁹ As extensively examined by historian John Long (2010), the original treaty documents detail how the fundamental purpose of the treaty, from the Canadian government’s perspective, was to gain access to land for settlement and resource extraction (see also Obomsawin, 2014). As Long elucidates, the signing, or solicitations for signatures, were inherently corrupt and illegal as British commissioners did not fully explain, through oral communication, the details of the written treaty, while translation from English to Cree impeded comprehensive understandings of the conditions of the agreement, as outlined by the British. Moreover, Long details corrupt day-to-day practices used by British commissioners that impeded dialogue and consensus-building amongst Indigenous signatories. For example, he unpacks how British commissioners approached community members individually rather than cultivating a more communal form of consultation. Additionally, commissioners visited communities during the summer while many people were away, attending gatherings, harvesting food and travelling along Kishiichiwan, thus stifling communal dialogue. Further, while Long does not provide details of the gendered dynamics that played out in treaty negotiations, British commissioners’ overwhelming attention to Indigenous men rather than women further exacerbated violations to Mushkegowuk governance by disregarding an entire segment of political leaders within the Mushkegoewuk nation.¹⁰

Once the treaty was passed, Mushkegowuk political, legal and economic relations were increasingly re-territorialized. Indeed, the spatial reorganizing of Mushkegowuk political geographies at this point was a continuation and intensification of the re-territorialization that

⁹ My intention is not to imply that the attack on Mushkegowuk political relations began with the signing of Treaty 9 but rather, as Simpson argues, that the signing of the treaty at the turn of the 20th century marks a pivotal moment in terms of the Canadian government’s objective of securing and legitimating access to Mushkegowuk territory for settlement and capitalist resource developments.

¹⁰ My intention here is not to reproduce a narrative that Mushkegowuk people were tricked into signing the treaty, nor that they did not activate their legal and political practices and relations amidst the corruption and violence enacted on behalf of colonizers. Rather, I reiterate details in Long’s historical account of the Treaty 9 agreement to emphasize the corrupt and illegal actions undertaken by British commissioners and the ongoing colonial readings of Treaty 9 that continue to rupture Mushkegowuk people’s ability to activate spatio-political relations and to protect our homelands and waters.

ensued at the end of the 19th century with the passing of the *Constitution Act* in 1868 and the *Indian Act* in 1876. On a regional scale, political relationships cultivated through Mushkegowuk waterways such as Kishiichiwan were increasingly re-channeled and enclosed within the rigid territorial boundaries of the reserve, treaty territory, and the province of Ontario, resulting in Mushkegowuk people's spatial and social segregation from settler society and from each other. Mushkegowuk kinship structures such as clans were increasingly dismantled as Indigenous people were subjected to the imposition of the heteropatriarchal band council system that restricted many Indigenous political and legal authorities. For example, from 1876 to 1951 Indigenous women were completely prohibited from *Indian Act* administrative institutions. During this time, Indigenous women were not able to hold positions within local band councils and were restricted from voting in band council elections (Simpson, 2017). The exclusion of women from political governance (even as it was restructured through settler colonial regimes) was further reified through disenfranchisement policies whereby Indigenous women lost their Indian status if they married non-Indigenous men and thus were further restricted from community political life (Suzack, 2010).

On a more intimate scale, Mushkegowuk political relations were ruptured as community members' everyday mobility was increasingly surveilled and contained within colonial jurisdictional boundaries and as they became increasingly integrated into the settler colonial economy. Further, the banning of Indigenous gatherings and ceremonies through the *Indian Act* disrupted cyclical renewals of political relationships that were cultivated on sacred Mushkegowuk waterways such as Kishiichiwan. Mushkegowuk women's mobility in and out of the confines of the reserve and the domestic sphere was specifically targeted, disciplined and controlled through the restructuring of Mushkegowuk kinship relations according to the patriarchal and heteronormative workings of the capitalist economy, whereby women increasingly served as social reproductive labor in the home.

The interconnected workings of settler governance and capitalist accumulation re-territorialized Mushkegowuk political geographies into what Sarah Hunt (Kwakwaka'wakw) calls "colonialscapes" (Hunt, 2014). As Hunt argues, colonialsaces are spatio-legal representations, perspectives and material reproductions of Canada that take various forms, including visual forms such as maps and photographs of Indigenous peoples, and textual forms such as laws. In Hunt's words: "[...] colonialscapes create the appearance that a colonial spatio-legal perspective of 'Canada' is somehow 'true'" (p. 87). They are meant to invisibilize and erase Indigenous political, legal and economic landscapes and, over time, naturalize settler colonial geographies of domination inscribed in the colonial state's legal frameworks. Namely, colonialscapes become naturalized as the only spaces in which Indigenous governance, albeit reconfigured through settler governance, can exist.

The erasure of Indigenous political geographies is instrumental to resource exploitation on muskeg lands and other Indigenous territories as settler colonial logics of terra nullius and property remain fundamental to the ostensible legality of resource extractive developments sweeping across Canada (Hall, 2013; Hoogeveen, 2014; Pasternak, 2015; Preston, 2013). As Dawn Hoogeveen (2014) argues, contemporary mineral regimes aimed at capitalist accumulation are premised on the erasure of Indigenous political and legal geographies. Specifically, she details how the free-entry principle established in the late 19th century enables mining prospectors and companies today to engage in exploratory drilling and stake claiming without consulting Indigenous people and obtaining their free, prior and informed consent (UNDRIP, 2008). Further, the increased use of Impact and Benefit Agreements (IBAs) issued by mining companies to Indigenous communities

(Cameron and Levitan, 2014), are premised on developing ostensible negotiations and consultations which reify settler colonial re-territorializations of Indigenous spatio-political relations.

For example, within Treaty 9, negotiations with mining companies unfold on a highly individual community basis even though potential environmental and health impacts risk affecting surrounding Indigenous communities who are excluded from such negotiations according to settler colonial governance structures and accompanying colonialscares of the reserve, not to mention that Environmental Impact Assessments do not employ holistic and multi-scalar evaluations of environmental and health risks which would account, for example, for the rising rates of infertility, miscarriages and birth deformities in Mushkegowuk territory, and are oftentimes headed by mining companies themselves, which in and of itself is a blatant conflict of interest. Indeed, Mushkegowuk people continue to resist these divisive forms of negotiation by activating ancestral spatio-political relations through the seven regional tribal councils in Treaty 9, as well as through the grand council Nishnawbe Aski Nation which comprises the 49 First Nation communities in the treaty territory. However, such efforts still exclude a range of community voices, particularly those who have been historically excluded from the band council system. That is, contemporary settler colonial legalities, in both their procedural and spatial nature, continue to rupture Mushkegowuk political relations across space.

The re-territorialization of Mushkegowuk governance and political geographies in conjunction with how water, like land, is framed within the Treaty 9 agreement continues to severely impede Mushkegowuk people's ability to protect sacred waterways amidst resource extractive developments. Indeed, Mushkegowuk water governance, like Indigenous water governance across Canada, is further ruptured through neoliberal policies that secure and stimulate capitalist accumulation at the expense of Indigenous autonomy and environmental sustainability. Notably, Bill C-45, which was passed in December 2012, resulted in sweeping changes to a range of legislative policies that threaten efforts for Indigenous self-determination. With respect to water, significant amendments were made to the *Navigable Waters Protection Act* to remove thousands of lakes, rivers and streams from federal protection. With the passing of the bill, a mere 62 rivers, 97 lakes and 3 oceans remain under protection, representing less than 1% of waterways in Canada (Preston, 2013). Kishiichiwan and the Attawapiskat river, located at the center of impending mining developments, are no longer protected with the passing of the bill.

“You should go there:” Resurging through Kishiichiwan

The rampant speed and scale of drilling explorations and stake claiming in Mushkegowuk territory has generated a range of resistance. For instance, in 2011, Zenyatta Ventures Ltd. began mineral exploration drilling on one of CLFN's traditional hunting grounds. In response, the Chief of CLFN at the time, Arthur Moore, filed a motion in the Ontario Superior Court to seek a moratorium on drilling exploration.¹¹ Meanwhile, community members organized a demonstration at the site of the Zenyatta southern exploration base camp located outside of CLFN. Despite resisting at the ground level and mobilizing through the settler state's legal channels, Zenyatta was able to proceed. Five years later, in the summer of 2016, the band council of CLFN received an IBA

¹¹ Arthur Moore is Angela and Bert Moore's son and my uncle.

outlining the details of the proposed mining project. While confidentiality clauses have prohibited the disclosure of the IBA conditions, these bilateral agreements typically include provisions for community employment, joint venture opportunities, skills and educational training, financial compensation, and environmental measures (Cameron & Levitan, 2014). However, such provisions are rarely met by mining companies and, as Cameron and Levitan (2014) point out, IBAs also typically include clauses prohibiting any form of critique or protest against the mining development and company. CLFN community members are still awaiting more information on details as negotiations continue to unfold.¹²

Several years later, in February 2018, Eabametoong First Nation, an Anishinaabe community in Treaty 9 territory, headed to the Ontario provincial court seeking a judicial review to revoke mineral exploration permits that the Ministry of Energy, Northern Development and Mines (MNDM) issued to Landore Resources Incorporated. The Canadian mining company was trying to strike a deal with Barrick Gold, the largest gold mining firm in the world, based on potential gold deposits in Mushkegowuk territory. Community members from Eabametoong initiated the review on the grounds that the Province of Ontario had failed in its duty to consult the community in issuing exploration permits to the mining company.¹³

The grounds and interconnected waterways proposed for exploration contain a number of burial sites and are heavily used by many community members for snaring rabbits, trapping beaver and mink, hunting geese and moose, and fishing for pickerel and other local fish. While the court case was headed by the community's band council, Chief Elizabeth Atlookan maintains that the clans have the authority to determine what should happen on the community's territory, thus decisions need input from clan leaders even though their authority remains unrecognized by the *Indian Act* and Canadian government. In the days leading up to the court case, Atlookan emphasized the importance of these Anishinaabe legal and political authorities, even though they are not appointed within the band council system. She stated,

As Eabametoong First Nation, we recognize these family groups as being the stewards of these lands because they live there or spend seasons out on the land exercising their rights. They have always been part of that land. As we have heard throughout community meetings on this issue, there are burial grounds, birthplaces, cabins used by our families, sensitive spawning areas, and rich hunting grounds throughout the area staked by Landore (Perreault, 2018).

In July 2018, Ontario's Divisional Court revoked the exploration permit due to the MNDM's failure to properly fulfill the Crown's constitutional duty to consult (Rinne, 2018).

However, as reflected through my kokom's stories and through Atlookan's statement, these more visible forms of resistance and commitments to protect land and water re-incite and sustain

¹² While perspectives on mining developments vary across the community, there is a general conception that mining will proceed whether or not community members are consulted and whether or not they accept the terms of the negotiated IBA. The distrust in mining negotiations is indicative of community members' lifetime experiences and ancestral memory of colonial relations with the Canadian government and extractive industry.

¹³ The Ontario Divisional Court ruled in favor of Eabametoong First Nation and revoked the exploratory permit just as the final edits of this article were finalized. It remains to be seen how this case will unravel over the coming months and years as the court's decision clearly indicates that there is room for interpretation in terms of what fulfills the Crown's duty to consult. Further, the court's decision reiterated colonial and erroneous notions that Mushkegowuk land was indeed surrendered through the Treaty 9 agreement and thus can be readily used for mining.

everyday practices that renew and activate Indigenous kinship relations, which simultaneously transgress and resurge against colonial dissections of Indigenous political geographies. Many Elders and Knowledge Holders across Mushkegowuk territory are encouraging younger people to go visit and paddle on Mushkegowuk waterways as they once did or do. Without a doubt, colonial capitalist legacies and continuities complicate how Mushkegowuk people can even begin to engage in such practices, as some families are now three generations removed from having intimate relationships with *aski* given the cumulative impacts of coerced residential schooling, forced relocations, and integration into the settler extractive economy. This disconnection troubles many Elders as they wonder whether community members' connections to Mushkegowuk waterways—and kinship relations that are cultivated through these geographies—are strong enough to incite responsible engagements with impending developments, even as these engagements continue to illegally discount Mushkegowuk autonomy.¹⁴ That is, such concerns are not naïve to the ongoing violence that Mushkegowuk people continue to be subjected to, nor are they framing responsibility as neoliberal responsabilization. Rather, Elders' concerns are a reflection of the intergenerational impacts of settler colonial ruptures to Mushkegowuk governance and the need to reactivate Mushkegowuk spatio-political relations amidst ongoing dispossession and violence.

Over the past several years, a number of CLFN community members have sought to rebuild relations with *aski*, and specifically with Mushkegowuk waterways, through extended paddles on Kishiichiwan with the intention of connecting youth with Knowledge Holders and Elders in the community. While out on Kishiichiwan, community members use an old bush camp as their home base, a place that Elders once made frequent use of. Meanwhile, further north, relatives in 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” (Paquataskamik, 2016). 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 about Mushkegowuk water struggles, as they are entangled in unsustainable and illegal developments such as mining. 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 community maps, one written in Cree syllabics, that have been circulated in Mushkegowuk communities.

¹⁴ I use the term “illegal” here to stress the lack of full and informed consent in 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.

The spatio-relational politics of Mushkegowuk waterways

How are the people down river, down the Albany river, going to be affected if we support the opening of the mine? How is that going to affect their ability to hunt, trap and fish? It's not just us that will be affected, it's them too.¹⁵

- *Stanley Stevens, Constance Lake First Nation, 2018*

It was the summer of 2016 and many people in Mushkegowuk territory were talking about proposed mining developments. As I visited with an Elder from CLFN, Stanley Stevens, he expressed concerns about the possible impacts of the proposed mining development that has resulted from Zenyatta's exploratory drilling that began back in 2011. As I sat with Stanley, it struck me how his concerns centered not only on our immediate environment and relations, but on our relatives up north. It reminded of my family's relations in communities such as Fort Albany even though I myself have never travelled there.

Stanley's concerns also reminded me of a recent trip to Anishinaabe territory, in Treaty 3. During that visit, two years earlier, a number of Anishinaabe people asked me about the mining development proposals in Mushkegowuk territory: "So, what's going on up there, with the mining, the Ring of Fire?" "What do people think about it? What does your family think?" "Do the Chief and band council support the mining developments?" "How is the mining going to affect our water, our lakes and rivers, over here? How will that impact our fish, deer and berries?"¹⁶ Many of them were concerned about the impending mining developments and how decisions reached in Mushkegowuk territory might potentially impact them.

As I reflected on my visit with Stanley in the weeks and months to follow, I could not help but think about how my kokom's stories, along with the questions and concerns posed within my community and several hundred kilometers west in Anishinaabe territory, brought to bear a set of kinship relations and political responsibilities that are mobilized and interconnected through Indigenous waterways. Indeed, this is the reason why my kokom along with a number of other Elders in Mushkegowuk territory are urging people to reconnect with regional waterways such as Kishiichiwan. It is because they know that being on the water will reactivate a consciousness that Mushkegowuk peoples have always been water people—people of the river—who have political geographies that reach far beyond the spatial confines of colonial boundaries and borders. It is because they know that, although legal negotiations with the state and embodied forms of resistance such as blockades are crucial in on-going struggles to protect Mushkegowuk land and sacred waterways, this will not matter if we do not have a clear sense of what our political responsibilities and accountabilities are according to our own spatio-political relations and governance practices. It is because they know that Mushkegowuk political relations are still lived and mobilized through the never-ending and resurgent flow of our water relations.

¹⁵ Personal interview, Stanley Stevens, Constance Lake First Nation, June 2016.

¹⁶ Quotes drawn from a series of interviews that were conducted in 2013-2014 in various Indigenous communities in Treaty 3.

Portions of this article that pertain to my family's relationship with Kishiichiwan and resource exploitation in Mushkegowuk territory have been previously in: Daigle, M. (2018). Embodying kinship responsibilities in and through nipi (water). In J. Ellis (Ed.), *Water rites: Reimagining water in the west* (pp.1-11). Calgary: University of Calgary Press.

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