Documenting Presence

Jasmin Habib University of Waterloo

Abstract: This article presents us with a number of letters written by Eeyou that assert their autonomy and their relationships to Eeyou Istchee. The first set of letters were written in the 1930s and reveal not only the sovereign status of the Eevou and their collective engagements with colonial agents, but the symbiosis that existed between the Hudson's Bay Company and Indian Affairs Canada. In the second set of letters, written in the 1970s by community members John and Maryann Sam and Walter Pachanos, one gains intimate as well as experiential knowledge of the land, and appeals for its joint protection in the face of threats posed by Hydro-Quebec's development plans. These letters not only document Eeyou presence and sovereignty, they alert to the long history of entanglements and of Eeyou-initiated proper relationships with colonial agents in what can be described as a poetics of engagement and resistance.

Keywords: archives, Hudson's Bay Company, Indian Affairs Canada, Cree, Eeyou Istchee, Quebec, resistance

Résumé : Ce texte nous présente des lettres écrites par des Eeyou attestant de leur autonomie et de leurs relations à Eeyou Istche. La première série de lettres date des années 1930 et montre non seulement le statut souverain des Eeyou et leur engagement civique envers les agents coloniaux, mais également la symbiose qui existait entre la Compagnie de Baie d'Hudson et le Ministère des Affaires indiennes du Canada. Dans la seconde série de lettres, écrites dans les années 1970 par John et Maryann Sam et Walter Pachanos, des membres de la communauté, le lecteur prend connaissance de savoirs intimes et expérientiels quant au territoire, ainsi que des revendications pour sa protection face aux menaces posées par les programmes de développement d'Hydro Québec. Non seulement ces lettres nous renseignent-elles sur la présence et la souveraineté des Eeyou, elles signalent derechef la longue histoire des enchevêtrements et des relations initiées par les Eeyou avec les agents coloniaux dans ce que nous pourrions décrire telle une poétique de l'engagement et de la résistance.

Mots-clés : archives, Compagnie de la Baie d'Hudson, Affaires Indiennes Canada, Cri, Québec,Eeyou Istchee, résistance

Frontispiece

The idea for this article and its curation came about f L as I began to work closely with the many scholars who were writing articles for this Special Issue on Who Shares the Land: Algonquian Territoriality and Land Governance. I realized that while very careful, and in many cases, several decades of field and archival research informed their approaches, it would be valuable to invite Philip Awashish to introduce the issue, as well as to look to the voices of others who had historically asserted their sovereignty in terms of their relationships to the land, their stories, and their experiences on the land. In each of these encounters with colonial power one may read the assertion of Eeyou autonomy. In every story there is active engagement and an appeal because it is well understood that those with whom the Eeyou are attempting to engage, do not hold or acknowledge relationships to the land, to the waters, to the animals, or to those who do. It is these appeals that I read as a poetics of resistance. The appeals are insistent and direct: "I think most people could get by without Electricity than fresh water. Fresh water is important to us all," Walter Pachanos writes - but also indirect. In recollecting how the bears are suffering with their scabs and sores, one learns that the effects on animals are effects on relations. In sharing their losses and the sites of their children's graves, Pachanos not only literally lays claim to the land, he also reveals other forms of intimacy in that relationship (see also Ethier and Poirier, this issue). Warnings about the destructive nature of these extractive developments and in whose interests they develop - are prescient.

In the first set of letters, we read the correspondence from Chief Joseph Shaganash and Counsellors Diom Blacksmith and Samuel Gull, signed in Cree syllabics. In it, the decisions taken by the Council and the community to set a beaver moratorium on trapping and trade are asserted – "we think it would be best if the Beaver hunting was forbidden altogether, at least for three years, in fact we of the Waswanipi Band, have decided to protect the Beaver on our lands, as far as we can, and as we called a meeting among the Waswanipi Indians to this effect all the Indians were agreeable, so we all ask if the Department will honor our move, and give us the authority to keep any outsiders off the said lands... to protect as far as Beavers are concerned...".

The assertion of sovereignty is clear but so too is a tone of engagement in the request "to honor". (For a more extensive discussion on the exercise of Cree Governance, see Feit, 2005). In this way we get a glimpse not only into local governance practices but an important appeal for the mutual recognition of their sovereignty over the land. All the more clear as it is set in a style of address that accommodates to long-standing regional colonial communications conventions.

The letter signals mutuality – but I would argue that its tenor may be read as one of steadfastness and strength. The letters can also be read as anticipatory: it was clear that community members were aware of the effects of developments amidst their hunting territories as well as well beyond them. They are thinking of what can be done in "the event of the Country opening up," and their request for a reserve is a part of their concerns for what needs to be done on all their lands, starting with their beaver moratorium. They were obviously mobilizing their resources and community responses to those effects. I think it also safe to assume that embedded within this reporting is an implicit declaration, one that, in hindsight could be interpreted as a signal to the authorities that the Eevou were prepared to pursue their inherent rights to and on the land.

These letters are curious for several reasons, albeit comprehensible: in the first case, the Hudson Bay's District Manager is the individual tasked with forwarding the letter to Indian Affairs and has the sense he needs to explain its contents and reject any consequences that the Hudson's Bay Company (HBC) would take on any financial responsibilities. In tracing the subsequent letters, one also comes across the memo from the Indian Affairs surveyor, who is tasked with setting out not only the location of the Waswanipi Post but its status of the Waswanipi as a community "who have not had residential reserves provided for them." The Surveyor only locates the Waswanipi camp site at the HBC Post and its legal status, but ignores the full extent of the lands the Waswanipi hunt and continue to seek to protect.

While each of these letters are written in different registers, they are all in their own ways also bureaucratic artifacts – that is, they are memos not memoirs.

While the letters exchanged by the Eeyou leaders and colonial agents are fairly formal in nature, those written by John and Maryann Sam as well as by Walter Pachanos were part of a later historical period and process and must be read through a different but not unrelated lens.

The 1974 letter by John and Maryann Sam was received by John Spence¹ (reference to the notation "JAS" on the letter) who had worked as a biologist and advisor to the Crees as they mobilized against the hydro-electric project, including in the Fort George community which is located at the mouth of the LaGrande River (also referred to in the letter). With the initial phases of the Hydro Quebec damning project, these lands were among the very first to be affected. Construction began in 1972 and took many years to complete, gaining the media's attention from the start.

By 1974, the Sams were witnesses to extensive damage, noting its effects on the water, the beaver, the bear and the people who depend on and nurtured this ecology.

From a discussion by John Sam for a questionnaire in 1974, one also learns: "The white people working on the road construction have left remains of garbage into lakes (tin cans especially). They have been fishing on the river where I trap beaver. Beaver cannot tolerate tin cans in their water. The tunnel used underneath the road that runs over the creek has been blocked due to freezing therefore caused flooding to the land where the beaver lodges are. When I was in my trapline I could hear machinery from the road construction. The noise is heard day and night. Beaver and animals are sensitive to foreign sounds. Beaver I've trapped ever since the start of the road construction have been less healthy in weight."

The Sams alert not only to the effects on their own lives but frame their appeal on behalf of the non-human beings – the beaver, the waters, the land. All are sentient. All are affected.

Following a strong but fragile victory in the Eeyou court case against the project in November 1973 negotiations began that eventually led to the 1975 James Bay and Northern Quebec Agreement (JBNQA). Walter Pachanos' letter was sent in June of 1974 to Peter Hutchins, one of the main lawyers on the legal team that was assembled after Billy Diamond approached James O'Reilly seeking assistance to oppose the James Bay Project. Hutchins and O'Reilly along with others traveled to Eevou communities to help to inform them of the legal actions and later the negotiations the Eeyou leadership were pursuing, and to listen. They were seen by many Eeyou, as were the other consultants and advisors as needing Eeyou support and advice if they were to be able to assist Eeyou initiatives. In November, 1974 an Agreement in Principle was signed, followed by the JBNQA a year later, but when John and Maryann Sams and Walter Pachanos wrote in June of 1974 none knew the outcomes of the court case and subsequent negotiations. including in such correspondence as is curated here, by documenting a presence through engagement – and a poetics of resistance.

Throughout their long history of entanglements, the Eeyou have found ways to assert their sovereignty,

OS ORABY POST. August 3rd, 1936. FROM CHIEF SHAGANASH Department of Indian Affairs. WASWANIPI BAND. TANA. TARIO Dear Sir :-We the Chief and Counsellers of the Waswanipi Band take the priviledge of writing this letter to you, in connection of the welfare of the Waswanipi Band. First of all we wish to express our thanks for the help and relief the Department has been giving us these past few years and hepe that some day we will not have to be wholly dependent on the Department for relief, we are also very thankful for the amount of Ced Liver Oil, and other Medecines which are sent to us time after time through the Hudson's Bay Company, and we find the children have benifited greatly by the use of Cod Liver Oil. We also are trying our best to better ourselves, by getting in better trapping grounds, if we can, and also paying our accounts so as to be on a better footing next year to help ourselves, so as not to be to dependent on relief, that is the younger generation, and well and able, as my abition is to try and make the Indians more self supporting. Our idea is that the season for Beaver should be closed altogether, as in these days there are practically no Beaver on our lands, as the total number of Beaver caught by the Waswanipi Band last year, only amounted to 38, which is not ensught to keep one family of Indians for one winter, so we think it would be best if the Beaver hunting was forbidden altogether, at least for three years, in fact we of the Waswan-ipi Band, have decided to protect the Beaver on our lands, as far as we ipi Band, have decided to protect the Beaver on our lands, as far as we can, and as we called a meeting emong the Waswanipi Indians to this effect all the Indians were agreeable, so all we ask is if the Department will honor our mover, and give us authority to keep any outsiders off the said lands which we are determin to protect as far as the Beavers are concerned what we mean by outsiders, are Indians from other Posts. Ma mae C Another item we would like to mention, is the number of prospectors in this vicinity, during the summer Nonths, and also part of the winter Nonths, although we know it is for the good of the Country, but it is not helping the Indians any, as they scare the Moose away during the summer where they are working, and when we go off in the Fall we find it hard to get Moose for a living, as in most cases we do not have much to eat if we do not get any Moose or Fish. We find that it is comming to the time that we should think about the conditions among the Indians, and what will become of them if the country opens up, as so far there has been no regular Land reserved for them, although we know that the country 50 Miles North of the C.N.R. has been reserved for hunting and trapping purposes only.

Figure 1: Chief Shaganash, Waswanipi to Department of Indian Affairs, 1936²

We will be very much obliged if you could give us some information in regards to what will be done for the Band, on the event of the funtry opening up, and Towns and villages springing up in this vict ty, as we can see what is going to happen with so much activity in this vicinity, and if more Mines are found. Year after year we have been waiting to see if any lands would be giving to the Indians for their reserve, the same as is done in Ontarie, but as so far we have heard nothing about it, we have decided to write to you about it as we have done in the sixth paragraph of this letter.

2.

We again ask you to answer this letter at your very earliest convenience, as we are most anxious to hear from you, and get an answer to this letter, trusting that you will find this letter in order, and to your estisfaction.

We have the honor Sirs to be your obedient Servants.

Joseph Shaganash.

Diom Blacksmith.

Samuel Gull.

Figure 1: (Continued)

question 420-10 an Compann. ST. LAWRENCE DISTRICT OFFICE MONTREAL, P.Q. August 12,1936. IN YOUR REPLY REFER TO E.MacKenzie, Esq., Secretary, Department of Indian Affairs, OTTATA, Ontario. Dear Sir. Mr. F. McLeod our Post Manager at Woswonaby has sent us the enclosed letter from Chief Shaganash addressed to the Department with the request that we forward it to you. The letter was written by Mr.McLeod at the re-quest of the Indians and conveys as closely as possible the ideas of the Indians themselves. We, of course, assume no responsibility for the letter or the information and suggestions it contains. Chief Shaganash is however a serious minded native who is very much interested in the welfare of the Woswonaby Band and is doing his best to improve conditions amongst them. He has done a good deal to improve sanitary arrangements during the Summer months and takes a very keen interest in instructing them in matters of personal cleanliness etc. We would suggest that an acknowledgment be sent to the Chief encouraging him in his work for the Band, and we would also suggest that badges of some sort be sent to the Chief and his two assistants. Yours faithfully, For HUDSON'S BAY COMPANY, uonat Enclos. District Manager.

Figure 2: District Manager, Hudson's Bay Company to Indian Affairs Canada, 1936³



420-10 Vol.4

DEPARTMENT OF INDIAN AFFAIRS CANADA

Ottawa, 14th September 1936

Memorandum

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Lake Weswanipi and Weswanipi River are approximately one hundred miles North of Senneterre and it is presumed the Indians referred to are resident in that district, which is situate within that area set apart by Quebec Order in Council, 16th Jan.1932, as an Indian hunting reserve. These Indians are in the same position as other Indians East of James Bay who have not had residential reserves provided for them.

Chief Surveyor.

Figure 3: Internal Memo from Chief Surveyor, Department of Indian Affairs Canada, 1936⁴

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September 16, 1936.

Dear Siri-

I have to acknowledge your letter of the 12th ultime, your ref. 67, with enclosure from Chief Shaganash forwarded by your Post Manager at Woswonaby.

I should be obliged if you will request Mr. NeLeod to inform the Indians that their requests have been referred to the partment and that they will receive consideration.

The question of setting aside residential reserves for Quebec Indians presents diffigulties as the title to the lands is vested in the Province and at the present time it is not possible for the Department to say what action can be taken, elthough the matter is receiving, and will continue to receive, most serious attention until a proper solution is found,

The question of the closed season for beaver should be referred to the authorities of the Province at Quebec, as the matter is within provincial jurisdiction.

I am sending this letter in duplicate in case you should wish to send a copy to Mr. McLeed for his information and that of the Indiana.

I may add that the Department appreciates the good offices performed by Mr. McLeod in various ways in the interest of the Indians.

Figure 4: Letter from Indian Affairs Canada via Hudson's Bay Company Manager to Chief Shaganash, Waswanipi, September 16, 1936^{5}

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Figure 5: Letter from John and Maryann Sam, Fort George, June 26, 1974 6

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Figure 5: (Continued)

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Figure 6: Letter from Walter Pachanos, June 30, 1974 to Mr. Peter W. Hutchins [legal team member]⁷

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Figure 6: (Continued)

Acknowledgements

For their permissions to publish these letters, we offer our deepest thanks to the Pachanos and Sam families, Cree Nation of Chisasabi. For facilitating permissions, I would especially like to thank Christopher Napash, Cree Nation of Chisasibi, Samuel C. Gull, Cree First Nation of Waswanip, and Philip Awashish, Cree Nation of Mistissini. I extend my thanks as well to Harvey Feit for granting me access to his notes and archival data. Photocopies of the letters from the 1970s are at McMaster University, Archives and Research Collections.

Notes

1 John A. Spence was a biologist who brought together a team of natural scientists to research the potential impacts of the James Bay Project for the affected communities. He testified in court (see Richardson) and, along with Alan Penn, Harvey Feit, among others, was a member of the advisory team to the Eeyou negotiators during the JBNQA process.

2 WOSWONABY POST.

August 3rd, 1936. To The Department of Indian Affairs. OTTAWA. ONTARIO.

From CHIEF SHAGANASH WASWANIPI BAND.

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We have the honor Sirs to be your obedient Servants.

Joseph Shaganash [Signature] CHIEF Dion Blacksmith [Signature] COUNSELOR

Samuel Gull

[Signature] COUNSELOR

3 410-10 [Archival Locator Number]

Department of Indian Affairs Records – Aug 13 1936 [stamp] Hudson's Bay Company Incorporated in May 1670 St. Lawrence District Office Montreal, P.Q. In your reply to No. 67 August 12, 1936. F. Mackenzie, Esq., Secretary, Department of Indian Affairs,

OTTAWA, Ontario.

Dear Sir,

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Yours faithfully. For HUDSON'S BAY COMPANY, Signature District Manager Enclos.

4 420-10 Vol. 4 [Archival Locator] DEPARTMENT OF INDIAN AFFAIRS CANADA Ottawa, 14th September 1936

Memorandum

1. Mr [handwritten/illegible]

2. Mr. MacInnes,

Lake Waswanipi and Waswanipi River are approximately one hundred miles North of Senneterre and it is presumed the Indians referred to are resident in that district, which is situate within that area set apart by Quebec Order in Council, 16th Jan. 1932, as an Indian hunting reserve. These Indians are in the same position as other Indians East of James Bay who have not had residential reserves provided for them.

Signature

Chief Surveyor

5 480-10 [Archive locator number] EX'D.

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Yours truly,

[signature]

A.F. MacKenzie Secretary

The Manager, Hudson's Bay Company, 100 McGill St.

Montreal, Que.

6 Received in Ft. George 26th June 1974 JAS [John Spence]

John and Maryann Sam

1. We want the land to be free not only us, humans survive from that land also the animals, birds and all sorts of living things from the Nature.

2. We also want the rivers to run free as the fish and water would be fresh and not affect us or other living things.

3. Every man loves and respects his hunting and trapping Grounds and also the animals on which he survives from. So what would be the good price for it, their is no such price, but maybe, the stopping of the Project. Even if it won't bring back of what has been already destroyed maybe some living things will come closer and the water won't be disturbed.

[Page 2]

Even if the man takes care of his hunting ground, he cannot rule it. he may have it as his own, but not rule it, no one can rule it only the animals – birds and all sorts of living things we want to respect the living things, so they would be reborn from generation to generation.

If they can't stopped the Project they can at least lessen the Power from which it will effect the water and land. What is more important, to have electricity or destroy human beings.

7 Mr. Peter W. Hutchins

84 Post Notre Dame West Montreal 126 P.Q. Fort George PQ. June 30- 6.74.

Dear Sir,

My idea's off the James Bay Project Project. James Bay Project that's all we hear lately for the last two years or so. What's this project about, is it going to do any good to the Indian people.

I personally doubted; because since the construction on the sites inland has been started only a few Indians have been hired so far. It sure doesn't look good. Other people, making money out of somebody else's land.

No person can doubt that the land belongs to the Indian people; whereon the project is to be situated., all along La Grande river, both north + South.

What would Bourassa think if the Indian people went up to him and said we're going to flood your land; I bet he would be most unhappy about it. The Quebec Goverment didn't exist to us until recently. Where was he, all these years, the Indian Agency was operated from Moose Factory Ont.

Only reason Bourassa is interested about the north is because he wants the land and the rivers; but he is not interested in Indian people who live here. Just because he wants to make himself a big name, also money for his pocket. Why can't he get through his head that the Indian people don't want the project, he been told so many times already.

Even the wild animals are going to be affected by the project, for example the last weekend on Friday June 21/74. A group of Indians men and women went up the road beyond, LG2 to fish with nets on one of the Lakes, around there they shot a black bear, who was so fat by getting in to the garbage eating it, and it was full of sores (scabs) that these Indians didn't have the heart to eat it, As far as I can remember, bear meat used to be real good eating. Bears generally at this time of the year are very lean.

If they flood the Inland here in this area, It will affect us all Because the country we once loved will not exist anymore; just think how we're going to feel. We hunted, my father and my two brothers around Lake Bereziak and that country was very dear to us, a lovely country, even though we never had very much in the way of money, just hunting, and living there was enough; another reason two of my infant children died there and we picked a very nice spot, overlooking Bereziak Lake from the west end. These where the two graves are.

Bourassa wants to sell our land and our rivers to United States by damning our rivers and providing electricity to them, also United States is screaming for fresh water the land and lakes should be left alone otherwise within the next fifteen years, as they say, this is how long the project is going to take to finish the water supply will be so polluted by that time; then there won't be any fresh water; we'll be really in a fix.

I think most people could get by without Electricity than fresh water. fresh water is important to us all. The white man says progress is a must, you can't stop progress they should first stop and think what good this is going to do to the land and water. I think in some places progress has gone too far, instead of doing good it has done a lot of damage; and wildlife.

The Federal Government is spending lot of money in Wildlife protection; trying to save the wild animals from despairing, but has neglected to protect the Indian people, by trying to stop the project, they probably say we are protecting the Indian, by giving them Welfare. We didn't ask for the Welfare. It was given to us. I myself have never used welfare; I'm forty-nine years old.

I earnestly wish concerning this project one way or the other, that no violence comes out off it if it does. Bourassa will be responsible cause he started the whole thing.

Walter Pachanos, Fort George Band # 56.