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## Afterword

# Dispossession with Possession, Governance with Colonialism: Algonquian Hunting Territories and Anthropology as Engaged Practice

Harvey A. Feit *McMaster University*

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**Abstract:** Hunting territories have been and remain central to struggles of northern Algonquian peoples for governance of their lands, to the changes they envision, and for the responses they make when others enter their lands. Hunting territories are also envisioned by some nation-state governments and resource developers as means to disrupt Indigenous governance, communities and tenures to facilitate colonial regimes of control. What happened in this region, and how it came to be understood, has been part of the development of broad anthropological understandings of how peoples can continue living and actively governing their lands amidst colonial intrusions and relations. The anthropology of Algonquian hunting territories has throughout the last century been closely linked to several theoretical debates and to diverse anti-colonial analyses, both within and outside the discipline. Anthropologists' work has involved ever-changing relationships with northern Algonquian peoples and with the beyond-colonising movements, challenges and agreements they have initiated. These relationships have involved long-term anthropological engagements and practices that continue to be taken up in debates about anthropological scholarship and activism. The articles in this volume substantially update these northern Algonquian–state–market–anthropology relations and the analyses of Algonquian hunting territories.

**Keywords:** governance, colonialism, hunting territories, dispossession, ways of life, James Bay Cree, history of anthropology, anthropological activism, land rights, Indigenous peoples

**Résumé :** Les territoires de chasse ont été et demeurent centraux aux luttes des Peuples Algonquiens du Nord pour la gouvernance de leur territoire et dans les accommodements qu'ils envisagent et prennent avec ceux qui entrent sur leurs territoires. Les territoires de chasse sont aussi pensés par certains gouvernements d'États-nations et exploitants de ressources naturelles tel un moyen de déstabiliser la gouvernance Autochtone, les communautés et leurs pratiques foncières afin de faciliter les régimes de contrôle coloniaux. Ce qui s'est passé dans cette région, et la manière dont les choses ont été comprises, a fait partie du développement du savoir anthropologique quant à la manière dont les peuples continuent de vivre sur leurs territoires et de les gouverner, malgré les intrusions et les relations coloniales. Au cours du siècle dernier, l'anthropologie des territoires de chasse Algonquiens a suivi de près divers débats théoriques, se liant à divers arguments anticoloniaux, tant au sein de la discipline qu'à l'extérieur. Les travaux des anthropologues révèlent la transformation continue de leurs relations avec les Peuples Algonquiens du Nord, et avec les mouvements, revendications et arrangements de décolonisation initiés. Ces relations ont impliqué l'établissement d'engagements et de pratiques anthropologiques sur le long terme, lesquels continuent de faire l'objet de débats quant à la recherche et l'activisme anthropologiques. Les articles de ce numéro spécial actualisent ses relations entre les Algonquiens du Nord, l'état et l'anthropologie, et les analyses des territoires de chasse Algonquiens.

**Mots-clés :** Gouvernance, colonialisme, territoires de chasse, dépossession, modes de vie, Cris de la baie James, histoire de l'anthropologie, activisme anthropologique, droits fonciers, peuples autochtones

**H**unting territories have been and remain central to struggles of northern Algonquian peoples for possession and governance of their lands, to the changes they envision, and for the acknowledgements and changes they offer to and expect from those who enter their lands. Hunting territories are also envisioned by some nation-state governments and resource developers as irrelevant anachronisms of the past or as means to disrupt Indigenous governance, communities and tenures to facilitate colonial regimes of control.

Colonialism has taken varying paths in the regions of the northern Algonquian peoples, and it has avoided some of the paths that are common in several other regions of the world (Blaser, Feit, and McRae 2004). The taking of certain colonial paths and avoidance of others have significantly shaped northern Algonquian peoples' understandings and their relationships with nation-states and resource developers, as well as shaping the understandings and practices of anthropologists engaged with Algonquian peoples. What happened in this region and how it has been understood have become part of the development of broad anthropological understandings of how regional peoples can continue their everyday lives, including actively governing their lands, amidst colonial disruptions and relations.

The anthropology of Algonquian hunting territories has throughout the last century been linked to diverse anti-colonial analyses and mobilisations, both within and outside scholarly disciplines. Anthropologists' work has involved ever-changing relationships with northern Algonquian peoples and with the movements, challenges, arrangements and agreements they have initiated. These relationships have involved long-term anthropological engagements and practices that continue to be taken up in debates about anthropological scholarship, practice and activism.

The papers in this volume substantially update these northern Algonquian–state–market–anthropology relations and the analyses of Algonquian hunting territories.

### **Algonquian Dispossession and Possession, and Anthropological Engagements – An Update**

The anthropological debates over Algonquian hunting territories first appeared between 1913 to 1915 in Frank Speck's popular and professional papers on Native American land tenures. In them he challenged the decades-long and continuing US government dispossession of Native American lands, particularly by its disrupting of their tenure systems (Speck 1913, 1914, 1915b). His claim that northern Algonquian hunters'

land tenure was a form of private property and that their social organisation was family based were quickly responded to by colleagues. Some saw this as an argument against the evolutionary accounts of the transitions from collective ownership to private property in Morgan, later taken up by Engels, and they criticised Speck for having ignored colonialism and its impacts (Hubbs-Mechling 1916a, 1916b). Others took up Speck in defence of Boas and contra Morgan (Lowie 1914, 1920). As later research showed, Speck, in his initial accounts of Algonquian hunting territories and social organisation, had argued that these territories were Native American tenures and lands, and only in subsequent publications joined the anthropological debates on the history of human societies (Speck 1918; Feit 1991).

Following the decline of the wars against Native Americans in the mid-nineteenth century, the US government legislated a system of allotment that broke up lands under collective tenure previously set aside for Native Americans, often by treaties. The lands were allotted into privatised family plots, ostensibly for agriculture, plots that after a delay for Indigenous people to adapt to the changes then became saleable. The colonial policy was also envisaged as part of a general process of detribalisation and more rapid assimilation of Native Americans to American ways of life (Hoxie 1984). Given the systematic pauperisation of most Native Americans and the wider encouragements to legal and illegal efforts to dispossess them of their lands, allotment led between 1887 and the 1930s to an 80 per cent reduction of the remaining Native American lands in the United States (Berkhofer 1979).

Speck, who had seen the process first hand during his PhD research in 1904 in Oklahoma Territory and Indian Territory (shortly before Oklahoma became a state), drew on his Canadian research among Algonquian peoples during the following decade to oppose allotment, dispossession, colonisation and assimilation. He quoted Indigenous statements, especially by second Chief Aleck Paul of the Teme-augama First Nation in the Ottawa Valley, and by supporters who defended Indigenous rights. He himself appears to have had some role in repurposing and editing the texts he published, which did make clear that family hunting territories of northern Algonquian peoples were Indigenous tenures to lands. Speck and others, including Chief Paul, also described them as a form of private property (Speck 1913, 1914, 1915a, 1915b, 1915c; Feit 1991).

Drawing on this description of Algonquian hunting territories, and his claims that there were similar Native

American tenures elsewhere, Speck argued that allotment of Native American lands, dispossession and assimilation were misguided policies. He was challenging a well-established practice that was deeply embedded in wider colonial processes. At the turn of the twentieth century, dispossession was linked to the progressive conservation policies of President Theodore Roosevelt and Gifford Pinchot, his chief of the newly formed US Forest Service. One of the emerging environmentalist movements of the age, progressive conservation became US national policy, as it served to legitimate federal government dispossession of the land and resources in the newly pacified American West as the formation of new states was expanded.

In this context, the US government undertook to turn management over to the newly founded federal agencies using applied natural sciences (ranging from forestry to wildlife management to land management agencies). This was legitimated in part by referring to “national resources” that required efficient use. In practice this often meant the use of resources on a scale that could be carried out only by corporations, which acquired rights to resources, as well as infrastructural and other support, from federal government agencies (Hays 1969 [1959]; Hoxie 1984).

Here “conservation” served key roles as idea, icon and institutional principle in a nexus that included nationalism, economic expansion and new forms of political management using both applied sciences and public relations campaigns. It has been argued that this nexus of nationalism, science, commerce and public relations promotions was a new means of governance that would become dominant in the United States during the rest of the twentieth century (Worster 1977).

Part of the context for the national government-science-corporate mobilisation of natural resources and lands was the shift of the United States from an agricultural to an industrial economy and its becoming an important trading nation. The twentieth century was also a time of expanding US military power internationally and of the acquisition of new colonies, including in the Caribbean and the Pacific. Efficient corporate use of resources was needed to compete with countries where industrialisation was more advanced and whose natural resources often came from extensive colonies. Progressive conservation was promoted under the threat that the United States’ resources would be depleted if their use were left to Native Americans and individual settlers and not regulated by governments. The numerous contradictions between the allotment and progressive

conservation policies had less effect than the common purposes that they could jointly serve.

Speck was not campaigning on progressive conservation issues, so far as is known, but he was engaged with them in that he was asserting Native Americans’ hunting territories were an already existing conservation system of lands and resources, and that President Roosevelt was wrong to deny their tenure and to accuse them of abuse of resources (Speck 1914). His arguments were taken up in the debates over the wider government’s progressive conservation policies.

Speck’s work was addressed by Pinchot in an unpublished text for a 1919 speech delivered at the institution where Speck had long-standing connections, the University of Pennsylvania, in the state where Pinchot would later serve as governor. Pinchot’s talk was entitled “The Use of Natural Resources by the Indians,” and in it he reviewed and quoted Speck’s account of family hunting territories as a system of conservation. Pinchot’s archived papers include a preliminary draft of the talk with corrections made on it by Speck. Pinchot also quoted several other examples and sources on Native American conservation that he claimed showed that Native Americans were not only conservationists, but progressive conservationists who made as much of their resources as they could (Pinchot 1919; Feit 2009b).

Pinchot went on in the final version of his text to dismiss any policy implications or need for changes in allotment and progressive conservation by claiming that “natives realize the hopelessness of conserving their resources where they have to compete with the avarice of white frontiersmen.” He thereby asserted the inevitable need for government ownership, regulation and taking of control of land from Native Americans and white settlers, while pitting them against each other (Pinchot 1919).

Speck later expressed his disappointment at his failure to get policy-makers to acknowledge “ethnological facts” and change policies that dispossessed Native Americans (Speck 1926), although he and his colleagues continued to make policy interventions on later occasions (Pulla 2003; Feit 2005, 2009b). His publications are both claims to the Algonquian origins of their hunting territory systems and arguments and interventions against colonial dispossession of Native American lands.

Roughly three decades later, Eleanor Leacock, Robert F. Murphy and Julian H. Steward wrote of Algonquian hunting territories during another transformational period of colonialism and a time of renewed discipline-wide interest. Their publications were written during the postwar decolonisation struggles of many

former colonies and nations as European colonialism was weakened and the global dominance of American colonialism was rapidly being established. It was also the period of the Cold War, heightened ideological conflicts, US nationalism, Red-baiting, and the competing global political and developmental projects of Western capitalism and Soviet Marxism.

The Cold War shaped and was the context of Leacock's 1954 AAA monograph, *The Montagnais "Hunting Territory" and the Fur Trade*, her account of how "acculturation" had transformed Algonquian tenures and social relations. "Acculturation" had to stand in for "capitalism" in the broad McCarthy-era US witch-hunt for communist, socialist and Soviet sympathisers. In her intentionally brief 43-page thesis-monograph, Leacock analysed and condemned how the market trade in furs had shifted Algonquian subsistence production toward commodity production and turned bands with collective band rights to lands into individualised family units with property rights to hunting territories (Leacock 1954). She presented the changes as inevitably following from growing dependence on subsistence market goods and trade (Leacock 1954, 24), contra Speck's claim that hunting territories were a long-standing Native American institution predating trade with Europeans (Feit 2009b). Two decades later she was able to return to her account and use the terms and theoretical concepts appropriate to her Marxist analysis, in her introduction to a new release of Frederick Engels's *The Family Private Property and the State* (Leacock 1972).

Shortly after her monograph was published, Robert F. Murphy and Julian H. Steward used her findings in a 1956 article, alongside Murphy's research with the Mundurucu of Brazil and Steward's research with Native Americans. Following his theoretical interest in scientific regularities of socio-ecological evolution, Steward had argued throughout his career against the possibility of private property in band societies. He had also argued against the existence of any legally recognisable rights to land by those Native Americans whom he described as gathering and band societies, positions he presented as an expert witness for US government cases in Native American land claims hearings. This work has influenced legal rulings quite widely, and it continues to do so (Pinkowski and Asch 2004). In their 1956 publication, Murphy and Steward did not fully acknowledge their use of Leacock's distinctly different analysis, and Leacock later offered a comment on their use of her work (1993 [1984], 19–21).

The article by Murphy and Steward appeared in *Economic Development and Cultural Change*, a journal founded and edited by Bert Hoselitz, an economist who

stressed the non-economic "factors" in economic development and who pioneered interdisciplinary research on the development of what were then called Third World nations (Anonymous 1995). The debates of the post-World War II period were in part over the potential benefits of capitalism, socialism and "traditional" socio-economies for economic development and modernisation in the Third World. These debates on development alternatives shaped the phrasings and the framing of Murphy and Steward's analysis, as well as the choice of venue in which they published.

Murphy and Steward (1956: 259), using Hoselitz's concept of "factors" central to economic development, claimed that "the consequences of this simple though worldwide [acculturative] factor are enormous, even though they vary in local manifestation," hypothesising that

when the people of an unstratified native society barter wild products found in extensive distribution and obtained through individual effort, the structure of the native culture will be destroyed, and the final culmination will be a culture-type characterized by individual families having delimited rights to marketable resources and linked to the larger nation through trading centers.

Murphy and Steward's was a very different analysis from Leacock's broad critique of the effects of capitalism. The outcomes that they claimed should be expected from acculturation processes that were occurring worldwide paralleled the then-current interventionist international market development goals. In their analysis, changes in Algonquian hunting territories were placed alongside those occurring among Brazilian Mundurucu rubber tappers and "unstratified native societies" worldwide as positive examples of the effects of market economic development.

By the time of the publication of the 1986 *Anthropologica* issue, three decades later, there had been an academic reaction against the generalised socio-economic development theories, and also against some of the older universalising evolutionary histories of the development of human economies and societies. Like the earlier literature on Algonquian hunting territories, the 1986 articles were connected to contemporary developments in and outside anthropology, and they contributed to several of the important changes going on within the discipline, although the connections were often taken for granted and not explicitly acknowledged. The specific mutual effects of the regional and discipline-wide developments are still visible today, but they have not been historically traced in detail.

The 1986 papers, compared to those of the earlier periods, consistently stressed the diversity of histories and the complexities of practices (see Chaplier and Scott's introduction in this issue). Many of the authors drew on new and more detailed ethnographies and ethnohistorical studies, which showed clearly that in the range of instances examined, Algonquian hunting territories were not forms of private property. They were forms of social relations of Indigenous, animal and spirit persons that were unlikely to be explained simply as unchanging ancestral traditions, as results of capitalist transformation or destruction, as predictable developmental inevitabilities, as politically motivated and fabricated traditions, or as universal Indigenous survival strategies.

The years preceding 1986 were a period of critique, self-criticism and reflection in the discipline. The anti-Vietnam War movement, beginning two decades previous, part of which was significantly based on university campuses and visibly supported by several prominent anthropologists, repeatedly criticised the discipline as a form of expertise and practice that supported the war and neo-colonialism more generally. The edited collection *Anthropology and the Colonial Encounter* was published in 1973, and it broadly analysed the complex histories of anthropology and colonial contexts (Asad 1973). Edward Said's *Orientalism* (1978) was a masterful account of the long and complex place of expertise more generally in and as colonialism.

This period of criticism was coincidental with a decade in the Northern Algonquian territories in which large-scale natural resource developments significantly expanded across much of the subarctic and arctic regions. Anthropologists were involved in responding to requests for testimonies in court cases and hearings and for advice and engagements in mobilisations, negotiations and agreements, and in undertaking detailed partnered research and policy analysis.

It is a significant feature of anthropological self-presentation and scholarship that Speck's and Leacock's activist involvement in defending Native American lands was ignored by anthropologists during this period, and Murphy and Steward's engagement with global development projects was also unexplored at the time. This is part of a wider pattern in the discipline: the diverse activism of numerous anthropologists was for much of the history of the discipline, and still is to an important extent, a hidden or marginalised activity, unconnected to scholarly developments, even as widespread debates developed in the discipline about the theoretical implications of the same research. This silence shaped anthropological practice and writing in the 1980s, although the marginalisation was already being challenged.

The everyday agency and research of peoples with whom anthropologists worked was also often omitted in earlier anthropological research and writing, as is now also more commonly recognised. For example, Leacock (1993 [1984]) acknowledged in her engaging 1984 autobiographical essay "Being an Anthropologist" that in her 1954 thesis monograph account of Innu social and economic transformations she gave limited attention to Montagnais agency, as one of her graduate teachers, Gene Weltfish, had pointed out to her at the time. That it is not possible to radically separate anthropological scholarship, colonialism and activism and the agency of local colleagues was being recognised more widely in the 1980s.

The emerging scholarly and activist engagements of Algonquianist anthropologists were not necessarily undertaken as responses to rethinking the anthropology-colonialism nexus; they emerged from collaborations with Indigenous peoples. But they were undertaken in the awareness of the challenges of colonial and local collegial relationships and the need to take these relationships into account in developing professional and activist practices. By often responding to requests from Indigenous communities or taking the initiative to respond to colonial expansions in collaborative ways with affected communities, anthropologists explored various possibilities for effective community partnerships and for developing altered relationships with local communities and colleagues.

Anthropologists' responses to these situations, as well as their writings, were still clearly embedded in relations of expertise and colonialism, but in complex and not totalising ways. Being an expert in a courtroom, negotiations, public media or events, and protests was intractably working within colonialism, as well as amidst and within ongoing Indigenous self-governance.

Engagements of anthropologists and Indigenous people also grew in some circumstances into complex political and personal relationships that developed over extended periods and beyond collaborative work. Such relationships cannot be readily or fully described as colonial, as can be seen in the beyond-colonial relationships that underlie several of the texts in the 1986 and present articles. I am indebted to Jasmin Habib and to joint research and writing projects with Philip Awashish and Samuel C. Gull for making this clear for me.

The 1986 *Anthropologica* articles did to a noticeable if unstressed degree reflect and present the results of Algonquians' and anthropologists' work in new Indigenous movements, as well as of anthropologists' and local colleagues' explorations of how to engage with beyond-colonial commitments in and outside academia. More

than half of the articles were written by anthropologists who were drawing on research that was conducted in part with, or in support of, Indigenous peoples' political and legal struggles, as noted in the introduction and epilogue (Preston 1986; Rogers 1986).

In the 1986 articles, new kinds of information and interpretation based on these engaged interactions with Indigenous people were presented on topics such as mobility and routes as sources of land possession; knowledge and its transmission as land possession; knowledge disruption as a means of dispossession; gender and extended kinship networks as central to hunting territory practices; reciprocity and coordination as tenure practices; and animals as partners and possible co-stewards (for example, Craik 1986; Mailhot 1986; Scott 1986; Sieciechowicz 1986; Tanner 1986). This had the effect of turning discussions about hunting territories toward situated Indigenous agency. Indigenous agency was a significant, although now sometimes taken for granted, part of many articles.

These forms of academic political engagement were also developing in wider anthropological venues, where they were one of the impetuses for the growing recognition that anthropological research itself had to be part of its ethnographies and analyses. An example of such a process was the international Conference on Hunters and Gatherers held in Paris in 1978, which was convened by Maurice Godelier. An unplanned but prominent theme emerged as discussions responded to some presentations about how anthropologists were now engaging with Indigenous movements and struggles in explicitly political and new ways. This was especially clear in presentations from Canada, Australia and the United States, many of which were significantly different from the more classical ethnographies and from the more official reports of Indigenous relations to national policies, laws or administration.

Anthropologists at the conference spoke about being involved, in the previous decade, in the Mackenzie Valley Pipeline Inquiry and the mobilisations, court case and negotiations leading to the James Bay and Northern Quebec Agreement in Canada and the Aboriginal Land Rights Commission and the Outstation movement in Australia. Others referred to related developments such as the Alaska Native Land Claims Settlement. A special final session was added to the conference program to discuss the implications of such research and engagements.

In the book that eventually emerged from the conference, *Politics and History in Band Societies* (Leacock and Lee 1982), these shifts of focus became the broad theme, with a section of papers that explored the develop-

ment of land movements and conflicts in several nations (Asch 1982; Charest 1982; Feit 1982; Peterson 1982; Rosaldo 1982; Vachon 1982; Coombs, Dexter, and Hiatt 1982). This "politics and history" volume was the first extensive re-examination and critique of the seminal but very different 1968 volume *Man the Hunter* (Lee and DeVore).

The 1982 book was a part of the widely developing critiques in the discipline of how the colonial contexts of people and ethnographers had often been ignored and local societies had been presented as self-contained, integrated and unchanging social and/or ecological adaptations. While the overall change to politics and history generally and quickly prevailed in much of the discipline, there were prominent and vigorous debates over the specific histories of the San, Pygmy, and Australian Aboriginal peoples among others, as well as renewed analyses on northern Algonquians.

That anthropologists had to address colonial contexts had already been exemplified by the decades-long and prominent debates over Algonquian hunting territories, and this was now extended. Leacock returned to her Innu analysis in the 1982 volume and in 1986, expanding it to include her growing work on women and the development of patriarchy (1982, 1986). The 1982 volume also included several alternative analyses of Algonquian colonial histories and relations (Charest 1982; Feit 1982).

The 1986 *Anthropologica* issue was the most sustained Algonquianist contribution to these discipline-wide changes. The editors' preface and the introduction briefly acknowledged that the collection was situated in recent developments (Bishop and Morantz 1986; Preston 1986), and several articles included colonial histories and contexts (see Morantz, this issue).

Northern Algonquian peoples, anthropologists, and their mutual engagements reflected and also shaped this decisive period of shifts in anthropological practice and scholarship, as well as in the development of Indigenous land claims. A notable feature of many of the articles in this 2018 special issue is that they continue to address, exemplify and advance ongoing and developing engagements of anthropologists with Indigenous peoples' struggles and movements, and they quietly exemplify the accountabilities and conceptual challenges that colonial and beyond-colonial commitments summon to attention and practice. Even if this is not the focus of the collection, these diverse practices of engagement and analytical explorations can be read from the texts.

## Hunting Territories as Governance – Challenges, Mobilisations and Ontological Beings

Philip Awashish, an Eeyou elder and philosopher, as well as national political and community leader and negotiator, has written some of the key analyses and reflections on Eeyou initiatives and engagements and their effects on Eeyou lives over the last nearly five decades (1972, 1988, 2002, 2014). In his article in this issue, he explores the colonisation of the Eeyou land, *Eeyou Istchee*, in part from the perspective of Eeyou *Eedown*, the Eeyou way of doing things, and Eeyou *pimaat-seeewun* – the Eeyou way of life, which, as he notes, includes Eeyou culture in a very comprehensive sense.

In their article, Ethier and Poirier elaborate the long engagements of Atikamekw Nehirowisiwok in the forest world and in political struggles. Their ethnography was developed in the process of working closely on community-initiated educational and political projects. They note four Nehirowisiw conceptual terms that help to understand territoriality and the structures, processes and histories of their practices. I think these are closely related to the Eeyou “ways of life” in Awashish’s article. Ethier and Poirier describe how for Atikamekw Nehirowisiwok their Notcimik relations with territory encompass the place you come from, a belonging and a knowledge, and a milieu of life and intimacy, transmitted across generations and full of memories, family stories, and identities, a co-emergent existence of people and land.

This description recalls for me similar statements and practices of the Eeyou of Waswanipi, just to the north of Atikamekw Nehirowisiwok territories. When Eeyouch spoke of their lands and the intrusions that were occurring from the 1960s onward with forestry, mining and the James Bay Hydroelectric Project, they called on precisely these kinds of relations to and identities with lands to explain what they experienced and what acknowledgements and responses they expected of intruders. They said that this was where they were born; these were lands they had inherited, nurtured, survived from bodily and spiritually, raised their children with and buried their ancestors in, lands that were inseparable from them individually and collectively.

These Eeyou ways of understanding, talking about and responding to the first James Bay Hydroelectric Project and other ongoing resource exploitation projects were vital to what happened at the time (Awashish 2014, and Awashish in Feit 2017). Some journalists and

anthropologists took up the Eeyou dialogues and practices by writing with them and engaging in mobilisations alongside them, such as Boyce Richardson (1973, 1974, 2007 [1976]) and La Rusic (1971), Preston (1971), Tanner (1971), Rogers (1971), and Feit (1971) in *Recherches amérindiennes au Québec*. Lawyers and others who worked with the Eeyou in their mobilisations and negotiations also took up English glosses of Eeyou knowledge-practices, especially “the Cree way of life.”

The first judge to rule on the Eeyou and Inuit legal challenges to the hydroelectric project, who heard dozens of Eeyou and Inuit witnesses as well as lawyers’ syntheses and arguments, used the above term in part of his ruling to express his sense of justice and rights. He said that continued Cree and Inuit hunting throughout the territory are “still of great importance to them and constitute a way of life for a very good number of them” and that they “have a unique concept of the land ... and any interference therewith compromises their very existence as a people. They wish to continue their way of life.”<sup>1</sup>

Use of terms such as “way of life” alongside and as claims to rights facilitated anti-colonisation processes mobilised by Eeyou statements, knowledge and practices, as opposed to state legal framings. In claiming their way of doing things, and their way of life, Eeyou expressed a comprehensive and demanding obligation and expectation of others. This expectation included acknowledgement of what would now be called Eeyou governance (in the broadest and most self-governing sense of that term) (Awashish 1972, 2014, this issue; Feit 2009a, 2010).

How a way of life is understood by Eeyou is expressed in part by the terms *pimaat-tahseewin* and “*meeyou pimaat-tahseewin*, or holistic well-being of Eeyou” (Awashish, this issue). Cognate terms related to this knowledge-practice-vision have also been highlighted and discussed by others, including Adelson, Scott, and Ethier and Poirier, who use related concepts (Adelson 2000; Scott 2006; Éthier and Poirier, this issue). These terms are not focused simply on a state of feeling, as one might expect in post-New Age talk of “well-being.” I think of them as philosophically closer to the condition of ontological being-in-the-world, living and knowing from within the world as process, without a place to be outside the present/place. There are nuanced Indigenous phrasings that are very helpful, such as the translation of *Pimaatsiwin* by a Cree hunter for Colin Scott as “the continuous birthing of the world” (2006, 61). An Anishnabe phrasing that I take as cognate with

Eyou *pimaat-tahseewin* is “continuous rebirth” (LaDuke 2002 [1994], 79; Simpson 2011, 20, 144). In my understanding, how one lives in the midst of continuous becoming sustains and co-enacts worlding and possibilities of surviving and well-being (Feit 2014 [1986], 120–121).

Over time Cree hunting territory leaders have continued to explain their land relations, while also finding ways to offer more structured explanations of their relations to their hunting territories. In an affidavit in 1999 for a court case against forestry companies and the government of Québec, the late Joseph Neeposh from Waswanipi submitted a translation and legal transcription in which he explained why government people and developers need to respect the land and Cree hunting territory leaders.

1) I am the Ndoho Ouchimau or tallyman of the Ndoho Istchee (hunting territory) or trapline now known as W-10 ...

2) I have always hunted in my Ndoho Istchee all of my life and this is where I brought up my five (5) children ... My parents also raised me there. The forest has always been my home.

3) I remember the places which we identified on our land. *Kow Ka Domeek* is located on the northern portion of my hunting territory and is a good spawning area during the fall. There are other Cree names of places in my Ndoho Istchee ...

6) Everyone in our community understands my authority and respects it. They know that I am the one who decides who can have access to the land and where they can hunt, fish or trap. They know that I must guide people to productive areas while I protect the land and the animals from overuse. Non-Natives and the logging companies do not understand or respect my role. They come to the land without my permission and take what they want ...

9) Before I was the Ndoho Ouchimau of my Ndoho Istchee, my late father, Robert Neeposh, was the Ndoho Ouchimau. Before him, the Ndoho Ouchimau was another Cree whose last name was Neebush. My Ndoho Istchee has always been managed by a Cree ...

34) There are however still productive areas for hunting, fishing and trapping in my hunting territory. There is an area around the Lake Kaminskaman and another one just outside of where they cut last year. I do not want them to go there too even if there is a fire, they will chase the game away. Anyway, nature takes care of itself and always regenerates the forest. Forest fires are a natural way for things to be renewed. The land cannot sustain itself with both forest fires and logging going on at the same time.

35) I want to continue my exercise of the traditional Cree way of life and I want my children to continue and learn such traditional Cree way of life.

36) I honestly think it is time for the cutting to stop in my hunting territory.

37) I understand that the forestry workers presently working in my hunting territory need their work for their families. If they wish to continue with forestry operations, they may do so. But they must consider my livelihood. The land is where I work and support myself. The forestry companies and those responsible for the cutting must do something to help me to continue to live on my trapline. I do not want my Ndoho Istchee to be like some of the other Waswanipi traplines. I know they could eventually destroy it. I do not want to move my traditional activities to another hunting territory. It would be an expropriation of my hunting territory where I have hunted all of my life.<sup>2</sup>

Joseph Neeposh indicated that developers need to come to some agreement with him as the hunting territory leader about what should and should not happen before continuing or expanding their activities on his hunting territory – for instance, that they might have to stop for a time. He recognises the needs of forestry workers and holds out the possibility of some forestry work continuing in order to contribute to fulfilling the workers’ needs for a livelihood, alongside fulfilling his needs. But the current course of development should not continue; it would be an expropriation because it would not be possible to continue his family’s lives and way of life with logging activities as they were developing on his territory.

Mélanie Chaplier (this issue) notes how, faced with Cree challenges to development from hunting leaders and international campaigns organised by the Cree Nation (Craik 2004; Feit 2009a), governments, developers and Cree Nation leaders have started negotiating and installing a set of agreements whereby hunting territory leaders could have a serious voice in some resource development planning and projects. But government and developers’ initiatives and forms of providing funding involve hunting leaders in ways that position them as service providers to developers.

Chaplier makes clear how developers and government partners seek not to eliminate but to change and put hunting territories, and their leaders, to their own purposes. She indicates that most hunting territory leaders in the Cree community of Nemaska, north of Waswanipi, did not initially support a new 2002 agreement (the Agreement Concerning a New Relationship between Le Gouvernement du Québec and the Crees of



Québec). However, many saw it as their responsibility to do what they could to create economic opportunities for community members, especially younger members, in need of productive ways of life that require work and incomes, a concern of Cree Nation leaders as well. Joseph Neeposh, and others, recognised and considered the needs of forestry workers as well as his own.

Chaplier's account makes clear how severe disruptions and conflicts developed within some families, but not in others. She shows how they were discussed and evaluated and how resolutions were sought in the families and the community. Cree understandings and responses were based in part on whether the hunting territory leaders and families practised broad sharing or did not. Sharing was seen as a way that some of the problems the agreements had caused could be remedied or sometimes avoided. In this view the effects of monetisation and corporatisation, both disruptive and not, were shaped decisively, albeit not solely, by Cree practices.

This view stands in sharp contrast to the analyses of market capitalism and its impacts in the work of Leacock, Murphy and Steward, and others. It offers a less totalising and a more extensively agentive view of colonial and non-colonial social lives, processes and histories. But many challenges and conflicts are unresolved, and there are continuing new threats, as Chaplier indicates.

David Lessard's article adds to the historical dimensions of this issue, drawing from research to assist the re-organisation, recognition and regovernance practices of a disrupted and more scattered people. He recounts earlier histories of how colonial government administrations and the settlement of sectors of Washaw-Sibi lands continuously disrupted and therefore also required the continual re-ordering of Washaw Sibi territories, relations, families, communities and governance. He recounts some of the ever-changing ways colonial control is sought.

This echoes some of the Atikamekw Nehirowisiwok history, and also Leila Inksetter's account in this issue of archaeological and ecological scales of change. She describes earlier land encroachments and their effects, as well as the earlier and ongoing forms of more southerly Algonquian responses. Lessard shows how ties to hunting territories are still vital to families and to the Washaw Sibi Nation, and to their abilities to recreate their living spaces and governance now. At the same time, governments make Indigenous-led resettlement and re-establishing communities uncertain, for the people often require recognition and some financing to effectively relocate dispersed communities and provide

them with new infrastructures and needed services and administrations.

In some of his applied research, Scott has sought to document Eeyou land tenure histories and to provide resources for efforts to seek legal recognition of claims and resolution of conflicts within and between Indigenous nations and families. Part of his article in this issue examines an important contemporary Eeyou initiative to document the practices and principles that constitute traditional Eeyou hunting law for the present circumstances and generations. Scott reports some of the provisions that apply to contemporary industrial resource extraction from a document by the Cree Trappers Association entitled *Eeyou Indoh-Hoh Weeshou-Wehwun (Traditional Eeyou Hunting Law)*. The Eeyou have in effect adjusted principles of access and governance that apply to subsistence and game resources to reflect the ways that mineral, forestry and hydroelectric resource developments should be governed on their hunting territories.

These initiatives involve important governance roles that are shared among multiple Cree social governance institutions. Cree co-governance includes hunting territory leadership collectivities, First Nations and the Cree Nation (Awashish 2014). In responses to industrial developments, Scott notes that First Nations have the lead and facilitate and help ensure the effective participation of hunting territory leaders and families (Cree Trappers Association [CTA] 2009, 40–41).

In other parts of *Traditional Eeyou Hunting Law* setting out revised provisions for conflict resolution among hunting territory leaders or families, the provisions recognise collectivities of hunting leaders aided by community elders as having primary authority. In these processes First Nation governments, along with the Cree Trappers Association, are the facilitators for hunting territory leaders who, along with other community elders, have primary governance responsibilities (CTA 2009, 37–39).

*Traditional Eeyou Hunting Law* is a partial and limited textualisation of current Eeyou practices and principles. It is a response and development amidst new challenges, including industrial resource developments, government and developer strategies of dispossession, and the kinds of conflicts that have recently emerged within and among families and communities. The latter are related to changes ranging from demographic growth, to the expansion of formal education, settlement living and new access to media, to new needs for cash incomes and productive lives.

*Traditional Eeyou Hunting Law* is part of ever-birthing Eeyou ways of doing things, and ways of life in continually emerging circumstances. For Algonquian families with hunting territories, First Nations, and Indigenous nations, it is a time of governance challenges, worry, responses and continuing initiatives. For some anthropologists, it is an intense time of engagement in the context of continuing relations.

Most of the authors of these articles show how hunting territories have been and are today central to the ways Algonquian families, hunting leaders' collectivities, First Nations and Indigenous nations re-organise social relations with the land. They are central to their political mobilisations to defend and govern the land. The articles describe varieties of unresolved conflicts and disruptions, as well as the diverse initiatives that Algonquian hunting leaders, communities and national leaders are exploring as they continue to exercise significant possession and governance of their lands and hunting territories. Most of the authors show how today colonial government administrations that have been present for over a century in some areas must still deal with surviving and re-organised Indigenous nations and with Algonquian hunting territory land tenures.

Dispossession with possession and self-governance with colonialism have long histories that tend to affirm people's ways of doing things and living. One might say that there is birthing, there is pain and uncertainty, but that birthing is continuing and is expected to recur and renew peoples' ways of doing things and living.

**Harvey Feit**, *Professor Emeritus, Department of Anthropology, McMaster University, Hamilton, ON.*  
Email: [feit@mcmaster.ca](mailto:feit@mcmaster.ca).

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## Notes

- 1 Albert Malouf, 1973, Judgment, *Chief Robert Kanatewat et al. v. The James Bay Development Corporation et al.*, Canada, Province of Quebec, District of Montreal, Superior Court, No. 05-04841-72.
- 2 Joseph Neeposh, 1999, "Detailed Affidavit," in *Mario Lord et al. v. The Attorney General of Québec et al. and Domtar Inc., et al. – Affidavits*, Canada, Province of Quebec, District of Montreal, Superior Court, No. 500-05-043203-981 [6 pages].

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