

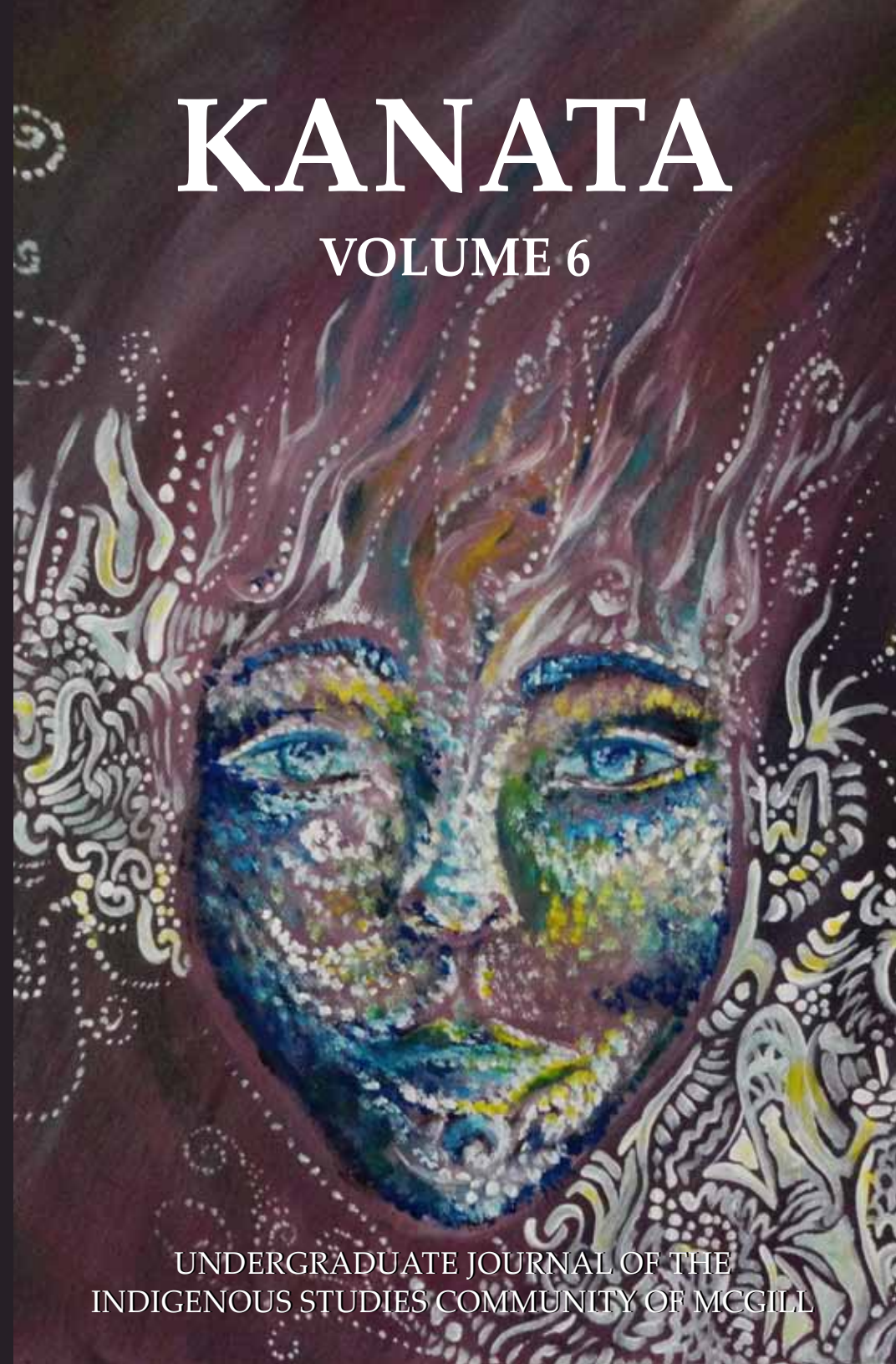
KANATA

VOLUME 6

KANATA VOL. 6 WINTER 2013

KANATA WISHES
TO THANK
ALL OUR PARTNERS
FOR THEIR SUPPORT

UNDERGRADUATE JOURNAL OF THE
INDIGENOUS STUDIES COMMUNITY OF MCGILL



KANATA

UNDERGRADUATE JOURNAL OF THE
INDIGENOUS STUDIES COMMUNITY OF MCGILL

VOLUME 6 WINTER 2013

MCGILL UNIVERSITY
MONTREAL, QUEBEC

KANATA ACKNOWLEDGES THAT MCGILL IS SITUATED
ON TRADITIONAL HAUDENOSAUNEE TERRITORY

Acknowledgements:

Faculty, Administrative, & Scholarly: Support and Advisors

(in alphabetical order by last name)

Trudy Blumstein, Greg Brass, Charlotte Burns, Kakwiranoron Cook, Jessica Dolan, Michael Doxtater, Dean Jane Everett, Lynn Fletcher, John Galaty, Adriana Goreta, Rob Innes, Paige Isaac, Michael Loft, Jana Luker, Dean Christopher Manfredi, Keavy Martin, Courtney Montour, Luke Moreau, Kathryn Muller, Ronald Niezen, Ebba Olofsson, Deanna Reder, Karis Shearer, Niigenwedom J. Sinclair, Donna-Lee Smith, Morning Star, Linda Jacobs Starkey, Marianne Stenbaeck, Will Straw, Lisa E. Stevenson, Rachel Thorne, Allan Vicaire, and George Wenzel

Organizational & Sponsorship Support

(in alphabetical order)

Aboriginal Sustainability Project (ASP); Arts Undergraduate Society (AUS); Indigenous Access McGill (IAM); First Peoples' House (FPH); McGill Institute for the Study of Canada (MISC); Quebec Public Interest Research Group, McGill (QPIRG); Social Work Student Association (SWSA); Society for Equity and Diversity in Education (SEDE); Student Society of McGill University (SSMU)

Cover Art: Ashten Sawitsky, *Ablaze*

From the Artist:

Whether it be good or bad; too much information within a short amount of time will actually cause headaches and discomfort. One particular day I experienced this, so I sat down for 6 hours straight and expressed that feeling. I displayed this by a flaming head flowing into the background, exploding with fiery hair and wispy designs on either side. The eyes are meant to look empty, soulless and almost dead from all the energy being exuded to maintain all of life's information.

About the Artist:

Ashten Sawitsky is from the very small town, Bjorkdale, Saskatchewan, not far from her home reserve, Witchehan Lake. She is currently studying Earth and Planetary Sciences at McGill University, and plans to gain experience in her field and pursue a Master's degree in Structural Geology following her graduation in 2014.

KANATA

EXECUTIVE COORDINATOR, CO-EDITOR-IN-CHIEF

Andrea Palmer

FINANCING & FUNDRAISING COORDINATOR, CO-EDITOR-IN-CHIEF

Deveney Bazinet

EXECUTIVE & EDITORIAL BOARDS, 2012-2013

Jaya Bordeleau-Cass	Outreach Coordinator & Editor
Jaky Kueper	Editorial Coordinator & Editor
Nicolas Magnien	Internal Coordinator (McGill) & Editor
Michael Morgenthau	Communications Liaison & Editor
Becky Smith	External Coordinator & Editor
Claire Stewart-Kanigan	Communications Coordinator
Jimmy Gutman	Exec. Board & Editor
Allison Jones	Exec. Board & Editor
Erin Linklater	Exec. Board & Editor
Jodi Proctor	Exec. Board & Editor
Anne Blumenthal	Editor
Peter Farrell	Editor
Emily Gamble	Editor
Christina Kane	Editor
Jessye Kilburn	Editor
Jenna Kroeker	Editor
Claire Latimer	Editor
Jing Liu	Editor

DESIGN EDITOR

Kathy Watt

PRIMARY ADVISORS

Pamela Fillion & Jocelyn Dockerty

For more information visit our website at:
<http://qpirmcgill.org/kanata>



*KANATA wishes to
dedicate our 6th volume
to the memory of
Norman Gull, 1954 -2012*

I came to know Norman when I first served as Acting Director of the McGill Institute for the Study of Canada in 2007-2008. He was one of our most beloved teachers, and I arranged early in my tenure as Director to have lunch with him. As those who knew Norman will attest, he was a kind, quiet man, and I found our first contact very warm and inspiring. I could see then some of what made him a good teacher. I was delighted to learn, when assuming the Directorship of the Institute in 2011, that he was still teaching for us. The students Norman inspired were among those who have pushed the Institute to develop an undergraduate program in Aboriginal/Indigenous Studies at McGill. As the proposal works its way through the approval process, to what we hope will be a positive outcome, Norman's record of teaching for us will stand as one of the things that started us on this road. Here at the Institute we miss his friendly presence very much.

Will Straw,
Director of the McGill Institute for the Study of Canada.

For many of us, Norman Gull was our favourite professor. We learned more in his class, Issues in Native Studies under the department of Canadian Studies, than any other. For Professor Gull, his class was not just a mark on our transcripts, but an opportunity to learn about important issues that surround us. He was not afraid to share painful memories so that we could attain the type of real understanding that cannot be found in a textbook. In particular, we will always remember his honest recollections of his time at a residential school. Beyond the insight he shared, Professor Gull strongly encouraged critical thinking, asking questions, and meaningful discussion. The discussions that took place in his classroom were always powerful. He asked us to look at all sides of an issue, even when doing so was uncomfortable and conflicted with his own personal views. Professor Gull did not just teach us information, but opened our eyes to issues with which we will continue to engage for the rest of our lives. He was honest, funny, and accommodating. He helped promote KANATA when it was still a seedling group and without his support and insightfulness, it surely would not have become what it has today.

He will be sorely missed.

Former Students of Professor Gull:

Jaky Kueper
James Gutman
Matthew Chan
Michael Morgenthau
Pamela Fillion

Table of Contents

Editors' Note	12	Climate Change and Country Food: An Analysis of the Cultural Security of Inuit in Canada	90
<i>Andrea Palmer and Deveney Bazinet</i>		<i>Yolanda Clatworthy</i>	
Special Contribution	16	Feminine Communities in Tomson Highway's "Rez Sisters"	105
Opening Statement: Canadian Human Rights Tribunal February 25, 2013		<i>Nurin Chatur</i>	
<i>Cindy Blackstock, PhD</i>			
Guest Editorial	22	Idle No More Teach-in Poster	116
IDLE NO MORE!		Artist's Statement	
<i>Mélissa Mollen Dupuis</i>		<i>Marcy Maracle</i>	
Inuit of Nunavik: Epitomizing the "Double Bind"	30	Denial No More	118
<i>Jonathan Goldner, Jordan Graham, Taylor Rusnak</i>		<i>Kai Cheng Thom</i>	
Contemporary Cultural Revitalization of Oral Traditions in Indigenous Communities of Northern Quebec	52	Hydraulic Fracturing on Blood Land: Issues of Aboriginal Title, Governance and Political Legitimacy	119
<i>Jaya Bordeleau-Cass</i>		<i>Marion Provencher</i>	
Collection of Paintings	57	Drinking Tea with the Queen	134
Artist's Statement		Artist's Statement	
<i>Ashten Sawitsky</i>		<i>Jobena Petonoquot</i>	
Pocahontas: Myth, Memory and the Creation of a Colonial Narrative	60	Valse hivernale d'un nu-mains et d'un épinette ivre	136
<i>Corinne Wolfson</i>		<i>Marc-Antoine Sauve</i>	
Implications of Section 718.2(e) and the Supreme Court's Interpretation of R. v. Gladue (1999) for Aboriginal Sentencing in Canada	72	Art as Resistance in Vancouver's Downtown Eastside	137
<i>Alison Brown</i>		<i>Claire Stewart-Kanigan</i>	
A Tribute to Gordon Bird, Circle~Dancing~Eagle	84	Does the human rights discourse contribute to or hinder Indigenous peoples' quests to reclaim self-determination? A critical explanation.	153
<i>Maria Chouchtari</i>		<i>Isabelle Dobronyi</i>	
Sketchbook drawings & Daily self-portraits	87	Partners	170
Artist's Statement			
<i>Cedar-Eve Peters</i>			

Editors' Note

Andrea Palmer & Deveney Bazinet

From Andrea Palmer

My journey with KANATA is predated by my journey to enhance my understanding of and relationship with Indigenous peoples of North America. Over the last few years, I have grown acutely aware and appreciative of the collective strength and resilience of Indigenous peoples, their diversity across cultures, and a worldview that promotes holistic approaches to wellbeing. Simultaneously, I began to wake up to the true history of Canada, including our government's destructive assimilationist policies of the past, and current colonial practices that perpetuate systemic racism and pervading discrimination against Indigenous communities today. As a non-Indigenous ally, I recognize that I cannot fully know the experiences or impacts of historical trauma. I can, however, acknowledge and accept my responsibility as a Canadian to learn as much as possible, and to engage in dialogue with as many people as possible about the realities and roots of the residual social issues facing many Indigenous communities in Canada today. KANATA is one community in which I feel safe and welcomed to do this.

Within my first weeks at McGill, I was encouraged by the presence and visibility of an Indigenous Studies Community on campus and was further inspired by the young artists performing at KANATA's Rhythm Night event in participation with Aboriginal Awareness Week (organized by the Aboriginal Sustainability Project). I was immediately invited by KANATA to join the Executive Board, and in the fall of 2011, I helped organize McGill's first ever Peer-to-Peer conference on Indigenous issues. Since then, I have continued to invest much of my time and energy to create platforms for dialogue and knowledge sharing on issues pertaining to Indigenous culture within a Canadian and global context. I have learned so much from my fellow students and from many of KANATA's partners. The fall semester of 2012 was especially enlightening when KANATA brought together both McGill groups with an Indigenous focus (almost all of

those featured in our Partners section) and Montreal organizations like the Native Women's Shelter of Montreal, Quebec Native Women, and Barriere Lake Solidarity in our 2nd Annual Peer-to-Peer conference, "Connecting Community."

In addition to coordinating the journal and conference this year, I have had the privilege to learn more about how to be an effective ally both inside and outside the classroom. In Michael Loft's social work course titled: *First Peoples' Issues and Social Work*, he prompted us to take the journey 'from our minds to our hearts', and helped us to do so by welcoming both family and community members to our classroom to speak about lived experiences in residential schools, the Royal Proclamation of 1763, and using culturally-appropriate tools to promote healing. It is no small endeavor that he then invited us students to his home community of Kahnawà:ke where we had the opportunity to learn about the long struggle to pass the Declaration of Indigenous Rights in the UN, from Mohawk elder Kenneth Deer. In an anti-oppressive workshop just one month earlier, Indigenous rights activist and social worker, Wanda Gabriel, led a small group of social work students (myself included) through an utterly transformative experiential exploration of colonization. It is from her that I have learned that to be an ally means to continue what I have been doing – *walking with* individuals and leaving space for those who identify as Indigenous for their voices to be heard.

All of these things, in addition to being active in the Idle No More! movement and a witness in the Canadian Human Rights Tribunal (as described below), have informed and continue to foster my journey and education exploring Indigenous issues in North America. Along the way, I have found KANATA to be a community wherein I can share these experiences, forge allies, and promote greater awareness of some of the contemporary and political happenings within Canada and beyond.

From Deveney Bazinet

It is a privilege to be part of KANATA, McGill's Indigenous Studies Community, and to have worked so closely with a team of individuals who dedicated so much of their time and energy into making the sixth volume of our self-titled journal one we could be

proud of. I have been part of many groups on the McGill campus, but it is my experience with the passionate people who make up KANATA where I have felt most at home.

As a community, we strive for a deeper understanding of Canadian history and of persistent colonial structures, of the diversity among First Nations, Métis, and Inuit communities across North America, and of the role Indigenous peoples and non-Indigenous allies play in fostering an informed perspective on Indigenous peoples and their cultures. In many ways, KANATA represents a journey to greater understanding, and through the journal, both those who identify as Indigenous and those who identify as allies are able to share their discoveries – in the form of academic papers, poems, and artwork – as they move along this path of greater awareness. While these mediums are in line with the written tradition, we at KANATA believe publications like this are essential in maintaining a dialogue, particularly in light of Idle No More!

I was one of the students lucky enough to have learned from Norman Gull on my own journey to greater understanding. It was in his class where I was first challenged to think more critically about pervasive misconceptions surrounding Indigenous communities in mainstream society and challenged to envision ways of re-establishing the nation-to-nation relationships once, although fleetingly, respected. I hope this journal, dedicated to the man who spent his time at McGill promoting a deeper understanding of the relationship between Indigenous and non-Indigenous peoples, encourages all people to delve deeper into the realm of Indigenous studies and always remain open to new perspectives and new forms of knowledge on their personal journeys forward.

From Both

There have been many changes in the McGill community since KANATA was created in 2009 with the goal of expanding Indigenous studies at our university. There has been a recent approval of a formal minor in Indigenous studies (the program to begin in the fall of 2013), and word that the Hochelaga Rock on campus (currently facing Sherbrooke Street on lower field) will be moving to a place of more

prominence and visibility in the spring of 2013. Individuals in positions of power and individuals of the dominant majority are acknowledging the true history and context that informs Canadian society today, and also their accountability to the nations that first occupied this land. KANATA continues to work in solidarity with those who are committed to alliance-building between Indigenous and non-Indigenous peoples at McGill and in the larger community.

With all of this in mind, many members of KANATA have been active participants in the Canada-wide movement Idle No More! and have been inspired by the impassioned Mélissa Mollen Dupuis on more than one occasion at teach-ins and demonstrations in Montreal. We are enthusiastic to feature a guest editorial from her describing the motivation behind and process of co-founding the Idle No More! Quebec branch within this volume of KANATA.

Finally, it has been very important to us to both follow and be witnesses in the Canadian Human Rights Tribunal wherein the First Nations Child and Family Caring Society and the Assembly of First Nations have filed a complaint against the Government of Canada alleging their “failure to provide equitable and culturally based child welfare services to First Nations children on-reserve amounting to discrimination on the basis of race and ethnic origin” (FNCFCS, 2013). As this is already a landmark case in Canada’s history, it is with great pride that KANATA is able to share First Nations child welfare advocate and champion Cindy Blackstock’s opening statement of the tribunal as a special contribution herein Volume 6.

As Co-Editor-in-Chiefs of this 2013 edition of KANATA, and on behalf of the Executive and Editorial Boards, we are pleased to invite you to read and enjoy our selection of creative and academic works that offer a glimpse into other individual journeys and explorations of nation-building in Canada.

Opening Statement of the First Nations Child and Family Caring Society of Canada: Canadian Human Rights Tribunal February 25, 2013*

Cindy Blackstock, PhD
Executive Director, First Nations Child
and Family Caring Society of Canada
Associate Professor at the University of Alberta

It is a great honour to be here on the territory of the Kitigan Zibi First Nation in a country with a name gifted by First Nations peoples – Canada. Canada means village, and sadly for far too long there have been two villages for children in Canada – the one for non-Aboriginal children, and the village for First Nations children where there are fewer opportunities to grow up safely with your families and be proud of who you are.

There are times in the history of all great countries that the young call on the country to rise up and be as good and great as they believe it to be. This is one of those moments; and while the coming weeks will be filled with legal arguments, this moment, this day is for the children, because in the end, this case is about them and for them. Children are the keepers of the possible and they are experts in love and fairness, so when a weary country cannot find its way forward, it need only grasp the hand of the young children to be guided lovingly and firmly forward.

This moment is for the children separated from their families and placed in residential schools, the many who tragically never came home, and the many who are still searching for the childhoods they lost there. This moment is for Jordan River Anderson from Norway House Cree Nation, founder of Jordan's Principle, who languished in a hospital for over two years before tragically passing away at the age of 5 years old because the Government of Canada and the Government of Manitoba argued over who should pay for his at-home care rather than putting the needs of the child first. It is for Jordan's father, Ernest Anderson, who upon witnessing the passage of Jordan's Principle, a child-first

principle to ensure no child is ever again denied or delayed receipt of government services because they are First Nations, unanimously in the House of Commons on December 12, 2007, said, *"Do not let the good being done today in my son's name just be a moral victory."* It is for Shannen Koostachin from the Attawapiskat First Nation, an inspiring young leader who fought for "safe and comfy schools" and equitable education for her entire life before tragically passing away at the age of 15, the night before the motion to dismiss this case brought by the Government of Canada was heard by the Tribunal in 2010. Shannen, like Jordan, never knew what it was to be treated equally by the government of Canada.

This moment is also for the adults who grew up in foster care with memories like this one: *"I still remember the days I spent in foster care ... too many homes for a small child to endure ... here I am at 58 still moving forward ... many of my friends did not make it ... all I can say at this point is that I am grateful for this upcoming hearing."*

It is about non-Aboriginal children too, and the dream they have of growing up in a country where "all kids are treated fairly."

GROWING UP AT HOME. It is something most of us take for granted. Home shapes us, comforts us, teaches us, and helps us remember where we come from and who we are meant to be. It is the place of favourite teddy bears, of hearing the stories about the day you were born, and of the ceremonies that bring people together in common value, teaching, and celebration. For children it is a place where families fill baby books with the growing up memories and guide a new life with stories handed down through the generations. These books and these stories are the ones we share with our own children when they ask, "What was it like when you were little?"

This basic and important part of being human is something too many First Nations children were denied by successive Canadian Governments who – first in residential schools, and now through the compound hardship of flawed and inequitable provision of child and family service - contribute to the separation of First Nations children from their families. And while there are times that children of all cultures need to be removed from their families for their own safety, it must be a last resort because the State is not a good parent and life

for children in foster care is very difficult. As a woman who grew up in foster care once said to the child welfare system, *"You promised me a better life and you did not deliver."* Children in child welfare care are less likely than other children to graduate from high school and get the job of their dreams, and are more likely to have physical, mental, and spiritual challenges as adults.

For too many First Nations children, their first memory or clearest memory of their childhood is the day they were taken away from their families to grow up somewhere else. That is why, Elliott, a non-Aboriginal child, says we must do everything in our power to make sure First Nations children *"don't have to go somewhere else to grow up."*

There are times when children call on us to be better than what we thought we could be as a people and as a country. This is one of those moments. This is about children and the type of Canada they want to grow up in. It tests if the powerful adults in the Government of Canada can put the interests of First Nations children before their own - something that parents across this nation do as a matter of moral course. It brings into focus the question of whether governments do better for First Nations children when they know better - something that adults expect of each other and raise their children to do. In this way, with these questions, this case reaches into the conscience of the nation - does the Government of Canada do better for children when it knows better? Is discrimination against children a legitimate public policy or a legitimate fiscal restraint measure? For questions like these and times like these when a government full of good people cannot end discrimination, history around the world has taught us that a great leader must emerge. Leaders like Martin Luther King, Mahatma Gandhi and Nelson Mandela who guide us, gently but firmly forward, to be a country worthy of our children's dreams. Absent a great leader, the children will rise.

Canada has wasted six precious years and millions of dollars trying to avoid this day of justice for children, arguing jurisdictional questions that do nothing to improve the lives of children and their families. I wish the Canadian Government had spent that effort into making children's lives better instead. It saddens me - I expect better from the Canadian Government - I always have, and so do First Nations youth from the

Algonquin territory we find ourselves in, like Caitlin, who says:

The reality is in Canada that we are currently facing a crisis with regard to the gap between Canadians and Indigenous Peoples in child welfare [and it] continues to increase. For Canada it's not about the lack of funds - they do have the money. It is about the lack of will.

Some have said this is a complicated case, but really it is not. The issue of whether it is right for First Nations children to get less benefit under child welfare laws than what all other children receive is something everyone can understand - including children. They understand that when one child gets less because of who they are, it is unfair. Thierry, an elementary school child writes to the Government of Canada, *"You are breaking the laws of the UN Convention on the Rights of Children. The Convention says that children have a right to be raised by their parents."* Another child named Randy writes:

I am Randy. I feel disappointed in the government. I think this is a bad idea that the government is doing. I dream that this would stop. I hope that Canada would be a better place. I demand that First Nations be treated fairly. I am Randy.

When we filed this case in 2007 there were only a handful of people who knew about it and came that day to witness it. As I stand here, close to 12,000 people are watching this case online or here in this Tribunal room. People have come from as far away as British Columbia, the United States, and in previous hearings, Australia. People are learning, they are listening, and together they hold the power to ensure this generation is the first generation of First Nations children who know what it is to be treated fairly by the Government of Canada. Instead of me standing here, we were hoping to share a video of children and young people who wanted to share with the Tribunal and the world why this case matters to them and the country they live in, but the Government of Canada objected. So we premiered the video in Parliament last week during a briefing for Members of Parliament on the case. On that occasion, one of the children, Elliot, shared this letter:

My name is Elliot H. I am 12 years old and I am a student. I have been involved with Shannen's Dream and Have a Heart Day for more than a year, and I was very pleased to be invited to make a statement for the I am a Witness video. This has all been a very meaningful experience for me.

I know I am very lucky. I have a home and a doctor and I attend a great school. When Shannen's Dream was introduced at my school I became aware that a lot of young people are not quite so lucky. Of course I know that people live in poverty, but it was an eye opening experience for me to learn that this happens here in Canada, in our own backyard.

I felt this was shocking and I believe it is actually something that we should be ashamed of – that in the midst of wealth, Aboriginal people should live in such catastrophic poverty and lack what I think, most would agree, are pretty fundamental rights.

I felt driven to tell people about this; to be part of this movement that is saying this is not right. I believe children can and should have a voice. So here I am, lending my voice and saying this must stop!

*Tonight's event is called "History is Coming". I don't think we often have a chance to be part of history. But as the First Nations Child & Family Caring Society and the Assembly of First Nations present their case to the Canadian Human Rights Tribunal, we can all be there, by their side, to show our support and say the federal government must not discriminate against First Nations communities and First Nations children. The Tribunal can change that and by doing so, can rectify this disgraceful situation and change the course of the lives of Aboriginal people in Canada. That's history, and it's coming right at us." - Elliot***

I AM THE FIRST WITNESS and I am here to do what must be done, but I am not the first voice calling for the equality of First Nations children. I come from a long line of First Nations and caring Canadians and experts, including the United Nations Committee on the Rights

of the Child and the Auditor General of Canada, who have called on the Government of Canada to undertake all measures to fully address the inequities in the Government's First Nations child and family services program to ensure First Nations children have every opportunity to be protected from harm and to grow up with their families and communities.

Let there be no doubt that if the Government of Canada wins this case, justice and equality and all Canadians lose. If the children win this case, we all win as Canada rises up to be the country worthy of our children's dreams - a place where every child matters.

The time for justice has arrived – a generation of children are waiting on all of us to act in ways worthy of their dreams.

Editor's Notes:

**KANATA thanks Cindy Blackstock for the permission to print her opening statement as she delivered it in Ottawa, Ontario on February 25th, 2013.*

***Elliot's letter has been modified to remove any identifying information but otherwise remains as he wrote it.*

KANATA encourages all community members to learn more about inequitable services and discrimination faced by First Nations children, and to sign up to be a witness as the Canadian Human Rights Tribunal continues through the summer of 2013:

www.fnwitness.ca

IDLE NO MORE!

Mélissa Mollen Dupuis

12 décembre 2012 sur Facebook :

Melissa Mollen Dupuis : *On devrait s'organiser un truc :*

Widia Larivière : *Oui on est plusieurs à vouloir faire de quoi. On devrait peut-être commencer par faire une page ou un groupe Facebook Idle No More Québec bilingue. Qu'est-ce que t'en penses? Je peux demander aux organisateurs s'ils acceptent. Ou as-tu d'autres idées?*

C'était le départ, le moment où l'on a mis le pied dans IDLE NO MORE. Le moment où c'était FINI L'INERTIE. Trois mois qui me font l'effet d'années, tellement il s'est passé de choses. Trois mois à se faire poser des questions. Pourquoi? Qui? Comment? Surtout pourquoi! Pourquoi maintenant? Pourquoi IDLE NO MORE? Pourquoi Theresa Spence? Pourquoi vous vous battez? Pourquoi les « indiens » chialent encore? Pourquoi moi?

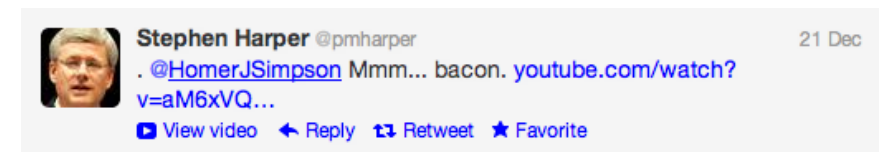
IDLE NO MORE pourquoi? Parce que je me suis vue assise sur mon divan en train de perler et de parler sur les médias sociaux, quand j'ai compris que des lois s'écrivaient et passaient en chambre, sans que je sois du tout alarmée. J'étais inerte, alors qu'on passait des lois qui détérioraient mon environnement et sa pérennité. Parce que j'ai été colonisée dans mes valeurs. J'avais plus de désirs que de besoins. Que la peur de perdre des confort matériels m'empêchait de voir que j'acceptais l'inacceptable. Je me voyais soudainement comme le lemming qui court avec la bande et qui tombe du précipice parce qu'il n'a pas sûrement arrêté en voyant le danger devant lui. J'ai vu la falaise. Il me faut maintenant reculer et avertir les autres...

IDLE NO MORE : Lois Omnibus. Médias sociaux. Theresa et le bacon.

Nina Wilson, Sheelah McLean, Sylvia McAdam et Jessica Gordon, aussi appelées les fondatrices. En novembre 2012, elle organisèrent un des premiers "teach-in" à Saskatoon en réponse au projet de loi C-45, présenté par le Premier Ministre Harper. Cette rencontre se nommait

« Idle No More ». Cette loi Omnibus, ou «cheval de Troie», apportait des changements à plusieurs lois qui touchaient aux droits autochtones et enlevaient des protections majeures sur les rivières et lacs du Canada. Une date clé est le 10 décembre 2012, jour d'appel à l'action nationale qui coïncide avec la grève de la faim de la Chef Theresa Spence. Sa demande : une rencontre avec Harper pour amener la lumière sur les conditions d'habitation des gens de sa communauté Attawapiskat.

S'ensuit une multitude d'actions, « rounddances », marches et protestations à travers le Canada pour appuyer IDLE NO MORE et Chef Spence. Comme le traitement médiatique des questions autochtones est quasi absent des grands médias traditionnels, le mouvement s'arme de pages web, blog, page Facebook et compte Twitter. Les médias sociaux ont une place importante dans les communautés autochtones, qui sont souvent les plus éloignées des grands centres. Ceci explique pourquoi des grand-mères autochtones ont souvent des pages Facebook, si elles veulent avoir des nouvelles des membres leurs familles, certains exilés en milieu urbain. Les médias sociaux permettent de garder les différentes nations en contact et ainsi de coordonner des actions d'un océan à l'autre. Malgré le silence radio du Premier Ministre, malgré les « rounddances » en face du 24 Sussex Street et malgré la grève de la faim de Theresa Spence ayant lieu sur Victoria Island à quelques pas de la Colline parlementaire, les « tweets » de @PMHarper, le compte Twitter officiel de M. Harper, seront cependant largement diffusés. Il y a, après tout, une crise nationale en cours, et le Premier Ministre l'ignore magistralement. Il prend cependant le temps de lancer ce tweet :



L'insensibilité du PM Harper aura pour effet d'attiser la colère des supporters d'IDLE NO MORE et de Chef Spence. La présence du Mouvement dans les médias et les événements ayant lieu partout dans le pays ont pour effet de mettre enfin la pression sur le politicien, et la rencontre entre quelques chefs et Mme Spence à enfin lieu le 11 janvier 2013. On se fait des promesses et on se sert la main. C'est la fin d'IDLE NO MORE?

C'est fini l'inertie?

Oui, puisque la fin de l'inertie qui a amené le Mouvement est encore porteuse de mission pour IDLE NO MORE, c'est un cri du cœur des peuples autochtones du Canada. Pourquoi les premiers habitants de ce pays sont ceux qui se retrouvent au bas de toutes ses échelles de conditions de vie?

Politiques d'assimilation, écoles résidentielles, loi sur les Indiens, politique religieuse, surreprésentation dans les prisons, femmes assassinées et disparues, racisme systémique, etc. Toutes des causes qui continuent de nous toucher directement et que le gouvernement fédéral continue d'ignorer ou de pousser du revers de la main. Mais qu'est-ce que nous ferions de la bonne main-d'œuvre, cependant!

Quand même Bernard Valcourt, nouvellement nommé Ministre aux Affaires autochtones et au Développement du Nord canadien, ne voit pas pourquoi il commenterait le rapport de l'Enquêteur correctionnel du Canada—quand ce dernier a déposé un rapport très critique sur la situation de la surreprésentation des Autochtones dans les prisons fédérales—en disant : « c'est pas de quoi qui est sous ma juridiction »¹.

IDLE KNOW MORE

Le 12 janvier, après la rencontre des chefs, de Theresa Spence et de M. Harper, nous étions encore là. Les problèmes étaient encore là et les lois Omnibus étaient encore en vigueur. Nous ne sommes pas rentrés chez nous en nous donnant des tapes dans le dos et en se disant bon travail. On s'est dit : « Qu'est ce qui doit être fait? » C'est là que la phrase « Idle Know More » a fait son apparition, enjoignant les personnes à en apprendre plus sur les questions les concernant, les questions environnementales qui touchent les communautés et les politiques de contrainte du droit autochtone mises en branle par le gouvernement Conservateur.

Je me suis mise à apprendre et je continue de le faire. Pourquoi enlever des protections aux eaux du Canada? Plus tard, le plan du gouvernement Conservateur m'apparaîtra clairement : faciliter le

transport et l'installation d'un oléoduc, le « Enbridge Northern Gateway Pipelines Project », pour permettre l'exportation de bitume albertain d'Athabasca non raffiné vers la Chine. La majorité des rivières et cours d'eau affectés passant sur des territoires autochtones. La crainte réelle pour l'environnement, la sécurité et la santé des peuples habitant près de la rivière Athabasca se concrétise par des cas de cancer accrus dans la population qui longe la rivière où se déverse une boue toxique, sans qu'il y ait de bassin de contention. Il y a aussi le cas des canards ayant pris un des bassins de déversement pour un étang sécuritaire lors de leur migration, chose qui se répète annuellement.

Mais pourquoi seulement les peuples autochtones devraient être IDLE KNOW MORE? Le manque d'information sur les questions autochtones par les nations non-autochtones est effarant. Comme si nous n'habitions pas le même pays. Il est temps de créer la solidarité et de montrer que les politiques du gouvernement ne touchaient pas seulement les Autochtones, ce n'était plus un problème « indien » mais un problème humain. Nous avons alors créé un symbole de solidarité entre Autochtones et non-autochtones. La plume rouge.

Nous continuons donc de créer des plates-formes de discussion que ce soit en temps réel ou sur le web, des actions de protestation publique, des « teach-in » et des soirées culturelles, des cérémonies traditionnelles, des textes et poésies, des chansons, des posters, des plumes... Tout cela pour regagner la fierté et la voix qui nous semblent si loin des fois de nos causes et nous disons : « Non! C'est fini de subir sans rien dire. C'est fini l'inertie. »



Mélissa Mollen Dupuis (Innu d'Ekuanitshit) - impliquée dans le mouvement «Idle No More» à Montréal et à Québec, conteuse et artiste multidisciplinaire, elle explore les interprétations contemporaines de la culture autochtone.

¹ <http://www.lapresse.ca/actualites/quebec-canada/politique-canadienne/201303/07/01-4628731-autochtones-en-prison-harper-fait-peu-de-cas-dun-rapport-tres-critique.php>

IDLE NO MORE!

Mélissa Mollen Dupuis

English Translation by Jaya Bordeleau-Cass & Nicolas Magnien

December 12th, 2012 on Facebook:

Melissa Mollen Dupuis: *We should put something together.*

Widia Larivière: *Yes, there are many of us who want to do something. Maybe we should start by creating a bilingual Facebook page or an Idle No More Quebec group. What do you think? I can ask the organizers if they agree. Or do you have other ideas?*

That is how it began, the moment when we got involved in IDLE NO MORE. The moment when apathy was no longer acceptable. Three months felt like years to me, for so much has happened since then. Three months of being asked questions. Why? Who? How? Mostly why! Why now? Why IDLE NO MORE? Why Theresa Spence? Why do you fight? Why are “Indians” complaining again? Why me?

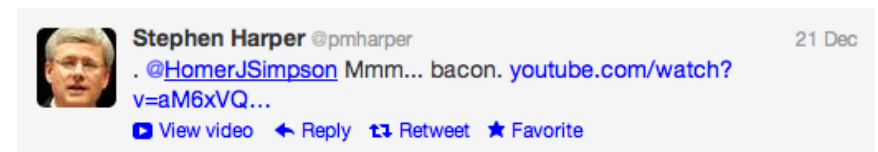
Why IDLE NO MORE? Because I found myself sitting on my couch, chatting and tweeting all day on social media, when I finally understood that laws were written and passed in Chambers, without me being alarmed at all. I was passive, while there were laws that jeopardized my environment and its durability. Because I had been colonized in my own values. I had more desires than needs. Because the fear of losing my material comfort prevented me from seeing that I was accepting the unacceptable. Suddenly, I saw myself like the lemming running with its group and falling from a precipice because it was not able to stop when it saw danger before it. I saw the cliff. Now I must step back and warn the others...

IDLE NO MORE: Omnibus bill. Social media. Theresa and bacon.

Nina Wilson, Sheelah McLean, Sylvia McAdam, and Jessica Gordon, also known as the founders of Idle No More. In November 2012, they organized one of the first teach-ins in Saskatoon as a response to Bill C-45, presented by Prime Minister Harper. This meeting was entitled

“Idle No More.” This omnibus bill, or ‘Trojan Horse,’ brought changes to several laws that touched Aboriginal Peoples’ rights and removed major protections from Canadian rivers and lakes. One key date is December 10th, 2012, the day of the call for national action, which matched up with Chief Theresa Spence’s hunger strike. Her request: a meeting with Harper in order to shed light on the housing conditions of her community, Attawapiskat.

Following this, a series of actions, ‘round dances,’ and protests occurred across Canada to support IDLE NO MORE and Chief Spence. Since the coverage of Indigenous issues is rather absent from traditional mainstream media, the movement armed itself with webpages, blogs, a Facebook page and a Twitter account. Social media has an important place in Aboriginal communities, which are frequently located far from large urban centers. This explains why Aboriginal grandmothers often have Facebook accounts in order to get news from their relatives, some of whom might be exiled in an urban environment. Social media enables different nations to keep in touch with one another and to coordinate their actions from one coast to the other. In spite of the Prime Minister’s silence, in spite of the ‘round dances’ in front of 24 Sussex Street, and in spite of Theresa Spence’s hunger strike on Victoria Island, just a few steps away from Parliament Hill, tweets by @PMHarper—Mr. Harper’s official Twitter account—were largely broadcast. After all, a national crisis was going on, yet the Prime Minister ignored it magnificently. Nonetheless, he took time to throw this tweet:



Prime Minister Harper’s insensitivity consequently aroused IDLE NO MORE supporters and Chief Spence’s anger. At last, the presence of the Movement in the media and country-wide events pressured the politician, and a meeting between a couple of chiefs and Ms. Spence finally took place on January 11th, 2013. There, promises were made, hands were shaken. But is this the end of IDLE NO MORE?

No more idleness?

Yes, the end of idleness which led to the Movement still carries deep meaning for IDLE NO MORE as a heartfelt cry from Canada's Aboriginal people. How come the first inhabitants of this country now find themselves at the lowest echelons of all its life conditions?

Assimilation policies, residential schools, the Indian Act, religious policies, overrepresentation in penitentiary institutions, missing and murdered women, systematic racism, etc. These are all causes that keep affecting us, and that the federal government continues to ignore or avoids discussing. Meanwhile, we would certainly make a great labour force!

Even newly-nominated Minister of Aboriginal Affairs and Northern Development, Bernard Valcourt, does not see why he would comment on Canada's Correctional Investigator's report—a submission that heavily criticized the situation of overrepresentation of Aboriginal people in federal prisons—saying, “this ain't under my jurisdiction.”²

IDLE KNOW MORE

On January 12th, after the meeting among the chiefs, Theresa Spence, and Mr. Harper, we were still there. Problems were still there and the omnibus bill was also still in effect. We did not go home giving ourselves pats on the back and telling each other we had done some good work. Instead, we asked ourselves, “What's left to do?” That is when the expression “Idle Know More” emerged, ordering people to learn more about questions relating to them, environmental questions touching communities and involving the constraining policies with regards to Aboriginal rights that have been put into motion by the Conservative government.

I started learning and continue to do so. Why remove protections from Canadian waters? I later came to realize what the plan of the Conservative government really was: to facilitate the transportation and building of an oil pipeline, the “Enbridge Northern Gateway Pipelines Project,”

² Approximate translation of the original colloquial French expression, retrievable on < <http://www.lapresse.ca/actualites/quebec-canada/politique-canadienne/201303/07/01-4628731-autochtones-en-prison-harper-fait-peu-de-cas-dun-rapport-tres-critique.php> >

thus enabling the exportation of Alberta's raw bitumen to China. I also realized that the majority of affected rivers and streams flow through Aboriginal lands. A real concern for the environment, as well as for the safety and health of the people living near the Athabasca River came to be, as the rate of cancer increased in the population along the river where toxic mud was discharged, without any tidal basin. Similarly, it was discovered that ducks have adopted one of these discharge points as a safe pool during their migration, a phenomenon that repeats itself every year.

But essentially, why should Aboriginal people be IDLE KNOW MORE? The lack of information on Indigenous issues by non-Indigenous nations is appalling. It is as though we do not live in the same country. It is time to build solidarity and to show that government policies did not only affect Aboriginal people; it is no longer solely an “Indian” problem, but a human one. And so, we created a symbol of solidarity between Aboriginal and non-Aboriginal Peoples. The red feather.

And thus, we continue to create platforms for both real and online discussions, public protest actions, teach-ins and cultural soirées, traditional ceremonies, texts and poems, songs, posters, feathers... All this to regain the pride and voices that feel so far away from our convictions and our causes, and we say, “No! No more suffering in silence. Idle no more.”



Mélissa Mollen Dupuis (Innu from Ekuanitshit) - involved in the «Idle No More» movement in Montréal, Québec, Mélissa is a storyteller and multidisciplinary artist who explores contemporary interpretations of Aboriginal culture.

Inuit of Nunavik

Epitomizing the “Double Bind”

Jonathan Goldner, Jordan Graham, Taylor Rusnak

Looking at the past, as the years go, things went smoothly. When it was happening, I did not think about so many changes happening. I thought my culture was still on the same track. Today, I still feel as an Inuk. Looking back now, there has been many changes.

Now I realize how dramatic it was.

– Anonymous Nunavik Inuit Interviewee (Lavoie 1993: 30)

Though the ‘recent’ construct of Nunavik is perceived to be a positive toponymic development, the cultural, discursive, and institutional strategies undertaken by Inuit leaders in the pursuit of self-determination have undergone substantial adaptations to attain this national, and international, recognition. Recently, the Nunavik Regional Government (NRG)’s proposal could have become another political strategy with potential for positive regional developments, but was rejected by frustrated and dissatisfied constituents. This may be explored in the context of the paradigm of a “double bind,” - a distressing state in which, to achieve one’s goals, sacrifices of certain foundational beliefs or traditions must concurrently be made.

In this paper, we will look at the failure of the referendum for a new and amalgamated Nunavik Regional Government within a broader history of double bind situations. First, we will provide a brief history of Nunavik, and elaborate on the double bind concept. Then, we will look at how this has manifested itself in the institutional and discursive strategies employed by the Inuit with two cases in point. The first case is that of cultural autonomy, the threat of the James Bay Northern Quebec Agreement, and the creation of Avataq. The second case revolves around Plan Nord and the Inuit response to the Plan. We will look at the divergent perceptions of Plan Nord by euro-Canadians and Inuit leaders, and their respective attempts to utilize it as a mechanism for drastic change, albeit each with different

end goals. Finally, the Nunavik Regional Government proposal, and its subsequent failure will be explored with regards to the cultural, discursive, and institutional strategies discussed, and how it might epitomize our over-arching concept.

I. Double Bind, Discursive, and Institutional Strategies

It is a fact that most Aboriginal peoples worldwide are constantly subjected to “double bind” situations, where to achieve recognition and thereby a certain level of autonomy, they must subsequently make substantial sacrifices (see Tanner 2001). This is particularly true of the Inuit of Nunavik, whom, in light of imbalanced governmental power structures, social ills, and perpetual marginalization, have been forced to develop their institutional and discursive strategies within a “Western” ontological paradigm.

What is a Double Bind?

The double bind hypothesis was first developed in the mid-twentieth century by the Stanford University Department Head of Sociology and Anthropology, Gregory Bateson, who was attempting to formally determine what could psychologically predispose an individual ‘victim’ to schizophrenia (Bateson et al 1956: 251). Bateson resolved that there were six conditions for a double bind to occur, namely: two or more parties, repeated traumatic experience, a primary negative injunction where punishment would occur in both the instance of performing an act or refraining from the same act, a secondary abstract injunction that supports the primary negative injunction, a tertiary injunction prohibiting the victim from escaping the negative cycle, and the ultimate ontology of the victim shifting to allow the perception of the world through double bind patterns (ibid 253-4). However, being anthropologically minded, even if Bateson’s initial investigations of the double bind were situated in studies of the development of schizophrenia, he drew upon examples of double binds in other contexts, such as Zen Buddhist training and koan discernment (ibid). This has led many contemporary anthropologists to use such terminology to discuss paradoxical and stressful situations faced by groups who are forced to make “impossible choices” (Tanner 2001: 398).

As pertaining to the Inuit of Nunavik, these impossible choices revolve around the conflicting desires to maintain cultural autonomy while at the same time, addressing the need for socio-economic investments that sometimes can only be obtained by adapting certain traditions to fit more cleanly within a federally accepted template. Ultimately, the Inuit have endured a history wrought with instances of double bind, which might have contributed to the disenchanting rejection by many voters of the 2007 NRG which was developed by members of their own community. However, to fully comprehend the magnitude of such a decision in the present day, a deeper history is required.

Inuit History in Nunavik

Among the Inuit, it is believed that their ancestors have lived in the region of Nunavik since time immemorial (Avataq 2012c; Nunavimmiut: The Land). The first contact with Europeans came in 1811, with Moravians Benjamin Gottlieb Kohlmeister and George Kmoch, who arrived via (what they renamed) the George River, to look for a suitable location for a mission to gain further converts to Christianity (Heyes 2007: 55). Though this mission never came to fruition, not long afterward a Hudson's Bay Company trading post, "Old George," was established in 1838 close to the original site of contact and was maintained until 1952 (ibid: 56-59). In 1876 the Indian Act, itself an exceedingly biased and discriminatory piece of legislation, was created without the inclusion of the Inuit, denying them the pithy rights granted to other native peoples in Canada. Lucien Turner, the first ethnographer in the region, visited the Inuit sporadically while touring Ungava Bay from 1884 to 1886, and with him came mounting pressure to convert the Inuit to Christianity (ibid: 56). Therefore, with a lack of federal and constitutionally recognized status, the Inuit faced increasing pressure to leave behind their own spiritual beliefs for the self-proclaimed civility of Christianity. At this point in time, through remaining fairly isolated in a territory of little use to the federal government, they were able to remain culturally autonomous and continued to practice a way of life that was guided, to a certain degree, by the previous generations of self-determination. The federal

government, with their impetus to colonize, did not provide a space for the Inuit voice while usurping their lands and asserting sovereignty over the Hudson Bay and Ungava Bay districts.

In 1912, the Boundary Extension Act, again without any input from the Inuit, brought their traditional lands under the provincial jurisdiction of Quebec. Though the people living in the North also remained relatively ignored by the provincial government, the federal government again intervened in the 1950's by placing increasing pressure upon the Inuit to become sedentary. The government, in doing so, provided some incentives of credit, relief and rations to align their mode of life closer to that of mainstream euro-Canadian society (ibid: 61). In 1959, the process of becoming sedentary was catalyzed by the creation of a Fisherman's Co-op due to increasing southern demand for Arctic Char (ibid: 62). This quickly led to the construction of the first 'village' in the area, Kangiqsualujjag, and other towns soon followed (ibid 62-64). During these early manifestations of the double bind, the Inuit were confronted with choices between cultural (and political) autonomy and basic socio-economic needs. The creation of co-ops by the federal government and their officially stated purpose masked other realities. Saul Arbess states that at the time "the official policy was that the Eskimo people should, with all deliberate haste, have control over these organizations in all of their aspects, and should regain their self sufficiency" (Mitchell, 1996: 165). However, in reality this represented an employment strategy that was initiated to eventually relieve the federal government of a financial burden, by converting the Inuit into producers and laborers, while at the same time strengthening the fiduciary relationship (ibid). Ultimately, the Inuit were forced to become sedentary and cater to the trade demands of the south, simply to try and adapt to foreign ways of maintaining a basic standard of living (also foreign-defined) for themselves and their families.

More recently, Inuit leaders have employed discursive and institutional strategies to establish a more equitable relationship between themselves and federal and provincial power structures. In 1971, the Northern Quebec Inuit Association was formed to work on behalf of the Inuit. This was beneficial during the creation of the James Bay Northern Quebec Agreement in 1975 that stipulated the creation

of the Makivik Corporation, which is still a powerful body in Nunavik today (see Inuit Tapiriit Kanatami). Furthermore, in 1978 the Kativik Regional Government was established to maintain the school board, promote health and social services, and act as a regional government (Heyes 2007: 41). With the 1985 amendment to the Indian Act, the Inuit were formally recognized as First Peoples of Canada and ‘granted’ the same rights as other groups. In 1986 through an Avataq-initiated referendum, Nunavik – “place to live” in Inuktitut – was formally named. Today, Nunavik is inhabited by approximately 10,000 Inuit and 700 Qallunaat (Caucasians), in several small and sedentary villages, over an area of 507,000km² between the 55th and 62nd parallel (ibid: 26).

Throughout the remainder of this paper, two specific cases, the James Bay and Northern Quebec Agreement, and the Plan Nord, will be explored. The aforementioned historical developments will frame the discursive strategies used in more recent times. While some perceived the proposal for a Nunavik Regional Government in 2007 to be the pinnacle of achievement for Inuit autonomy, the double binds they faced during this process of political restructuring will reveal a greater understanding of why, initially, the proposal was annexed in a public referendum and then ultimately failed.

II. Cultural Autonomy, Avataq and Institutional Strategies after the James Bay Northern Quebec Agreement

The James Bay Northern Quebec Agreement (JBNQA) is the first modern day land claims settlement in Canada. Signed in 1975 by the Cree and Inuit of Nunavik (and later the Naskapi people), it materialized as a result of conflict over the creation of La Grande Hydro project in James Bay (Heyes 2007: 42). The Inuit of Nunavik received some compensation money, control over restricted parcels of land, and limited administrative control in the region north of the 55th parallel (ibid).

An important event in the history of Canadian-Aboriginal relations, the JBNQA was significant for the Inuit because, as will be discussed, it provided the basis for the political institutions that exist today. It is also especially significant for what it did *not* provide. Nowhere in the agreement was cultural or linguistic protection explicitly, or

institutionally, provided for. Many Inuit leaders recognized this weakness, and the Avataq Cultural Institution was born as a response (Nunavik Newsletter 05.2005).

The Avataq Cultural Institution and Elder Conferences

After the JBNQA, Inuit elders were concerned that Inuktitut and Inuit culture were in jeopardy (Nunavik Newsletter 05.2005): a fair apprehension in the face of northern development and the ever-dominant influence of euro-Canadian political institutions. A newsletter from Makivik Corporation explains:

Inuktitut and Inuit culture is the backbone of Nunavik society...heritage, values and traditional knowledge have an impact on all aspects of life in the north today. For this reason, Avataq is implicated in every major facet of Nunavik life, from tourism to socio-economic development (ibid).

The creation of Avataq was an *institutional* strategy because it formed a politically recognized space from which to assert distinct identity and heritage. Though it was not directly part of the negotiations for the Nunavik Regional Government in recent years, Inuit leaders saw a special place for this institution in the new government (ibid). Many leaders viewed the NRG negotiations as an opportunity to address language and culture issues “as they had never been before,” and Avataq as a cultural organization of Nunavik aimed to be placed on a level of similar importance as other matters such as health and education (ibid). Its very existence as a valuable and viable institution provides justification for its accommodation in future political negotiations.

Avataq has also become a cultural program *itself*, because its practices reinforce many traditional processes and identities. In other words, it is part of a resistance strategy in the face of potentially assimilative policies and political structures. For example, the institute has compiled an extensive collection of photographs, artifacts, art, and other Inuit cultural items (Avataq, 2012a; Background Information). It elaborates on such themes as land and traditional medicine, avoiding, perhaps deliberately, more contemporary cultural expressions.

Avataq's own published material providing an introduction to the Land of Nunavik stipulates:

Our rivers are precious because we drink their water many times each day. They nourish us with the fish we catch, which has been going on since time immemorial. In the old days, the rivers served as our highways, which we traveled by qajaq; today we travel them in canoes. We don't want the dams that the Whites want to build, because they affect our way of life, our land, and our future. This land will belong to our descendents; they will control it and negotiate their own agreements with the government. This land has been ours for a very long time. We do not want to bequeath anger to our descendents, we want to work together and stay at peace. We want the country of Canada to be at peace. (Avataq 2012c; Nunavimmiut: The Land)

The Inuit identity and connection to the land is framed in distinction to non-Inuit conceptions. However, while asserting special connections to the land, Avataq also finds a way to support the reality of negotiations and agreements that the Inuit have, and will have, to face. It reinforces a cultural basis for such politics.

Furthermore, Avataq has been used as a vehicle to perpetuate the knowledge of Elders through various collaborations. The institution explains:

In Inuit culture, Elders are the custodians of time-honoured wisdom and knowledge. Since the arrival of *Qallunaat* (non-Inuit) in the North, beginning in the second half of the 19th century, the role of Elders in both community and family structures has declined considerably. Notwithstanding, Inuit Elders remain pivotal to the transmission of traditional knowledge to future generations. The programs and activities of Avataq Cultural Institute have all been developed further to decisions taken at Nunavik Inuit Elders' Conferences. (Avataq 2012b; Elders Conference 2012)

This is a clear illustration of cultural resistance. Facing the reality of a double bind, where political and institutional realities mean that Elders have a declining role in decision-making, Avataq instead maintains traditional practices with the Elders' conferences.

Taken altogether, in the context of increasing social and political integration into Canada, the creation of Avataq can be seen as an effort to retain cultural and political distinctiveness. Clearly, the work of the organization aims at protecting the unique Inuit heritage and traditions. However, Avataq has had another less obvious role to fulfill in politics. As this cultural institute strengthens, so does the vision of the Inuit as a distinct people that require, and deserve, their own government. Interestingly, as we will see, though Inuit negotiators claim to have placed heavy emphasis on linguistic and cultural protection while negotiating the Nunavik Regional Government proposal, many people felt the agreement fell short in this regard. Not surprisingly, this can be linked back to the paradigm of the double bind. Before delving further into the Regional Government referendum, it is worth discussing the second important reality facing some Inuit communities of Nunavik – unsatisfactory socioeconomic conditions. Currently, it is in the context of Plan Nord that these issues are coming to a head.

III. Plan Nord and the Inuit Response: Discursive Strategies

The Liberal Government first disclosed the details of their Plan Nord at a conference in Quebec City in September 2008 (Grand Council of the Crees 2011: 24). Members of the Kativik Regional Government and Makivik Corporation were invited to listen to Jean Charest talk about his government's plan for economic development in the vast regions of Northern Quebec (Emudluk, 2012). The Plan Nord outlined twelve sectors of development grouped under three headings: community well-being, harnessing economic potential, and improving accessibility (Gouvernement du Quebec 2011). Ultimately, Indigenous peoples of northern Quebec were being asked to support a vision of development on their territory that was not their own. The fact that there was no consultation before the plan was released is still contentious. Plan Nord is the latest among many waves of economic development

initiated by outsiders that occurred on their territory.¹ However, it is erroneous to suggest that the Inuit of Nunavik are entirely or unanimously opposed to economic development. Political leaders have seen an opportunity to use their *consent* to economic developments as leverage for negotiating tangible improvements to quality of life in the north, and to receive other investments from the province in the form of social development and infrastructure. This is not a strategy new to Inuit politics; many people recall having to make similar concessions before when they signed a (so-called) extinguishment clause and ceded proprietary rights to their land, in order to receive other compensation under the James Bay Northern Quebec Agreement (Gouvernement du Québec 1976: 23). These, and the latest response to Plan Nord, are exemplary of the kinds of strategies and challenges that the Inuit face which epitomize the double bind. As eloquently surmised by Maggie Emudluk, a chairperson for the Kativik Regional Government, “Plan Nord is another process that’s taking place, but in a very large scale, the Inuit in Nunavik are viewing this as another opportunity for us in the region to get our priorities heard within the challenges of this process” (Emudluk 2012). It is largely from this last point that the Inuit and their political leaders embark when articulating their own position on Quebec’s Plan Nord.

The political leaders representing the Inuit, including Maggie Emudluk, express a desire to work within these frameworks and processes to negotiate a positive future for their people. In September 2010, through the Makivik Corporation, they responded with *Plan Nunavik* “to represent Inuit interests particularly with respect to their own development needs” (ibid). Plan Nunavik begins by acknowledging Plan Nord for its intended merits and for what its promoters set out to accomplish: “Plan Nord wishes to be a conciliatory model of social and economic development and at the same time protect the environment” (Makivik 2011: 4). It then lists seven high-priority areas of development that are essential for remedying certain social crises that have plagued

settlement and community life since the 1950’s. These are: housing, cost of living, essential services, employment, education, youth, and self-government for Nunavik people (Makivik 2010b: 22). Both the province and the Inuit leaders cite lack of housing and overcrowding as an immediate cause of further social problems (Gouvernement du Québec 2007).

Plan Nunavik does not attempt to debate the proposed model of development that Plan Nord presents, nor does it attempt to super-impose a different vision. Instead, Plan Nunavik articulates development priorities that are socially relevant to the Inuit, and asks that these be included in Plan Nord to complete the process. Implicit in the Inuit strategy is the belief that, in order to have healthy economies, you must first have healthy communities. Gerard Duhaime, a sociologist from the Université of Laval, cautions: “the government has all kinds of pious intentions, based on the belief that economic development is a precursor for social development, but history teaches us otherwise. There is no link of cost and effect between the two” (Rogers, 2011c). The discursive strategy employed here is an attempt to provide a more balanced and socially ‘just’ development plan for Nunavik. The Inuit leaders are not adopting a combative or counter stance. Instead, by stating the immediate and real needs of the communities who will bear the impacts of the outside development projects, Plan Nunavik hopes to return social issues to the top of agenda, as opposed to a backdrop to economic development.

Furthermore, Jean-Francois Arteau, a legal advisor for Makivik Corporation, explains that “the integration of elements of Plan Nunavik into Quebec’s Plan Nord is an essential condition for the acceptability of the latter” (Makivik 2011: 6). This illustrates an important tactical move, and represents some of the difficult choices that the Inuit must make while continuing to navigate the intrusive initiatives from southern institutions on their territory. It is possible that if they refuse their consent, the Inuit will be left out of future Plan Nord discussions. However it is equally possible that ‘consenting’ to certain types of development on their land will mean they stand to lose much more than the plan suggests they should gain.

¹ The Cree Vision of Plan Nord (p.24) speaks of four waves of development in Eeyou Itstchee. –1950’s and 60’s militarisation, 1971 James Bay Region Development Act, 1975 James Bay and Northern Quebec Agreement, and 2008 Plan Nord (Grand Council of the Crees 2011: 24). Similarly, the Inuit speak of waves of southern development by way of militarization of the arctic during the cold-war, settlement and relocation, JBNQA and now Plan Nord. (Arteau 2011: 5).

It is a result of the double bind that the Inuit are faced with this reality. If they adopt a hard-line stance with regards to withholding their support of Plan Nord until the government honours their previous commitments under the JBNQA - investing in and improving the basic standard of quality of life in northern communities - they may find themselves left behind in other ways. Ultimately, the people living in the north often seem to be treated like second-class citizens; statistics and social indexes support such claims. As explained by Emudluk, “[t]here remains in 2010 no reason for Nunavik citizens to not enjoy the same quality of life as all Quebecers, and the Plan Nord is another opportunity to break this cycle of discrimination” (Emudluk 2012). What is clear is that inasmuch as cultural preservation was the goal of Avataq, an issue just as important for Inuit leaders (and undoubtedly community members) - albeit on this new front and context of the Plan Nord - is dealing with socioeconomic issues in the north.

IV. Implications and History of the Nunavik Regional Government Proposal

Colin Scott explains that for Aboriginal Peoples, “political survival demands a dual, seemingly contradictory strategy” (Scott 2001: 7). While finding legal and constitutional space for autonomy on their land, they are “forced [to negotiate] Aboriginal cultures and political landscapes in relation to euro-Canadian concepts of property and jurisdiction” (ibid). Furthermore, not only must Aboriginal Peoples negotiate within euro-Canadian *frameworks*, the *scope* of what they can negotiate is controlled and limited by the state. This was touched upon in the discussion of the James Bay Northern Quebec Agreement and Plan Nord, and it is now appropriate to re-focus the lens on the Inuit’s political history. For instance, during the negotiations for the JBNQA, Quebec resisted the idea of a single governing body for the Inuit of Nunavik. Though the Government of Canada proposed a self-governing model, it was limited to small pockets of reserve land, much smaller than “Category I” lands of today (also designated by the JBNQA). The Inuit negotiators had to choose, and decided to sacrifice greater consolidated powers for the creation of a number of public institutions (Nunavik Newsletter 01.01).

The two main governing bodies that came out of the James Bay Northern Quebec Agreement are the Kativik Regional Government (KRG) and the Makivik Corporation. The former is a non-ethnic public organization, whose jurisdiction covers nearly the entire territory of Quebec north of the 55th parallel. It deals primarily with transportation, police, employment, childcare services, and other municipal administrative affairs (Muller-Wille 2001). The KRG is also comprised of a School Board, and a Health and a Social Services Department. It is a “legal-administrative regional construct connected with land rights” (ibid: 37). The JBNQA created *Kativik* as a “spatial reference for the territory in which the law applied” (ibid). It is by virtue of a population majority that Kativik institutions are run by Inuit. On the other hand, the Makivik Corporation became the *Inuit* corporation mandated to act as a legal entity and administer compensation monies of the JBNQA. This economic development company also has the mandate to represent the Inuit of Nunavik at the political level, and owns subsidiary companies such as Air Inuit, First Air, Nunavik Arctic Foods, Nunavik Creations, Halutik Fuels, and Cruise North (Makivik Corporation, History).

The region’s decision-making powers were divided up among autonomous organizations, and as time passed, the individual organizations took on a political life of their own. The complex and divisive institutional legacy of the JBNQA for the Inuit meant they would eventually have to implicate themselves in further negotiations to consolidate their power and voice, since the various institutions often worked independently of each other (Nunavik Newsletter, 01.01). In light of this reality, one political strategy in the quest for greater autonomy was to further decentralize. In the 1990’s, the Nunavik Constitutional Committee (NCC) was created after Inuit leaders realized that it was too difficult to have multiple institutions pursue negotiations together and concurrently. The NCC’s mandate was to develop a proposal and constitution for a Nunavik Government (ibid). In 1991 the NCC’s constitution was approved by a referendum. Negotiations were briefly sidetracked by the Quebec referendums of the 1990s, but in 1999 a new accord was signed between the Makivik President and the Premier of Quebec indicating a commitment to forming a new government in the North. By 2001, a complete set of recommendations had been developed. Makivik toured the Inuit

communities of Nunavik and was given a mandate to negotiate the creation of this new institution.

Sufficient Gains or Great Sacrifices?

In December 2007, Inuit negotiators, Quebec, and Canada agreed on a framework to work towards a Nunavik Regional Government (NRG). The agreement stated that Phase I of the negotiations was to achieve a Government of Nunavik through the amalgamation of the existing public institutions. Once the necessary implementation and transition measures took place, there would then be elections for representations that would form the assembly of the new public government. After the NRG was established; it would take part in the second phase of negotiations to obtain new powers and authority in the region (Nunavik Newsletter 01.01).

One can envision that the Inuit negotiators believed it was possible to achieve a new form of government for the Nunavik region within Quebec, having decision-making powers compatible to, or complementary with, existing legislative bodies (Nunavik Newsletter, 01.02). In fact, many political leaders were jubilant about the agreement because it would have centralized decision-making powers and provided a greater collective voice for the region. In this agreement there was also a glimpse at a future where government-to-government relations between the NRG and the province could take place – though not unpredictably, one could have remained subordinate to the other. However, because the Quebec government endorsed the plan, it may have paralleled a kind of indirect consociation that Michael Asch refers to when speaking of the French fact in Canada (Asch, 1993; 30). However, not in the context of a Quebecois ethnonational regional majority within Canada, but rather in terms of a north of 55th parallel Inuit regional majority within Quebec.

With this paradigm of consociation to draw upon, a comparison to the Dene struggle against northern development in the Northwest Territories may be used to illustrate the strength of a united front, and the disadvantages associated with fragmented decision-making powers. In 1968, when the Government of Canada proposed that a pipeline be built in the Mackenzie Valley cutting across Dene homeland, a unified voice came together to speak their opinion: “No.” Through the Dene

Nation, the diverse Dene communities managed to come together and successfully resist the pipeline. In the beginning, through legal action, then through a government-sponsored inquiry process (see Dene Nation 1984). However, in the early 1990s the Dene Nation experienced a political breakup. Individual communities negotiated their own, smaller land claim agreements, and development was initiated on the land (see Kulchyski 2005). Though many Dene communities were (and are) not against development per se, they have been pushed into unsatisfactory Impact Benefit Agreements with mining companies in part due to their political division, and the resulting exacerbated power asymmetries (see Bielawski 2003). Many communities have not been as successful in achieving their economic and political goals as the united Dene Nation was in the 1970s and 1980s, though the process of community empowerment is slowly underway. The experience of the Dene could illustrate why many Inuit leaders looked so positively on the opportunities of an amalgamation of existing institutions.

Throughout the Inuit negotiations for regional government, there were some interesting dynamics, of the sort Scott alludes to, in regards to political survival. A lead negotiator, Minnie Grey, explained in a newsletter that the federal government often used negotiation policies that are applicable to Aboriginal groups in general, and the Inuit negotiators found these policies irrelevant to Nunavik Inuit while negotiating for a public form of government (Nunavik Newsletter 01.02). In addition, the negotiators for Quebec stated:

...it is important that the structure of governance for the unified future organization be based on the fundamental principles of any public institution: democratic political representation and election processes, transparency of operations, accountability to the public and to governments... (ibid).

The Federal negotiator affirmed:

This innovative governance project is leading us in a new direction. We are creating a new type of regional autonomous public (non-ethnic) government that is adapted to the realities of the Inuit living in Arctic Quebec in line with the country's fundamental legal framework (ibid).

The double bind is clearly embodied in these three remarks. If the Inuit want autonomy in the north, it has to be created and administered exactly in line with the euro-Canadian (i.e. colonial) institutional practices. If not, autonomy will similarly not be “granted”.

The Referendum, “Not Enough,” and Plan Nord

In 2011 a referendum was held amongst the Inuit to approve the Nunavik Regional Government Proposal and thus begin the first stage of implementation. The voter turnout rate was 54.5 %, and an overwhelming majority voted against the agreement (CBC News, April 29, 2011). How is it that the negotiators were thrilled about the promises of the NRG, and the people utterly opposed to it?

First, in terms of cultural autonomy, many viewed it as simply “not enough.” The “no” campaign argued that the proposed merger between existing organizations did not adequately protect Inuit language and culture. Even in a public government model, it was asserted that any agreement must ensure that Inuit rights are dominant in its constitution (Rogers, April 28, 2011). While Plan Nord is taking shape in the North, with its potential economic, environmental, and demographic upheaval, the proposed agreement has offered few answers. Beyond the management of programs and services, how would a regional government promote Inuktitut, or the Inuit way of life, in a context where the economy of the region was and is rapidly transforming (Papillon, 2011)? Recalling the creation of Avataq as a cultural and institutional strategy, the importance of Inuktitut and traditional practices cannot be overstated. As mentioned before, it lies at the heart of Inuit life in Nunavik. Moreover, Phase II provided no *guarantee* of greater control over regional decision-making. Some voters believed this left them vulnerable to the economic aspirations of Quebec and euro-Canadian cultural imperialism. Even if Inuit continued to be the majority in Nunavik, there was a fear that the regional government would ultimately be little more than an arms-length body subservient to the management practices and priorities of Quebec. It seems 35 years after the signing of the James Bay and Northern Quebec Agreement – and its yet unfulfilled promises – distrust of the provincial government has not subsided (ibid). While the NRG proposal could have provided

new powers to the regional government, the “could” was not enough assurance for the majority of Inuit voters.

Secondly, in regards to socioeconomic issues, political scientist Martin Papillon published an article explaining the importance of the youth vote. He writes that the youth of Nunavik - over 50 % of Inuit are under 20 years old - are looking for a vision for the future, something that will enable them to cope with the transformations underway with confidence. The regional government proposal, as submitted to the population, failed to mobilize these young people. Whether it is the school dropout rate, family violence, problems of health, or poor housing, the merger of agencies did not appear to offer a solution to the social conditions with which Plan Nunavik concerns itself. Alternatively, if it would have provided any alleviation of socioeconomic pressure, the pace was simply too slow (ibid).

The Double Bind in the Nunavik Regional Government Proposal

Aboriginal negotiators face several constraints during these types of negotiations. They find themselves at the table with two governments jealously guarding their jurisdictional powers in the game of federalism. This was not conducive to solutions lying outside “the well-worn path of administrative conformity” (Papillon 2011). So, while Inuit negotiators may have taken a prudent approach, it did not resonate with the population. Notably, this proposal was not the only one that has been rejected by an Aboriginal population after years of negotiations. The double bind returns with an added twist. When certain sacrifices, or “impossible choices,” have to be made, whose version of the best way forward is chosen?

Furthermore, a disconnect between internal power structures appeared during the negotiation process. The Kativik School Board expressed disappointment that the Inuit would not be voting for self-government, but instead for a new form of administration. The negotiators, on the other hand, believed the Government of Nunavik would be much more, they believed it would be capable of truly deciding what Nunavik would be made of *tomorrow* (Nunavik Newsletter 05.2005). Does this indicate differing levels of knowledge between political leaders and community members? Or does it

illustrate the difference between political and social priorities? There may not be clear answers to these questions, but the most important one is: where to go from here?

Conclusion

We have shown throughout this paper that discursive and institutional strategies of the Inuit have adapted to the double bind facing any marginalized group dealing within colonial institutions and policies. From the creation of Avataq, to the Inuit response to Plan Nord, and the creation of the Nunavik Constitutional Committee for developing the regional government plan, there is an ongoing negotiation between the traditional cultural perspectives of the Nunavik Inuit and the euro-Canadian power structures under which the Inuit find themselves. The decisions made throughout history, particularly at the time of the James Bay Northern Quebec Agreement, have influenced the subsequent trajectory of issues and choices. It is not surprising that this reality means there are different perspectives on which path is best – as the 2011 referendum clearly indicates.

The current approach to dealing with the failed Nunavik Regional Government Proposal involves reconnecting with communities. In November 2011, a three-day meeting took place amongst Inuit leaders from across Nunavik, with the aim of drafting a Declaration on how, and on what basis Nunavik Inuit should proceed. Instead of immediately adopting the Declaration, Inuit leaders decided to take it back to the communities to discuss the contents with other members (see Makivik Corporation 2010b). It remains to be seen what comes of this renewed process. Evidently, the key to success in the quest for autonomy lies not *just* in a plan to create a unified government, but also in addressing language, culture, governance, and social issues in a way that is tangible for people in the community to whole-heartedly adopt.

Jonathan Goldner was born in Kemptville, Ontario. His interests include: social justice, birch bark canoe building and the politics of development in liberal democratic society. He has completed an undergraduate degree in anthropology.

Jordan Graham, who considers herself an Ally, was born in Brantford to parents of mixed European descent, but with several extended family ties to the Six Nations of the Grand River. She is personally committed to socially conscientious archaeology both in North America and abroad.

Taylor Rusnak was born and raised in Treaty 1 land in the city of Winnipeg. She is a settler-Canadian with Ukrainian, German, and Dutch background who is grateful for having grown up in the prairie lands. Taylor self-identifies as an Ally to Indigenous peoples of North America.

Works Cited

Asch, Michael.

1993 Aboriginal Self-Government and Canadian Constitutional Identity: Building Reconciliation. In *Ethnicity and aboriginality: Case studies in ethnonationalism*, edited by M.D. Levin. University of Toronto Press, Toronto.

Arteau, Jean-Francois.

2011 “The James Bay and northern Quebec Agreement – Inuit of Nunavik: Challenges and successes.” Presentation by Jean-Francois Arteau, Legal Counsel and Executive Assistant to the President of Makivik Corporation – Aboriginal Law Conference. Fort Garry, Winnipeg, Canada April 28-29, 2011.

Arbess, Saul, E.

1966 *Social Change and the Eskimo co-operative at George River, Quebec*. Northern Co-ordination and Research Centre, Department of Northern Affairs and National Resources, Ottawa.

Avataq

2012a Background Information, available at:
<http://www.avataq.qc.ca/en/Institute/About-us/Background-Information>

2012b Elders’ Conferences, available at:

<http://www.avataq.qc.ca/en/Institute/Elders-Conferences>

2012c Nunavimmiut: The Land, available at:
<http://www.avataq.qc.ca/en/Nunavimmiuts/The-land/All-that-is-precious-to-us>

Bateson, G. D.D. Jackson and J. Weakland
1956 Toward a Theory of Schizophrenia. In *Behavioral Science*,
Vol. 1. pp. 251-264.

Bielawski, Ellen
2003 *Rogue Diamonds: The Rush for Northern Riches on Dene Land*,
Douglas & McIntyre, Vancouver.

CBC News
2011a "Que. Inuit vote against self-government plan: Social media
influenced Nunavik government debate, some suggest", from CBC.
ca, last updated April 29, 2011, available at: <http://www.cbc.ca/news/canada/north/story/2011/04/29/nunavik-government-referendum.html>

Cree working Group on the Plan Nord., & Grand Council of the Crees
(Eeyou Istchee)
2011 *Cree vision of Plan Nord*. Nemaska, Que: Grand Council of the
Crees Eeyou Istchee.

Dene Nation
1984 *Denendeh: A Dene Celebration*, Dene Nation, Yellowknife,
Denendeh, N.W.T.

Drummond, S.G.
1997 *Incorporating the Familiar: An Investigation into Legal Sensibilities in
Nunavik*. McGill Queens University Press, Montreal.

Emudluk, Maggie.
2012 *Inuit Perspectives on Plan Nord*. Quebec Studies Guest Lecture,
QCST 440. University of McGill. Montreal, 13, March 2012.

Gouvernement de Québec (Province)
2011 *Plan Nord: Building northern Québec together: the project of a
generation*. Government of Québec, Québec.

2007 *Investigation into child and youth protection services in Ungava Bay
and Hudson Bay*, Commission des droits de la personne et des droits

de la jeunesse, April 2007. available at http://www2.cdpedj.qc.ca/en/publications/Documents/rapport_Nunavik_anglais.pdf

1976 The James Bay and Northern Quebec Agreement: Agreement
between the Government of Québec, the Société D'énergie De La
Baie James, the Société De Développement De La Baie James, the
Commission Hydroélectrique De Québec (hydro-Québec) and the
Grand Council of the Crees (of Québec), the Northern Québec Inuit
Association and the Government of Canada. Quebec: Editeur officiel
du Québec, 1976. available at: <http://www.gcc.ca/pdf/LEG000000006.pdf>

Heyes, S.
2007 *Inuit Knowledge and Perceptions of the Land-Water Interface*. McGill
University, Montreal.

Inuit Tapiriit Kanatami
1974 "Northern Quebec Inuit Association Formed," from Taqralik
Magazine, 2nd Edition, June-July, available from: <http://www.itk.ca/page/northern-quebec-inuit-association-formed>

Koperqualuk, Lisa
2006 "Makivik Corporation and the Kativik Regional Government
welcome visit of Minister of Justice Yvon Marcoux and Minister for
Native Affairs for Quebec Geoffrey Kelley to Nunavik," Press Release
from Makivik Corporation, September 26, 2006. Available at: <http://www.makivik.org/makivik-corporation-and-the-kativik-regional-government-welcome-visit-of-minister-of-justice-yvon-marcoux-and-minister-for-native-affairs-for-quebec-geoffrey-kelley-to-nunavik/>

Kulchyski, Peter K.
2005 *Like the Sound of a Drum: Aboriginal Cultural Politics in Denendeh
and Nunavut*. University of Manitoba Press, Winnipeg.

Lavoie, J.G.
1993 *Public Health Politics in Nunavik Health Care: Shared Concepts,
Divergent Meanings*. McGill University, Montreal.

Makivik Corporation
2012 *History*, at [Makivik.org](http://www.makivik.org), available at:
<http://www.makivik.org/history/makivik-corporation/>

2011 “Plan Nunavik: Position Paper Tabled by Nunavik Inuit in the Context of the Plan Nord,” Nunavik Inuit and the Nunavik Region: Past, Present, Future. available at http://www.igfquebec.com/fileadmin/docu/prog/demi_jour_them/20111214/plan_nunavik.pdf

2010a “Discussion Paper: Declaration of a Nunavik Government,” Press Release from Makivik Corporation, January 23, 2010, available at: <http://www.makivik.org/discussion-paper-declaration-of-a-nunavik-government/>

2010b “The Inuit and the Aboriginal World,” Presentation by Pita Aatami, President of Makivik, at the 17th Inuit Studies Conference, Université of Québec, Abitibi-Témiscamingue, October 28-30, 2010. available at: <http://www.arcticgovernance.org/nunavik-inuit-and-the-nunavik-region-past-present-and-future.4837707-142902.html>

2005 Nunavik Newsletter 05.2005, “The Road to the AIP,” from Makivik Corporation, available at: <http://www.makivik.org/wp-content/uploads/2012/03/NUNAVIK5.pdf>

2002 Nunavik Newsletter 01.02, “Perspectives,” from Makivik Corporation, available at: http://www.makivik.org/wp-content/uploads/2012/03/Nunavik_1.pdf

2001 Nunavik Newsletter 01.01, “Premiere Issue: Our land, our future,” from Makivik Corporation, available at: http://www.makivik.org/wp-content/uploads/2012/03/Nunavik_1.pdf

Mitchell, M.

1996 *From talking chiefs to a native corporate elite: The birth of class and nationalism among Canadian Inuit*. Montreal: McGill-Queen's University Press.

Muller-Wille, Ludger

2001 Shaping Modern Inuit Territorial Perception and Identity in the Quebec-Labrador Peninsula. In *Aboriginal Autonomy and Development in Northern Quebec and Labrador*, edited by Colin Scott. UBC Press, Vancouver.

Nunavik Inuit (Makivik Corporation) and Her Majesty the Queen in Right of Canada

2006 *Agreement Between Nunavik Inuit and Her Majesty the Queen in Right of Canada*

Concerning Nunavik Land Claims. Government of Canada, Ottawa.

Papillon, Martin

2011 “Le Référendum au Nunavik: Un Pas en Arrière Pour Mieux Avancer?” from *Options Politiques*, August 2011, available at: <http://www.irpp.org/po/archive/aug11/papillon.pdf>

Rogers, Sarah

2011a “Nunavik votes “no” in April 27 NRG referendum: Only one in three voters says “yes” to a future Nunavik Regional Government,” from *Nunatsiaqonline.ca*, April 28, 2011, from http://www.nunatsiaqonline.ca/stories/article/287756_nunavik_says_no_in_NRG_referendum

2011b “Nunavik debates new government on Facebook: “This group has had an interaction [we haven’t] seen since the 1970s,”” from *Nunatsiaqonline.ca*, April 8, 2011, from http://www.nunatsiaqonline.ca/stories/article/080411_nunavik_debates_new_government_on_facebook/

2011c “Nunavik’s mining boom won’t bring profits to its people: Laval Researcher” from *Nunatsiaqonline.ca*, last updated October 05, 2011, from http://www.nunatsiaqonline.ca/stories/article/65674Nunaviks_mining_boom_wont_brings_profits_to_its_people

Scott, Colin H.

2001 *Aboriginal Autonomy and Development in Northern Quebec and Labrador*. UBC Press, Vancouver.

Tanner, Adrian

2001 “The Double Bind of Aboriginal Self Government” from Scott, Colin H., *Aboriginal Autonomy and Development in Northern Quebec and Labrador*. UBC Press, Vancouver.

Contemporary Cultural Revitalization of Oral Traditions in Indigenous Communities of Northern Quebec

Jaya Bordeleau-Cass

One cannot study the legends, histories and traditions of Northern Indigenous communities without recognizing the centrality and significance of *orality*, rather than literacy, in their shared lives and collective memories (Weber-Pillwax, 149). Despite the impositions of western paradigms and the devastating cultural degradation that has affected Indigenous Peoples in Northern Quebec throughout history, many groups continue to place utmost importance on the preservation of their oral traditions and cultural practices. Nowadays, new generations of Northern Indigenous youth are finding innovative ways to pass on their cultural heritage, reappropriating it to suit modern times, while also maintaining this tradition of orality. Through the examination of two contemporary methods of story-telling, the Wapikoni Mobile multi-media project and the politically-charged hip-hop work of métis (Algonquin/Quebecois) activist, Samian, this paper will briefly explore how new mediums are being used as tools of cultural revitalization and preservation of oral traditions in a contemporary Northern Québécois setting.

Described as a project « par et pour les autochtones », Wapikoni Mobile (a converted RV) is a traveling film studio that focuses on empowering and training Indigenous youth to create audio-visual works, usually in the form of short films or audio-recordings. The project was initiated by filmmaker Manon Barbeau and co-founded by the Council of the Atikamekw Nation and the First Nations of Quebec and Labrador Youth Council in 2004. Since its creation, Wapikoni Mobile has visited 19 Indigenous communities across Quebec, from Kitcisakik in the Abitibi region to Kawawachikamach in Northern Quebec. Through participatory learning, youth receive on the ground training from professionals in the music and film industry (everything from script writing to technical aspects of filming and editing) and are assisted by youth workers as well as local Indigenous coordinators (Wapikoni Mobile).

However, most importantly, the projects provide a space for Indigenous youth in Quebec to express themselves and share their stories, interests, concerns, fears, and cultural traditions. Not only does this method of storytelling help shed light on important cultural traditions, it also empowers youth by giving them meaningful projects that keep them involved. This is particularly relevant for communities in Northern Quebec where issues such as drug and alcohol dependency (Clibbon, CBC News), isolation and high youth suicide rates are of great concern.¹

As cited by Iseke and Moore in their article *Community-based Indigenous Digital Storytelling with Elders and Youth*, indigenous digital story-telling “has the potential to integrate indigenous artifacts, sacred places, and stories in innovative new ways undreamt of between the margins of the white page” (21). The young filmmakers of the Wapikoni Mobile projects may continue to engage in this digital storytelling which aids “in negotiating social priorities and contemporary community needs, expresses community viewpoints, and safeguards community values and norms” (Iseke and More, 21).

Furthermore, Wapikoni Mobile projects encourage youth to reflect on their own cultural traditions and histories. Many of the short films feature interviews or interactions with grandparents or elders of the community, demonstrating the bridging of an intergenerational gap. Films such as *Kokum and Me* by Amanda Mianscum from the Northern Cree community of Oujé-Bougoumou are exemplary of this. This film depicts an intergenerational reunion between grandmother and grand-daughter – both reflecting on their adolescent lives and the different challenges each have faced.²

Projects such as Wapikoni also help foster the skills of budding artists and activists, giving them opportunities to emerge onto the national filmmaking scene. A concrete example of this can be found in the award-winning short film, *Nanameshkueu* (Earthquake) by Réal Junior Leblanc, an Innu man from the community of d’Uashat mak

¹ Note: Suicide rates on the First Nations and Inuit population are significantly higher than in the general population, with First Nations experiencing rates 5 times higher and Inuit, 11 times higher than their Canadian counterparts (Simeone, p.5)

² Amanda Mianscum, “Kokum and Me,” *Wapikoni Mobile*, 2010. Available at: <<http://wapikoni.tv/medias/fiche/movie/87>>.

Mani-Utenam. In just under three minutes, this brief film's touching imagery and poetics capture the pain, the losses and the healing of his people, while also instilling a message of hope: "Après chaque vague qui s'épuise, une nouvelle renaît, encore plus forte..."

Je suis Nanameshkueu celui qui ravivera la flamme de mon peuple."³

As is explained by Catherine Sedillot in her Masters' thesis project on the 'Wapikoni mobile', indigenous films and audio-recordings can also "constitute both processes and cultural products where the identity and the 'culture' of the groups that generate them are perpetually reinvented and reinterpreted" (Sedillot, 3). Thus, they allow for a re-imagination of traditions and cultures in the formation of a collective identity, but also of a "reclaim[ing of] their own history so as to affirm their position in the present in a way that can accommodate contemporary reality" (Sedillot, 4). Furthermore, Sedillot explores how story-telling through film and audio-visuals can facilitate the healing processes in many Indigenous communities. She cites particular examples of youth stating that they had acquired better self image and were more at ease with addressing their personal experiences after the Wapikoni Mobile project. This kind of story-telling, which is grounded in oral traditions, "creates spaces for indigenous youth to affirm their identity and become agents of social change" (Iseke and Moore, 21).

Along the lines of social involvement, one Northern Indigenous youth activist has made particularly significant political strides through another contemporary medium: hip-hop and spoken word. Samian, a Métis rapper of Algonquin and Québécois descent from the community of Pikogan in Northern Québec, has turned to the rhythms and poetics of rap music to tell his story as well as the histories of his people and their present-day struggles.

Rap music began to have important impacts on society (particularly on youth) in the 1980s. Adapted to the context in which it is produced, rap is often used as a form of youth expression and resistance to the dominant 'white power' and can be seen as "un outil permettant aux jeunes de s'exprimer et de s'émanciper" (as quoted by Janin, 37). With its use of rhythmic speech, beats and sounds, rap can

be logically linked to Indigenous teaching and storytelling, where a similar emphasis is placed on orality and rhythm (Janin, 38).

Most of the time, Samian expresses himself in French but has also begun to incorporate his Algonquin mother tongue into his work. This in itself demonstrates a form of linguistic cultural revival, as so many Indigenous Peoples have lost the ability to speak in their indigenous languages because of governmental suppression such as those of the Canadian residential school systems (Vivier, 114). The stories told in Samian's raps are framed in a rhetoric of social critique, where traditional ways of life are contrasted with contemporary struggles of Indigenous peoples in Quebec and Canada. This blending of the traditional with the contemporary is also expressed through the structuring of Samian's work where traditional throat singing, drumming, and the use of the Algonquian language juxtapose contemporary beats, styles and politicized lyrics: "Samian mélange ainsi son du tambour et musique techno, ou fait appel à la danse traditionnelle, tout en exprimant son appartenance à l'époque actuelle en faisant référence au contexte urbain" (Janin, 39).

Through songs such as 'Plan Nord' he brazenly attacks and criticizes the government for the negative treatment of Northern Indigenous Peoples and their lands and opposes development projects in the North such as the 'Plan Nord' proposals released by the Quebec government:

Sur ces terres, il y a des gens remplis de sagesse / Enfermés dans vos réserves prisonniers de vos gestes... On ne peut la posséder cette terre nous a élevé / On doit la protéger elle est mère de l'humanité / Le plan nord repose sur une génération / Je m'y oppose au nom de toute la nation!

(Samian, «Plan Nord »)

Lyrics such as these are exemplary of the stance he takes as an ambassador for indigenous culture.

Thus, in the spirit of cultural revitalization and through contemporary oral and audio-visual mediums, artists such as Samian and the youth involved in Wapikoni Mobile projects are raising awareness about the realities of First Nations in Northern Quebec with hopes to diminish the widespread ignorance and prejudices that

³ Réal Junior Leblanc, "Nanameshkueu," *Wapikoni Mobile*, 2010, film available at: < <http://www.youtube.com/watch?v=d4n4ndud8y0>>

are prominent in today's society (Vivier, 112). Despite the integration of new technologies and new ways of storytelling, one can still see the continued importance and value placed on traditions of orality, traditions that have been passed down through generations yet still find ways to manifest themselves in contemporary settings.

Jaya Bordeleau-Cass is an undergraduate student from Montreal, studying Anthropology & Canadian Studies at McGill University. Strongly identifying as an ally to Indigenous Peoples, Jaya is passionate about social justice and encouraging meaningful cultural exchanges based on respect and integrity.

Bibliography

Iseke, Judy and Sylvia Moore. "Community-based Indigenous Digital Storytelling with Elders and Youth." *American Indian Culture and Research Journal* 35.4 (2011): 19-38.

Janin, Anais. «Le rap au service de Section 9: l'affirmation identitaire et culturelle: l'exemple de Samian, rappeur Algonquin».» *Cahier Dialogue: L'activisme autochtone: Hier et aujourd'hui* 1 (2011): 37-41.

Leblanc, Réal Junior. "Nanameshkueu," *Wapikoni Mobile*, 2010. <<http://www.youtube.com/watch?v=d4n4ndud8y0>>.

Mianscum, Amanda. «Kokum and Me,» *Wapikoni Mobile*, 2010. <<http://wapikoni.tv/medias/fiche/movie/87>>.

Samian. "Plan Nord." *Face à la musique*. By DJ Horg (Felix-Antoine Leroux). 2012. Compact Disc. <www.samian.ca/plannord/>.

Sedillot, Catherine Laurent. *Why make movies?: some Atikamekw answers*. Masters Thesis. Montreal: Post Script, 2010. <<http://www.freepatentsonline.com/article/Post-Script/247034910.html>>.

Simeone, Tonina. *Primer on Aboriginal Issues*. Parliamentary Information and Research Service. Ottawa: Library of Parliament, 2011.

Vivier, Julie. "Samian: El artista como puente entre las culturas." *Tinkuy: Boletín de investigación y debate* 16 (2011): 107-122.

Wapikoni Mobile. *L'Univers Wapikoni*. 2010. 6 October 2012. <<http://wapikoni.tv/univers/about/>>.

Weber-Pillwax, Cora. «Orality in Northern Cree Indigenous Worlds.» *Canadian Journal of Native Education* 25.2 (2001): 149-165.

Artist's Statement

Ashten Sawitsky

Art, to me, is a medicine. It's a way to take away all the seriousness of everyday life and put it aside for a while. One can pour all their emotions onto a canvas and then have all those emotions turn into a beautiful creation that everyone could experience in their own way. Art, is a way to express one self in a way words or gestures cannot. What I look to achieve with my art differs from piece to piece, but my main objective is to send a message through visual stimulation. I want my art to make someone stand, stare and think. Hopefully, my art will let other set aside their busy lives, the way it did for me, even if it's for a few seconds and lets them appreciate life's offerings.



◀ **Totem Family** (2012)
Acrylic, 18' by 24'



▲ **Prowl** (2012)
Acrylic, 32' by 38'



◀ **Luner** (2009)
Acrylic, 18' by 24'



Pandora (2011) ▶
Acrylic and gold Ink,
32' by 38'



▲ **Ablaze** (2013)
Acrylic, 16' by 24'

Pocahontas: Myth, Memory and the Creation of a Colonial Narrative

Corinne Wolfson

Pocahontas holds an important dual role in American mythology – alongside Sacajawea and La Malinche, she is one of the most famous Indian women in North American history; alongside Presidents George Washington and Abraham Lincoln, she is part of a foundational nationalist legend.¹ Though esteemed in her lifetime and honored upon her passing, she became most famous in the centuries following her death. The figure of the Indian princess epitomized by Pocahontas was repeatedly invoked in music, poetry, theater, and literature throughout the seventeenth, eighteenth, and nineteenth centuries, and later film in the twentieth. Though the four hundredth anniversary of her death approaches, her memory remains alive and well in the popular imagination. The impressive resilience and popularity of Pocahontas' story is a testament to its adaptability and versatility, for myth exists not just to tell a story about the past, but also to speak to concerns or needs of the present. Different groups through different times have picked up on aspects of her story and tailored or elaborated it for their own contemporary purposes. In death, as in life, Pocahontas serves to mediate and navigate the fraught white-Indian relations, though not always successfully. Thanks to the eponymous Disney movie released in 1995 and the aggressive marketing of the movie and related products, Pocahontas has reemerged as a figure of interest and admiration for a new generation. But beyond the Halloween costumes and the Americanized Romeo and Juliet story, the romanticized tale of love and rescue between John Smith and Pocahontas forwards powerful, if subtle, ideological arguments that fit in with a present-day neocolonialist mindset.

¹ The term "American Indian" (or simply "Indian") is used throughout the paper in reference to both historical and contemporary actors and groups. Though this label is considered pejorative in Canada, it remains widely in use in the United States, where this paper is situated. In a 1995 US Census survey, 49.76% of indigenous Americans preferred "American Indian" as a self-identifier whereas 37.35% preferred "Native American" (Clyde Tucker, Brian Kojetin, and Roderick Harrison, "A statistical analysis of the CPS supplement on race and ethnic origin," in *Proceedings... annual research conference*, p. 307. US Dept. of Commerce, Bureau of the Census, 1996.). Important organizations also prefer this term, notably the American Indian Movement (AIM) and the National Congress of American Indians.

The tale of Pocahontas and her rescue of Captain Smith bears little resemblance to its silver screen depiction. The entire story of the rescue is detailed in Smith's own accounts, namely his 1608 *True Relations* and his 1624 *Generall Historie*. His saga began when Smith, traveling with companions along the Chickahominy River in the winter of 1607, was taken captive by a group of Indians headed by Opechancanough, a war chief and brother to Powhatan, the premier chief of the region. The group killed Smith's companions but spared Smith, perhaps because of the compass he showed the awed warriors.² Smith was then marched over a large portion of coastal Virginia for quite some time until finally arriving at Werewocomoco, the chief place of residence of Powhatan. In the 1608 account, as Tony Horwitz (and many others) have articulated, there is no mention of the famous rescue, and in fact Smith reported a generous welcome by the ruler.³ The 1624 account painted a very different picture:

...two great stones were brought before Powhatan: then as many as could layd hands on him, dragged him to them, and thereon laid his head, and being ready with their clubs, to beate out his braines, Pocahontas the Kings dearest daughter, when no intreaty could prevaile, got his head in her armes, and laid her owne upon his to save him from death.⁴

Powhatan acquiesced to the entreaties of his (by most accounts) favorite daughter.⁵ Pocahontas pops up a few more times in Smith's account in Virginia, bringing the struggling colonists food and warning them of a planned Indian attack, and then once again in England. Pocahontas and her rescue of him thus feature in only a handful of pages in a detailed and substantial tome.

More information on the mysterious Indian princess can be found in works from other authors of the time, such as Samuel Purchas, Ralph Hamor, and William Strachey, whose *Historie of Travaile Into*

² John Smith, *The Complete Works of Captain John Smith (1580-1631)*, ed. Philip L. Barbour (Chapel Hill, NC: University of North Carolina Press, 1986), 147-8.

³ Tony Horwitz, *A Voyage Long and Strange: Rediscovering the New World* (New York: Henry Holt and Company, 2008), 334-5.

⁴ Smith, 150-1.

⁵ *Ibid.*, 258.

Virginia Britannia is another invaluable primary source document of early colonial Virginia.⁶ Pocahontas herself, though fluent in multiple languages, left behind no written records; the only substantive relic from her lifetime is the famous formal English portrait painted in 1616 by Simon Van de Passe.⁷ What we know about Pocahontas is as follows. She was born circa 1595, though various accounts disagree about her age; at the time of the rescue story, estimates of her age range from ten to thirteen, though she was more definitively pinpointed at twenty or twenty-one at the time of her death in 1617.⁸ She was “one of perhaps ten daughters and twenty sons of Powhatan,” and the identity of her mother is unknown. Her personal name was Matoaka, but she would have been called by her formal name, Amonute, because of her culture’s belief that names were a source of great power; Pocahontas was a nickname that translates roughly to playful or wanton one.⁹ She entered the historical record in Smith’s writings, though his accounts end when he was severely injured in a gunpowder accident and forced to return to England for treatment. Pocahontas reentered accounts when she was abducted by Captain Samuel Argall in 1612 and held in captivity at Jamestown, collateral in war between the colonists and Indians. While a hostage, she was instructed in Christianity and converted in 1613, taking on the name Rebecca. In 1614, she married John Rolfe, whose writings reveal that he was deeply in love with her, though we have no way of knowing if the feelings were reciprocated. They had a child together named Thomas in the following year, and the year after that the family traveled to England. Pocahontas was extremely popular in London and was feted by King James I and Queen Anne. In 1617, on board a ship headed to Virginia, Lady Rebecca Rolfe died (probably from tuberculosis) and was buried in Gravesend, England.¹⁰

Though these writings reveal virtually nothing about Pocahontas as an individual, they reveal that she played a vital role as

intermediary between the Indians and the Europeans. This position, of a native woman as go-between and alliance maker, was a familiar colonial convention by the turn of the seventeenth century. Women have virtually no representation in writings of the time, neither official nor unofficial, but Richard White astutely points out that “their traces appear everywhere.”¹¹ Liaisons between native women and French and Spanish male colonizers, often sexual in nature, served an essential diplomatic role, despite the strict objections emanating from both Crown and Church.¹² Both parties had much to gain by engaging in sexual and/or romantic relationships. For the men, they were attractive not only because of the highly skewed sex ratio in the colonies but also because the kinship ties created by such relationships facilitated diplomacy and trade (the latter being particularly important in New France). The women were also often invested in relationships for the formation of political ties, but they also saw the appeal in increased freedom and economic opportunities.¹³ Yet these relationships were not necessarily sexual in nature, for these women additionally participated in small-scale trading, worked as maids, traveled, and negotiated with the white men. Indian women worked in many ways to foster a society in which Europeans and Indians could live peacefully. They “reconstituted society, [creating] new social identities for people born in other foreign worlds.”¹⁴ By acting as a savior to Smith and as a wife to Rolfe, Pocahontas was using her position straddling the two worlds to create identities for these men within her society as respected kin.

In the years following her death and through the mid-eighteenth century, it was this image of Pocahontas as mediator that captured the hearts of the American colonists, particularly Virginians. As Åsebrit Sundquist has demonstrated in her exhaustive survey of female American Indian literary characters, in novels, plays and poems, Pocahontas is almost invariably modeled after the ‘Angel’ stereotype with only the more positive, erotic attributes of the ‘Siren’ character.¹⁵

⁶ Philip Young, “The Mother of Us All: Pocahontas Reconsidered,” *The Kenyon Review* 24, no. 3 (Summer, 1962): 394-5, <http://www.jstor.org/> (accessed March 12, 2012).

⁷ Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America*, (Cambridge, MA and London: Harvard University Press, 2001), 73-4.

⁸ Robert S. Tilton, *Pocahontas: The Evolution of an American Narrative* (New York: Cambridge University Press, 1994), 7-8.

⁹ Richter, 70-1.

¹⁰ Tilton, 6-8.

¹¹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991), 74.

¹² Jennifer M. Spear, “Indian Women, French Women, and the Regulation of Sex,” in *American Sexual Histories, Second Edition*, ed. Elizabeth Reis (Malden, MA: Wiley-Blackwell, 2012), 58.

¹³ *Ibid.*, 59-60.

¹⁴ White, 325.

¹⁵ Åsebrit Sundquist, *Pocahontas & Co.: The Fictional American Indian Woman in Nineteenth Century Literature: A Study of Method* (Atlantic Highlands, NJ: Humanities Press International Inc., 1987), 50-1.

The focus of the myth, however, has been less consistent; whereas today she is glorified in the Smith rescue tale, in the colonial and early national period, “her relationship to John Rolfe...was often seen as being as important as her rescue of John Smith.”¹⁶ This was partially because of the importance of the couples’ bloodline – Thomas Rolfe, who first returned to Virginia almost two decades after his mother’s death, begot some of the most illustrious families (also known as the FFV, or First Families of Virginia) in that colony.¹⁷ Pocahontas’ bloodline was thus a status symbol and proof of noble birth. Moreover, though, her relationship to Rolfe was celebrated within a colonialist frame as a successful civilizing of the ‘savage native’. The Indian princess betrayed the interests of her people more than once before she converted to Christianity, forsook her native name, and abandoned her marriage to an Indian called Kocoum to wed Rolfe. As Jay B. Hubbell observes, “she practically ceased to be an Indian, and except for the color of her skin she might have passed for the conventional romantic heroine.”¹⁸ She was the realization of colonial objectives for the natives, a paragon of assimilation and a model for European-Indian relations.¹⁹ This model was all the more exalted because it had not been accomplished in any significant way; warfare between the groups commenced quickly after Pocahontas departed for England despite the respite her diplomatic marriage had provided, and hostile Indian-colonist relations continued through the Revolutionary period.²⁰ The memory of her marriage evoked the image of the road not taken, an unfulfilled dream of a world where whites and natives could live together peacefully – and on white terms.

As the eighteenth century wore on, however, this exemplary amalgamation of races began to lose its appeal. Indians no longer

represented any consequential threat, and if they could not be easily civilized as Pocahontas was, they were handled with force. Miscegenation, no longer necessary for peaceful race relations, was increasingly demonized, particularly as race-based hierarchies began to take hold in a slaveholding society. Dispossession and relocation was the now preferred method of dealing with the Indians, not intermarriage. In this context, the focus of Pocahontas’ tale “shift[ed] from ‘wife of Rolfe’ to ‘savior of Smith.’”²¹ Her marriage to Rolfe, once idealized and praised, became an inconvenient and problematic end to the narrative, and has since been largely relegated to the sidelines or wholly ignored in mythology.²² The paramount emphasis on the Smith rescue story, particularly after the love story was added, was preferable for two central reasons. The first was the growing perception of Captain Smith as an American hero, particularly as the country prepared for a break from Great Britain and, thus, a break from their traditional cultural ties.²³ America was an emerging nation desperate for symbols, traditions, and heroes as a source of common identity and as a basis of unity. Such commonalities were a vital element as the disparate colonies attempted to form a cohesive polity leading up to, during, and even following the Revolutionary War. Pocahontas’ rescue glorifies her as a good Indian and a protector of Smith, and by proxy, protector of the struggling colony that would flourish with her assistance. The story additionally serves to legitimize the colonial narrative that positions white men as the rightful inhabitants of the New World. As Betty Louise Bell argues, this romantic portrayal is a “patriarchal narrative which is, itself, dedicated to surrender and conquest,...transforming violence into mutual seduction.”²⁴ Pocahontas’ rescue, a betrayal of her own people in favor of the white man who has conquered her heart, symbolizes in microcosm the victorious conquest of the natives by whites. Secondly, this version of the story was preferable because, though it contained the element of love, Smith and Pocahontas did not end up together, effectively erasing the menace of interracial marriage and mixed-race children.²⁵

¹⁶ Tilton, 3; Though Pocahontas was an interesting and major force of her own, it is notable that she is almost never spoken of without relation to Smith or Rolfe. This is typical for depictions of Indians, who are almost never depicted on their own terms or without reference to whites. For elaboration on this, see Edward Buscome, *‘Injuns!’: Native Americans in the Movies* (London: Reaktion, 2006), 28 and Rayna Green, “The Pocahontas Perplex: Images of American Indian Women in American Culture,” *The Massachusetts Review* hkkj16, no. 4 (Autumn 1975), 703, <http://www.jstor.org/> (accessed March 12, 2012).

¹⁷ Tilton, 9-11.

¹⁸ Jay B. Hubbell, “The Smith-Pocahontas Story in Literature,” *The Virginia Magazine of History and Biography*, vol. 65, no. 3 (July, 1957): 287, <http://www.jstor.org/> (accessed March 12, 2012).

¹⁹ Rebecca Ann Bach, *Colonial Transformations: The Cultural Production of the New Atlantic World, 1580-1640* (New York: Palgrave, 2000), 146.

²⁰ Tilton, 11-19.

²¹ *Ibid.*, 25-7.

²² Young, 411.

²³ Tilton, 25-7.

²⁴ Betty Louise Bell, “Pocahontas: ‘Little Mischief’ and the ‘Dirty Men’,” *Studies in American Indian Literatures: The Journal of the Association for the Study of American Indian Literatures* 6, no. 1 (1994): 64, <http://www.jstor.org/> (accessed March 12, 2012).

²⁵ Tilton, 26.

Despite its prevalence, the notion that Smith and Pocahontas were ever romantically linked is unlikely.²⁶ Smith's 1624 account, published seven years following Pocahontas' death, vaguely insinuates such claims but never clearly professes as much. However, Smith's credibility has been actively disputed since the mid-nineteenth century; his penchant for (at best) exaggerating stories in the name of self-aggrandizement, particularly at the time of the *Generall Historie's* publication when Smith was seeking the fame and money he had all but lost, leads most scholars to dismiss these claims.²⁷ A few seized upon this fiction after Smith's death, but it was not until John Davis expanded and embellished the story of love and rescue at the turn of the nineteenth century that this version of the myth gained widespread popularity.²⁸ His first retelling of the story came in a forty-four-page excerpt within a travel account that was assumed credible because of Davis' claims to objectivity and historical seriousness (though his version is highly fanciful, speculative, and filled with emotional language, he asserts that "in the progress of my story I have adhered inviolably to facts; rejecting every circumstance that had not evidence to support it") as well as an endorsement by President Thomas Jefferson, to whom the book was dedicated.²⁹ From this point on, "true or not," and despite the vocal refutations by numerous intellectuals, "it has become a part of our American folklore," the story replicated repeatedly and without much variation in plays, books, poems, songs, paintings, and sculpture.³⁰

Pocahontas remained prevalent in such cultural expressions for much of the nineteenth century, but her popularity waned in the twentieth century. Her place in American memory almost vanished when, in 1995, the Walt Disney Company, fresh off their success with the *Lion King* and in response to the criticism surrounding the racism depicted in *Aladdin*, seized upon this historic figure. Disney went out of its way to appear sympathetic to sensitive topics, extensively publicizing their in-depth researching efforts as well as their employment of Indians as consultants and voice actors, including

Russell Means, an activist in Native American rights. All five of the main Indian characters are actually voiced by Indians, an incredibly unheard of circumstance in Hollywood.³¹ On its surface, in this way and many others, *Pocahontas* achieves its goal of appearing politically correct. Its themes of environmentalism, feminism, and cross-cultural respect seem to promote tolerance and equality, epitomized most completely by the song "Colors of the Wind."³² While Pocahontas seems to teach good lessons, it is actually subtly shaping views of Indians and of the contact period in ways that are not only unhelpful and reductionist but also harmful and prejudiced.

The muted neocolonial themes that permeate the movie are all the more harmful because of its format, an apparently innocuous children's movie. As Derek T. Buescher and Kent A. Ono expertly detail, its aforementioned themes of environmentalism, feminism and racial tolerance work to shrewdly undermine a positive image of Powhatan society.³³ The movie's environmentalism is overly simplistic, a reiteration of the 'noble savage' trope that reduces natives to uncivilized and innocent creatures that also invalidates present-day Indians who do not fit this outdated stereotype.³⁴ The strong feminism of the title character that appears to empower women, while an important and powerful moral, simultaneously depicts the Powhatan as patriarchal and controlling.³⁵ Her father and her assigned groom, Kocoum, spend much of the movie telling Pocahontas what she should and should not do; when, at the end of the movie, she saves the societies from warfare through defiance of her father, her recklessness is rewarded and her views towards the colonists vindicated. The cross-cultural tolerance also promoted by the movie, represented most clearly by Smith and Pocahontas' interracial love, is almost completely one sided. As Pauline Turner Strong points out, Smith only learns a smattering of

²⁶ Richter, 69-71.

²⁷ Horwitz, 326-7.

²⁸ Tilton, 35-7.

²⁹ John Davis, *Travels of Four Years and a Half in the United States of America During 1798, 1799, 1801, and 1802* (New York: Henry Holt and Company, 1909), 321.

³⁰ Hubbell, 277; Tilton, 35-57.

³¹ Gary Edgerton and Kathy Merlock Jackson, "Redesigning Pocahontas: Disney, the 'White Man's Indian,' and the Marketing of Dreams," *Journal of Popular Film and Television* 24, no. 2 (1996): 90-92, <http://www.tandfonline.com/> (accessed March 13, 2012); Buscombe, 152-4.

³² *Pocahontas*, DVD, directed by Mike Gabriel and Eric Goldberg (Burbank, CA: Walt Disney Studios Home Entertainment, 1995).

³³ Derek T. Buescher and Kent A. Ono, "Civilized Colonialism: Pocahontas as Neocolonial Rhetoric," *Women's Studies in Communication* 19, no 2 (Summer 1996): 127-38. <http://digilib.bc.edu/> (accessed March 17, 2012).

³⁴ Jacquelyn Kilpatrick, *Celluloid Indians: Native Americans and Film* (Lincoln and London: University of Nebraska Press, 1999), 150-1.

³⁵ Buescher and Ono, 142-5.

Algonquian words, while Pocahontas is magically able to understand and speak in English. Her culture, moreover, is depicted as childlike, even silly, on more than one occasion.³⁶ When Smith inquires about gold, Pocahontas thinks he is talking about corn. When Smith remarks on the strange-sounding names of the Powhatan, Pocahontas remarks that John Smith, too, is a funny sounding name.³⁷ Both are meant to be jokes, though neither is inherently funny. At the same time, it ignores the failure of this open-minded ideal in the decades and centuries following the central figures' deaths, when whites favored killing over negotiation and cohabitation. Ultimately, the movie is produced by whites and intended for a white audience, so it is no wonder that it caters to those needs.

While appearing tolerant to whites, many Indians are much warier and more critical of the film. For them, *Pocahontas*' well-intentioned messages mean very little in the face of the damaging rhetoric inherent in the story. Robert Eaglestaff likens the endeavor to "trying to teach about the Holocaust and putting in a nice story about Anne Frank falling in love with a German officer."³⁸ The repetition of the Pocahontas-Smith rescue narrative serves to reinforce the same harmful colonial messages that have been in place since the seventeenth and eighteenth centuries, now for a wider and more impressionable audience. The sexualized depiction of anachronistically-teenaged Pocahontas, with Barbie doll proportions, Anglicized features, and long flowing hair, not only fetishizes her image but also portrays her as a sort of 'tribal Eve' and a child of nature.³⁹ "Here," explains Ella Shohat, "colonial and patriarchal discourses are clearly interwoven."⁴⁰ Pocahontas exists to be exploited by Smith, just as her peoples' land exists to be exploited by the colonists. This powerful colonial narrative that undercuts the movie functions within a neocolonial setting to fetishize Indian women while ignoring and allaying blame

for the imperial endeavors of American settlers, all in the guise of an harmless cartoon.

American Indians in the United States have suffered innumerable injustices yet, unlike the (at least partial) reparations extended toward other minority groups such as African- and Asian-Americans, they have little visibility in the American public. The diverse groups across the nation continue to suffer from the legacy of disease, decimation, and theft left by American imperialism. The fictive Pocahontas tale, particularly when portrayed as romantic or sexual, contains powerful themes of willing subordination that effectively and almost imperceptibly justifies these actions. Though academics have worked to dispel the myth and reveal a more accurate picture of the Powhatan-European interaction, Disney's 1995 kid-geared film continues to perpetrate the Americanized Romeo and Juliet tale to the detriment of Indian groups. The Pocahontas myth, in its various incarnations, has remarkable staying power. Disney's *Pocahontas*, with its calls for tolerance across race and gender represents a flawed step in the right direction.

Corinne Wolfson is a non-Indigenous ally studying American ethnohistory.

Works Cited

Bach, Rebecca Ann. *Colonial Transformations: The Cultural Production of the New Atlantic World, 1580-1640*. New York: Palgrave, 2000.

Bell, Betty Louise. "Pocahontas: 'Little Mischief' and the 'Dirty Men'." *Studies in American Indian Literatures: The Journal of the Association for the Study of American Indian Literatures*, vol. 6, no. 1 (1994): 63-70. <http://www.jstor.org/> (accessed March 12, 2012).

Buescher, Derek T. and Kent A. Ono. "Civilized Colonialism: Pocahontas as Neocolonial Rhetoric." *Women's Studies in Communication*, vol. 19., no 2 (Summer 1996): 127-53. <http://digilib.bc.edu/> (accessed March 17, 2012).

Buscome, Edward. *'Injuns!': Native Americans in the Movies*. London: Reaktion, 2006.

³⁶ Pauline Turner Strong, "Playing Indian in the 1990s: *Pocahontas* and *The Indian in the Cupboard*," In *Hollywood's Indian: The Portrayal of the Native American in Film*, ed. Peter C. Rollins and John E. O'Connor (Lexington, KY: The University Press of Kentucky, 1998), 196-8.

³⁷ *Pocahontas*.

³⁸ Qtd. in Kilpatrick, 151.

³⁹ Strong, 197; Bell, 66-8; Buescher and Ono, 135-8; Edgerton and Jackson, 90-5.

⁴⁰ Ella Shohat, "Gender and Culture of Empire: Toward a Feminist Ethnography of the Cinema," *Quarterly Review of Film & Video* 13, no. 1-3 (1991): 46, <http://www.tandfonline.com/> (accessed March 13, 2012).

Davis, John. *Travels of Four Years and a Half in the United States of America During 1798, 1799, 1801, and 1802*. New York: Henry Holt and Company, 1909.

de las Casas, Bartolomé. *The Devastation of the Indies: A Brief Account*. Translated by Herma Briffault. New York: Seabury Press, 1974.

Edgerton, Gary and Kathy Merlock Jackson. "Redesigning Pocahontas: Disney, the 'White Man's Indian,' and the Marketing of Dreams." *Journal of Popular Film and Television*, vol. 24, no. 2 (1996): 90-99. <http://www.tandfonline.com/> (accessed March 13, 2012).

Green, Rayna. "The Pocahontas Perplex: Images of American Indian Women in American Culture." *The Massachusetts Review*, vol. 16, no. 4 (Autumn 1975), 698-714. <http://www.jstor.org/> (accessed March 12, 2012).

Horwitz, Tony. *A Voyage Long and Strange: Rediscovering the New World*. New York: Henry Holt and Company, 2008.

Hubbell, Jay B. "The Smith-Pocahontas Story in Literature." *The Virginia Magazine of History and Biography*, vol. 65, no. 3 (July, 1957): 275-300. <http://www.jstor.org/> (accessed March 12, 2012).

Kilpatrick, Jacquelyn. *Celluloid Indians: Native Americans and Film*. Lincoln and London: University of Nebraska Press, 1999.

Pocahontas. DVD. Directed by Mike Gabriel and Eric Goldberg. Burbank, CA: Walt Disney Studios Home Entertainment, 1995.

Richter, Daniel K. *Facing East from Indian Country: A Native History of Early America*. Cambridge, MA and London: Harvard University Press, 2001.

Rollins, Peter C. and John E. O'Connor. "The Study of Hollywood's Indian: Still on a Scholarly Frontier?" In *Hollywood's Indian: The Portrayal of the Native American in Film*, edited by Peter C. Rollins and John E. O'Connor, 1-11. Lexington, KY: The University Press of Kentucky, 1998.

Shohat, Ella. "Gender and Culture of Empire: Toward a Feminist Ethnography of the Cinema." *Quarterly Review of Film & Video*, vol. 13, no. 1-3 (1991): 45-85. <http://www.tandfonline.com/> (accessed March 13, 2012).

Shome, Raka. "Outing Whiteness." *Critical Studies in Media Communication*, vol. 17, no. 3 (September, 2000): 366-71. <http://www.tandfonline.com/> (accessed March 13, 2012).

Smith, John. *The Complete Works of Captain John Smith (1580-1631), volume 2*. Edited by Philip L. Barbour. Chapel Hill, NC: University of North Carolina Press, 1986.

Spear, Jennifer M. "Indian Women, French Women, and the Regulation of Sex." In *American Sexual Histories, Second Edition*, edited by Elizabeth Reis. Malden, MA: Wiley-Blackwell, 2012.

Strong, Pauline Turner. "Playing Indian in the 1990s: *Pocahontas* and *The Indian in the Cupboard*." In *Hollywood's Indian: The Portrayal of the Native American in Film*, edited by Peter C. Rollins and John E. O'Connor, 187-205. Lexington, KY: The University Press of Kentucky, 1998.

Sundquist, Åsebrit. *Pocahontas & Co.: The Fictional American Indian Woman in Nineteenth Century Literature: A Study of Method*. Atlantic Highlands, NJ: Humanities Press International Inc., 1987.

Tilton, Robert S. *Pocahontas: The Evolution of an American Narrative*. New York: Cambridge University Press, 1994.

Tucker, Clyde, Brian Kojetin, and Roderick Harrison. "A statistical analysis of the CPS supplement on race and ethnic origin." In *Proceedings... annual research conference*, p. 307. US Dept. of Commerce, Bureau of the Census, 1996.

White, Richard. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. Cambridge: Cambridge University Press, 1991.

Young, Philip. "The Mother of Us All: Pocahontas Reconsidered." *The Kenyon Review*, vol. 24, no. 3 (Summer, 1962): 391-415. <http://www.jstor.org/> (accessed March 12, 2012).

Implications of Section 718.2(e) and the Supreme Court's Interpretation of *R. v. Gladue* (1999) for Aboriginal Sentencing in Canada

Alison Brown

Aboriginal peoples have been consistently overrepresented in the Canadian criminal system throughout the past half-century¹. In an effort to improve the judicial process for all Canadians, but more specifically to reduce the proportion of Aboriginal offenders in jail, the Government of Canada added section 718.2(e) to the Criminal Code of Canada's sentencing guideline in 1996. Until the Supreme Court ruled on *R. v. Gladue* (1999)², however, s.718.2(e) was left open to individual judges' interpretation, and many chose to ignore or lightly interpret this provision. After the Supreme Court's ruling, judges were not only required to take into account an offenders' personal history and a variety of societal factors when sentencing any Aboriginal, but also try to find alternatives to incarceration whenever possible.

Although these changes were initially implemented to reduce Aboriginal overrepresentation in the criminal justice system and limit overt discrimination, this paper argues that it actually produced a series of unforeseen consequences. The paper is composed of two sections: Part one briefly overviews why s.718.2(e) was added to the Criminal Code, how the Supreme Court interpreted this provision in *R. v. Gladue*, and the positive outcomes from this interpretation. The second part overviews some of the negative ramifications of the Supreme Court's interpretation, namely: costs, additional burdens on counsel and judges, and negative consequences for women. Essentially, s.718.2(e) benefitted individual Aboriginal offenders while causing more harm than good for general society. Part two also highlights some of the inconsistencies in the Supreme Court's rulings. In effect, this paper accepts the logic of restorative justice, but raises questions about the effects of the approach taken throughout its implementation.

¹ For the purposes of this paper, the author will use the government-defined term Aboriginal to include First Nations, Inuit and Metis individuals.

² *R. v. Gladue*, [1999] 1 S.C.R. 688.

S.718.2(e)

The Chrétien government introduced Bill C-41 in 1996 to address general criticisms of judicial sentencing practices. Among its provisions, Bill C-41 added two sections to the Criminal Code of Canada: section 718, which outlined the purposes and principles of sentencing, and 742, which provided specifications about conditional sentencing³. The bill emerged in response to two reports that had focussed on sentencing dilemmas in Canada. The first report, published by the Canadian Sentencing Commission (1987), found that the key problem in the criminal justice system was the overuse of imprisonment as a form of justice⁴. A year later, a House of Commons Standing Committee, after visiting correctional facilities across Canada, recommended over one hundred changes to criminal sentencing, including measures to reduce incarceration rates⁵. Other incentives for change included the numerous studies that demonstrated that Canada had a more punitive justice system and higher rates of incarceration than most Western nations, which directly contradicted Canada's reputation as a more liberal and tolerant society⁶. Prime Minister Jean Chrétien, who had previously been both Minister of Indian Affairs and Minister of Justice, was known to be particularly concerned about Aboriginal issues.

Since the mid-twentieth century, Aboriginal peoples have been strongly overrepresented in correctional facilities: although they only compose approximately 2% of the general population, they represent 16.3% of federal offenders⁷. Higher rates of crime combined with overt discrimination in the judicial system explain their elevated rates of incarceration. Therefore, s. 718.2(e) of Bill C-41, which stipulates that courts must take into consideration "all available sanctions other than imprisonment that are reasonable in the circumstances...for all offenders, with particular attention to...Aboriginal offenders"⁸, was an extremely important addition for Aboriginal offenders

³ Criminal Code of Canada, 1996, c C-41, s.718 and s.742.

⁴ Canadian Sentencing Commission "Sentencing Reform: A Canadian Approach," Ottawa : Supply and Services Canada, 1987.

⁵ Daubney, David "Taking responsibility, Report of the standing committee on Justice and Solicitor General on its review of sentencing, conditional release and related aspects of corrections," Ottawa: Ministry of Supply and Services, 1988.

⁶ Ogloff, James R. P., and Andrew Welsh, "Progressive Reforms or Maintaining the Status Quo?: An Empirical Evaluation of the Judicial Consideration of Aboriginal Status in Sentencing Decisions," *Canadian Journal of Criminology and Criminal Justice* 50:4 (2008): 492.

⁷ Ogloff and Welsh, "Progressive Reforms of Maintaining the Status Quo?," 493.

⁸ Criminal Code of Canada, 1996, c C-41, s.718.2(e).

These requirements marked a shift away from traditional punitive justice towards a more restorative justice-based sentencing for Aboriginal offenders. Restorative justice revolves around the concept of a 'criminal justice community', in which the entire community is involved in rehabilitating both the offender and the victim through principles of accountability, forgiveness, reparation, inclusion, and fairness. It is essential that both the victim and offender feel as though justice has been achieved. Therefore, a critical component of this process is establishing appropriate reparations between the offender and the victim⁹.

Aboriginal peoples received particular attention in Bill C-41 because their culture is traditionally rooted in restorative justice. Scholars and Aboriginal community leaders alike asserted that Aboriginal peoples have always had a system of justice and governance that stresses the interconnectedness of society. One author reflected that "there is a contradiction to the Aboriginal solution that seeks harmony and balance among individuals, the family and community, and the mainstream one that is crisis-oriented, punishes the abuser, and separates the family and community¹⁰". Traditionally, Aboriginal communities have sought to involve both the victim and the offender in a lengthy process of reconciliation that forces the offender to take full responsibility for his wrongdoing. In this perspective, incarceration or probation is too easy on the offender, tantamount to an acquittal of the offender, and a complete abdication of true justice¹¹. For this type of community, restorative justice or a modified form clearly makes sense, and the government responded accordingly.

S.718.2(e) was given a wide range of interpretations until the Supreme Court ruled on *R. v. Gladue*. Before that point, some judges went to great lengths to alter their sentencing procedures, while others essentially ignored these requirements. For example, since the amendment provided no specific definition as to who qualified as an Aboriginal offender, this was also left open to interpretation. Did non-residential offenders warrant the same attention? Urban dwellers?

⁹ Miller, Shereen Benzvy, and Mark Schacter. "From restorative justice to restorative governance," *Canadian Journal of Criminology and Justice* 42:3 (2000): 407.

¹⁰ Baskin, Cindy, "Holistic Healing and Accountability: Indigenous People and Restorative Justice," *Child Care in Practice* 8:2 (2002): 134.

¹¹ Baskin, "Holistic Healing and Accountability," 135.

Aboriginal peoples who had denied their status for numerous years? Aboriginals who committed offences against non-Aboriginals?

Judges were only forced to adopt a more consistent interpretation of s.718.2(e) in 1999 after the Supreme Court ruling on *R. v. Gladue*. In this case, a young woman named Jamie Gladue stabbed her husband because she suspected him of having an affair with her sister¹². Jamie was sentenced to imprisonment for three years after pleading guilty to manslaughter, but was released early on parole for good behaviour. Gladue appealed the sentence on the grounds that the judges had not taken into consideration s.718.2(e) because, although an Aboriginal, she did not live on a reserve. The British Columbia Court of Appeal rejected her appeal on the ground s.718.2(e) did not apply to her.

In their decision, Justices Cory and Iacobucci upheld the British Columbia Court of Appeal's judgement to dismiss Gladue's appeal, but made a number of specifications with regards to s.718.2(e). Their primary concern was that the lower court judges had not given special consideration to Gladue's Aboriginal status at either the trial or appellate courts. Cory and Iacobucci accordingly declared that s.718.2(e) "applied to all Aboriginals whether they reside on-or off- reserve, in a large city or rural area", removing any doubt about the definition of Aboriginal. More important was their statement that s.718.2(e) was not merely a continuation of existing law (implying punitive law), but much more remedial in nature. Thereby the Court clearly endorsed the notion of restorative justice and sentencing based on healing principles. However, Justices Cory and Iacobucci were careful to emphasize that s.718.2(e) would not automatically apply in all cases or that Aboriginal people would be entitled to shorter or non-custodial sentences simply because of their status. In addition, they stressed that sentences should not be reduced in more serious offenses¹³.

Benefits of 718.2(e)

A study commissioned for the RCMP indicated that communities feel that s.718.2(e) has benefitted Aboriginal peoples in numerous respects. The exact implementation of restorative justice programs

¹² *R. v. Gladue*, [1999] 1 S.C.R. 688.

¹³ *R. v. Gladue*, [1999] 1 S.C.R. 688.

has varied significantly across communities, ranging from branches of governmental departments (rarely) to community agencies (more commonly). Regardless of method, communities perceive that the shift towards restorative justice has led to a better reintegration of both the victim and the offender into society. Aboriginal offenders have stated that they had a much deeper appreciation of their own wrongdoing as well as its impact on the victim, and were more prepared to take responsibility for their actions¹⁴. Studies have also shown that victims expressed a deeper overall satisfaction with the justice system and had higher hopes that they would come to peace with the past¹⁵.

“Post-colonial” scholars argue that the Supreme Court’s interpretation of s.718.2(e) not only improved the system for Aboriginal offenders, but also reflects the success of decolonization. According to these scholars, the overincarceration of Aboriginal peoples was a product of the broader structure of institutions in Canada relating to the legacies of colonialism and neo-colonialism¹⁶. By shifting towards restorative justice, the Government of Canada demonstrated a respect for Aboriginal values and traditions, thus rejecting the hegemony of Euro-Canadian justice traditions. It also gave Aboriginals increased authority over their affairs, a central tenet of decolonization. In this sense, sentencing reform “play(ed) the dual role of acknowledging both the oppressive role of the criminal justice system and its liberating potential through the recognition and legitimation of Aboriginal justice practices¹⁷”.

While certain critics of *R. v. Gladue* have labeled the Supreme Court’s provisions as another example of judicial activism and disregard for Parliamentary legislation, this is not true. The Supreme Court did not create new legislation or strike down existing legislation that would result in the nullification of a law. As noted above, s.718.2(e) was widely interpreted between 1996 and 1999 by counsel and judges alike. Therefore, Justices Cory and Iacobucci’s ruling was not an imposition

of the Supreme Court, but rather an enforcement and clarification of a Parliamentary amendment to the Criminal Code to ensure consistency and fairness in its application¹⁸.

Problems with the implementation of *R. v. Gladue* (1999)

By enforcing s.718.2(e) and specifying its provisions, *R. v. Gladue* was supposed to reduce the number of Aboriginals in prisons and improve the judicial system for Aboriginals. Unfortunately, problems have emerged with both of these goals.

While s.718.2(e) was supposed to diminish the over-representation of Aboriginals, the opposite has in fact occurred. This is largely because of the Supreme Court’s ruling in *R. v. Proulx* (2000), which suggested that conditional sentences should be relatively restrictive since they have both rehabilitative and punitive elements¹⁹. As a result, longer, conditional sentences were given that automatically led to imprisonment when violated. Aboriginal offenders who breached these conditional sentences therefore often found themselves imprisoned for longer periods of time than if they had been sent directly to jail²⁰. Unfortunately, due to the youthfulness of many Aboriginal offenders, this has been fairly common.

Cost, both for the Canadian government and Aboriginal communities, has become a serious issue in using restorative justice. Due to a combination of unemployment, substance abuse and family circumstance, it has become common for Aboriginal offenders to appear unrepresented before court, which forces it to appoint legal aid. If a judge decides that restorative justice is appropriate when sentencing an offender, it consequently becomes the duty of the Crown-appointed counsel to collect the appropriate information about the offender²¹. This is not necessarily a quick or easy process - depending on the circumstances, it can take months for counsel to find the time and resources to travel to a community and learn about an offender’s

¹⁴ Chatterjee, Jharma, “A Report on the Evaluation of RCMP Restorative Justice Initiatives: Community Justice Forum as Seen by Participants,” Ottawa: RCMP Community, Contract and Aboriginal Policing Services, (1999).

¹⁵ Chatterjee, “A Report on the Evaluation of RCMP Restorative Justice Initiatives.”

¹⁶ Adjin-Tetty, Elizabeth. “Sentencing Aboriginal Offenders: Balancing Offenders’ Needs, the Interests of Victims and Society, and the Decolonization of Aboriginal Peoples.” *Canadian Journal of Women and the Law* 19:1 (2007): 183.

¹⁷ Adjin-Tetty, “Sentencing Aboriginal Offenders,” 184.

¹⁸ Turpel-Lafond, M.E., “Justice as Healing: A Newsletter on Aboriginal Concepts of Justice,” Native Law Centre 4:3 (1999), accessed March 10, 2012. http://www.usask.ca/nativelaw/publications/jah/1999/Sent_Para_Gladue.pdf.

¹⁹ *R. v. Proulx*, [2000] 1 S.C.R. 61.

²⁰ Roach, Kent and Jonathan Rudin, “Gladue: The judicial and political reception of a promising decision,” *Canadian Journal of Criminology and Criminal Justice* 42:3(2000): 357.

²¹ Anand, Sanjeev, “The sentencing of Aboriginal offenders, continued confusion and persisting problems: A comment on the decision in *R. v. Gladue*,” *Canadian Journal of Criminology and Criminal Justice* 42:3 (2000): 418.

personal history. To exacerbate matters, a judge might ultimately decide that incarceration is, in fact, the best form of justice after counsel produces an in-depth analysis of an offender's circumstance.

While it could be argued that the costs of incarceration far outweigh the costs of healing-based justice, that does not take into account the numerous costs associated with maintaining adequate institutions for restorative-based justice in a community. Oftentimes money and time will be redirected from other community programs in order to facilitate restorative justice programs, which diverts already limited resources²². Aboriginal offenders are often reluctant to divulge their experiences to counsel because of previous discrimination or racism they faced in the system, which only makes it more difficult and costly for counsel to assess the best course of action. Some scholars have made an argument that the money spent going through this process might be better used on addressing the root causes in society that led to Aboriginal crime and overrepresentation in Canadian prisons, such as housing shortages, substance abuse, unemployment, and educational deficiencies²³.

Restorative justice also creates additional burdens on counsel and the sentencing judge. As previously discussed, it is imperative that these two groups familiarize themselves with individual communities, the available resources in them, and alternatives to these traditional methods in order to reach an informed decision. An excellent understanding of restorative justice and Aboriginal culture is also crucial to the sentencing procedure. Aboriginal communities can be extremely culturally and geographically diverse, which can make it even more difficult for a judge to appreciate the nuances of these cultural differences. For example, the three judges who preside over cases in Nunavut travel between twenty-three communities (and sixty-seven circuits), spanning approximately 162,155km. In addition, each judge must have a basic comprehension of three languages (Inuktitut, Inuinnaqtun, and English), and an intricate understanding of Inuit Qaujimajatuqangit (IQ), or traditional Inuit knowledge, which provides the basis of governance in Nunavut. Finally, good relations

²² Turpel-Lafond, M.E., "Justice as Healing."

²³ Anand, "The sentencing of aboriginal offenders," 420.

must be maintained with community elders, as they are central to Inuit society and often advise judges during proceedings²⁴.

S.718.2(e) and the Supreme Court's interpretation of *R. v. Gladue* has also yielded negative consequences for women and children. According to Statistics Canada, violence against Aboriginal women is three and a half times greater than violence against non-Aboriginal women, and the violence they experience is often the most severe type of gendered violence (ie rape, beatings, sexual coercion)²⁵. Although eliminating mandatory charging and vigorous prosecution in cases of spousal (or partner) abuse theoretically reduces the overincarceration of Aboriginals (see above) it also means that women and their children are not assured a definite period of safety from abusive partners or fathers while they are in jail. In addition, communities often lack the necessary resources to safeguard women victims and their children while their partners are engaged in a restorative justice process or after they have returned home²⁶. Finally, certain Aboriginal traditions are not always respectful of women's legal status, which reduces a community's willingness to enforce non-violence. In fact, the rate of violence against Aboriginal women has actually risen since 1996²⁷.

The Supreme Court's interpretation of *R. v. Gladue* is inconsistent and contradictory, which has led to many problems for sentencing judges. As previously noted, Justices Cory and Iacobucci stressed that s.718.2(e) does not automatically equate to a reduced or non-custodial sentence. The court also maintained that judges must consider a variety of contextual information with regards to an Aboriginal offender's background and community. Even if an offender chooses to waive their designated rights to consideration under s.718.2(e), a judge can still choose to take notice of the broader systemic factors affecting Aboriginal people. As a result, Aboriginal offenders will generally receive shorter and non-custodial sentences. *R. v. Gladue* consequently creates a unique paradox in which reduced sentences are theoretically

²⁴ Clark, Scott, "The Nunavut Court of Justice : An Example of Challenges and Alternatives for Communities and for the Administration of Justice," *Canadian Journal of Criminology and Justice* 53 :3 (2011) : 348.

²⁵ Statistics Canada, "Victimization and offending among the Aboriginal population in Canada," *Juristat: Canadian Centre for Justice Statistics*, 26:3 (2006): 6.

²⁶ Balfour, Gillian. "Falling Between the Cracks of Retributive and Restorative Justice" *The Victimization and Punishment of Aboriginal Women.* *Feminist Criminology* 3:2 (2008): 110.

²⁷ Balfour, "Falling Between the Cracks of Retributive and Restorative Justice," 115.

not condoned for Aboriginal offenders but tend to be handed down because of considerations that sentencing judges must contemplate²⁸.

Since Justices Cory and Iacobucci also ruled that Aboriginals and non-Aboriginals should be sentenced in a similar fashion when more violent crimes are committed, sentencing becomes more complicated for more serious or violent offences²⁹. Justices Cory and Iacobucci explained that while restorative justice is used in Aboriginal cultures for mild to moderate crimes, serious crimes are usually sentenced more in line with mainstream practices of deterrence, separation, and denunciation³⁰. This raises a series of questions: is this distinction between more and less serious crime universal for all Aboriginal cultures? What is the difference between moderate and serious crime and how is this reasonably judged? Beyond contemplating these questions, however, the presiding judge still must take into account relevant contextual factors of an Aboriginal offender. Hence, this creates a confusing situation in which a judge must assess a crime's gravity before determining whether additional contextual information should be taken into account³¹.

Conclusion

The experience has been decidedly mixed after over a decade of the Supreme Court's interpretation of *R. v. Gladue*. Section 718.2(e), which decreed that a sentencing judge should consider an Aboriginal's background as well as possible alternatives to incarceration when appropriate, was added to the Criminal Code of Canada through Bill C-41 in 1999 with the intention of improving Aboriginal justice and reducing the overrepresentation of Aboriginals in correctional facilities. Although Aboriginal justice is rooted in restorative justice principles and should have logically resulted in positive changes for Aboriginals, benefits have mostly been restricted to individual offenders. At a societal level, however, a shift to restorative justice has resulted in increased costs for the Government of Canada and Aboriginal communities, and more responsibilities for counsel and judges. In addition, there has been a higher rate of violence against

Aboriginal women since s.718.2(e), although the exact relationship cannot be definitively proven. A compounding factor was undoubtedly the contradictory information given by the Supreme Court about the implementation of s.718.2(e) in *R. v. Gladue* (1999).

These conclusions do not necessarily imply that restorative justice is doomed and should be discontinued. Obviously, it is preferable to limit the overincarceration of Aboriginals whenever possible. First, steps must be taken to clarify the Supreme Court's ruling in *R. v. Gladue*. That way, clear measures can be established for sentencing judges to assess the severity of a case and the appropriate course of action. Possible ways to reduce costs might include specialized education for counsel and judges about Aboriginal communities once they arrive in a jurisdiction and the establishment of permanent institutions (both to aid the judiciary and support the community) in communities that have high offender rates. Appropriate safeguards will also need to be enforced for the protection of women and children. Of course, this is not an exhaustive list of solutions, and they only address some of the more structural concerns that have been raised in this essay. Neither are any of solutions necessarily easy or even cost effective. Only through further research and creative thinking will the best solution emerge for Aboriginal victims, offenders, and greater society.

Alison Brown is a graduating fourth year joint honours history and political science student from Ottawa. Aboriginal rights and the implications of Supreme Court rulings have long interested her, explored here within.

²⁸ Anand, "The sentencing of aboriginal offenders", 414.

²⁹ *R. v. Gladue*, [1999] 1 S.C.R. 688.

³⁰ *R. v. Gladue*, [1999] 1 S.C.R. 688.

³¹ Anand "The sentencing of aboriginal offenders," 415.

Bibliography

Adjin-Tetty, Elizabeth. "Sentencing Aboriginal Offenders: Balancing Offenders' Needs, the Interests of Victims and Society, and the Decolonization of Aboriginal Peoples." *Canadian Journal of Women and the Law* 19:1 (2007): 179-216.

Anand, Sanjeev. "The sentencing of aboriginal offenders, continued confusion and persisting problems: A comment on the decision in R. v. Gladue." *Canadian Journal of Criminology and Criminal Justice* 42:3 (2000): 411-420.

Balfour, Gillian. "Falling Between the Cracks of Retributive and Restorative Justice" The Victimization and Punishment of Aboriginal Women." *Feminist Criminology* 3:2 (2008): 101-120.

Baskin, Cindy. "Holistic Healing and Accountability: Indigenous People and Restorative Justice." *Child Care in Practice* 8:2 (2002): 133-137.

Chatterjee, Jharma. "A Report on the Evaluation of RCMP Restorative Justice Initiatives: Community Justice Forum as Seen by Participants." Ottawa: RCMP Community, Contract and Aboriginal Policing Services. (1999).

Clark, Scott. "The Nunavut Court of Justice : An Example of Challenges and Alternatives for Communities and for the Administration of Justice." *Canadian Journal of Criminology and Justice* 53 :3 (2011) : 344-370.

Criminal Code of Canada, 1996, c C-41, s.718.2(e).

Canadian Sentencing Commission. "Sentencing Reform: A Canadian Approach." Ottawa: Supply and Services Canada, 1987.

Daubney, David. "Taking responsibility, Report of the standing committee on Justice and Solicitor General on its review of sentencing, conditional release and related aspects of corrections." Ottawa: Ministry of Supply and Services, 1988.

Miller, Shereen Benzvy, and Mark Schacter. "From restorative justice to restorative governance." *Canadian Journal of Criminology and Justice* 42:3 (2000): 405-411.

Ogloff, James R. P., and Andrew Welsh. "Progressive Reforms or Maintaining the Status Quo?: An Empirical Evaluation of the Judicial Consideration of Aboriginal Status in Sentencing Decisions." *Canadian Journal of Criminology and Criminal Justice* 50:4 (2008): 491-517.

Roach, Kent and Jonathan Rudin. "Gladue: The judicial and political reception of a promising decision." *Canadian Journal of Criminology and Criminal Justice* 42:3(2000): 355-388.

R. v. Gladue, [1999] 1 S.C.R. 688.

R. v. Proulx, [2000] 1 S.C.R. 61.

Statistics Canada. "Victimization and offending among the Aboriginal population in Canada." *Juristat: Canadian Centre for Justice Statistics*, 26:3 (2006): 1-31.

Turpel-Lafond, M.E. "Justice as Healing: A Newsletter on Aboriginal Concepts of Justice." *Native Law Centre* 4:3 (1999). Accessed March 10, 2012. http://www.usask.ca/nativelaw/publications/jah/1999/Sent_Para_Gladue.pdf.

A Tribute to a Rider of the Wind and Sun, Gordon Bird, Circle-Dancing-Eagle

From Maria Chouchtari, a Friend

Awakening at sunrise
With the light of dawn and the scent of morning dew
A wondrous traveller seeks to travel
To raise awareness for his people!
There are no boundaries or frontiers
When travelling on roads of Friendship
When seekers are searching for healing
Gordon Bird ~ Circle Dancing Eagle is riding!

His wings are the wheels of his sturdy bike
Willing to take him wherever he dares
He rides and rides for the Friendship House!
Across Canada from East to West!
Spending days and nights gazing on this vast land
Under the moon, the sun and brilliant sunsets.
A land his fathers once nurtured and wanted to share with others.
Foreigners, settlers, pioneers and pilgrims!
Till greed took over and left them empty handed!

A time for peace and healing has now come.
A time to forgive the past and start a new world
A new vision of all Mankind as ONE in the future
Where every man and woman is equal
In the eyes of the Great Spirit!

No one creed, individual or people can do it
without the help of others.
True healers of the Spirit, the elders, youth and children
We need the Storytellers and the defenders of Mother Earth

There can be no unity without unity of purpose.
As we continue to respect and help others in their search
And serve as examples while serving the people.

Before we can be one as a People
We must be All One in the Spirit.
A time for Healing and a time for Unity!
Beat the Drum and let all know.
Just as the wind that blows in all directions.
The reason why Creation was created!

About Gordon:

Gordon Bird is biking across Canada for the Native Friendship Centre in Montreal. Gordon is a professional multi-media artist and a Graduate of the University of Victoria, BC and the En'owkin Centre, having also studied at Recording Arts Canada in Montreal, QC. He has served as the Vice-President of the Native Friendship Centre Montreal and assisted them with fundraising and awareness-raising for the continuation of its services to the urban Aboriginal people and urban native populations needing assistance.

From Gordon:

I am CREE from Lac La Ronge in northern Saskatchewan, I became a Baha'i in 2003. I also follow the traditional way of life with its guiding principles and spiritual laws, since my healing journey began over 16 years ago. I now consider my past to be healed and completed. While having experienced both life's challenges and pleasures, I feel I was guided and assisted through these experiences with the knowledge that I carry within a spiritual role model that enriches my life.

Also called by and known as *Circle~Dancing~Eagle*, my traditional birth name, I attest that the Great Spirit has guided me to wherever I need to be while assisting others on their path.

Putting the Medicine Wheel concept to excellent use in all areas of my natural life while being guided by principles that have kept me safe and pointed in the right direction.

"What has the Planet taught us about ourselves today for this moment right here right now, I say All My Relations and Thank You and put down my tobacco offering to our true mother the Earth. With a Good Mind, With A Good Heart, With A Body And With A Good Spirit, let the old one speak to you, Be sure to be listening for the answers for they come in many forms."

"At the end of day's ride there is no one there to cheer, and at the beginning of the day there is still no one to cheer for the beginning, instead my cheering committee are the birds who begin at 4:30 am, and the birds are the last ones I hear at the end of the day. That rocks! The Creator's personal cheering squad. I love being Indigenous in this time of life."

-Gordon Bird, Circle~Dancing~Eagle

Artist's Statement

Cedar-Eve Peters

The way Aboriginal people were first immortalized on film and in drawings was according to European notions of the 'vanishing' Indian. The Indian was often romanticized, leading many of the initial photographs of this culture to be constructed images. These images have generalized Indigenous peoples as a whole and have led to many of the stereotypes we associate with Native people today. These stereotypes have not only led to racism, but also towards a loss of identity for many Indigenous people.

My intention in choosing to work with film self-portraits is to repatriate visual identities by shifting control away from the colonial gaze. My drawings and self-portraits help to mediate my own identity and encourage the viewer to question the history they know. By photographing myself and by drawing directly onto the photographs I take control of what imagery is being represented.



▲ Mishomis Mukwa (Grandfather Bear)
pen on paper.
sketchbook drawings.
approx 5x 8 cm



▲ Bawazigaywin (Dream)
pen on paper.
sketchbook drawings.
approx 5x 8 cm

My photographs as well as my sketchbook drawings are heavily influenced by Native folklore, mythologies and legends. The imagery is not specific to one culture, rather it is a myriad of Indigenous cultures' beliefs (across the Americas) real and fictional, the sacred and the profane. My art is a form of transmission that is meant to keep the culture alive, serving as mnemonic devices. It is my attempt to break away from the stereotypes of First Nations people and the stereotype of Native art. It questions my ancestors' history, while addressing the notions of Aboriginal identity in the twenty-first century.

My name is Cedar-Eve Peters, I am a recent graduate of Studio Arts at Concordia University in Montreal Quebec. Within the next year, I plan to apply for my master's in either painting and drawing or in art therapy. In the meantime, I plan to travel and exhibit my work. Ideally I would like to secure an internship working with Native art and artifacts within a museum setting, either in Montreal or in my hometown of Toronto. My long-term goals include curating culturally specific exhibitions, and working with and exhibiting Native art and artists particularly within North and South America.



▲ **Coyote Tails**
pen on paper.
sketchbook drawings.
approx 5x 8 cm



Daily self-portraits ►
selected images, round one.
oil sharpie, acrylic marker
on fuji film instax



◀ **Daily self-portraits**
selected images, round two.
oil sharpie, acrylic marker
on fuji film instax

Climate Change & Country Food: An Analysis of the Cultural Security of Inuit in Canada

Yolanda Clatworthy

In the fall of 2012, the National Snow and Ice Data Centre (NSIDC) announced that the Arctic sea ice had reached a record low on September 16, 2012 (Hake). Just four months earlier, Oliver de Schutter, UN Special Rapporteur for the Right to Food, issued a scathing report condemning the rates of food insecurity in Canada as “unacceptable,” and highlighting the “desperate situation” of one million First Nations and 55 thousand Inuit (Payton np; Schutter 2). These two trends are not unrelated; both highlight the changing realities of the Canadian North. Recent research shows that climate change has been a major contributing factor in the high rates of food insecurity among the Inuit.

In this essay, I explore the interplay between climate change and food security. More specifically, I analyze the negative impacts that climate change has had on safety of, access to, and knowledge about traditional foods (henceforth referred to as ‘country’ food) that has created not just food insecurity, but also *cultural* insecurity among the Inuit. Because cultural insecurity builds upon food insecurity, Part One of my paper will contextualize and define the terms food insecurity and cultural insecurity. In Part Two, I will analyze the diminishing accessibility, safety, and knowledge of country food in order to prove the presence of cultural insecurity among the Inuit of Canada.

Part One: Definitions & Context

According to the 1996 Rome Declaration on World Food Security, food security “exists when all people, at all times, have physical and economic access to sufficient, safe, and nutritious food to meet their dietary needs and food preferences for an active and healthy lifestyle” (World Food Summit np). The Canadian government recognizes this definition and has ratified the 1948 International Declaration of Human Rights and the 2002 Declaration on World Food Security to contain provisions ensuring the food security of its citizens (Power 96).

While Canada is consistently recognized as one of the countries in the world with the best qualities of living, it does not guarantee food security to all of its citizens. In fact, according to the above definition, food insecurity is especially salient among the First Nations and the Inuit. Though the political and economic reasons underlying the discrepancies between Indigenous and non-Indigenous peoples in Canada are beyond the scope of this paper, it is clear that the nature of food insecurity among Indigenous peoples is different than that of the rest of the population. This is first and foremost a consequence of the reliance that many indigenous groups still have on the land and with the food that they harvest from it. It is perhaps Power who best describes this relationship when she writes that there are “unique food security concerns for Aboriginal people [which are] related to the harvesting, sharing, and consumption of country or traditional foods” (Power 95).

This is where the concept of cultural insecurity comes in. Defined simply as “an additional level of food security beyond individual, household, and community levels” (Power 95), cultural insecurity refers to the layer of food insecurity that indigenous populations face because of their partial reliance on country food. Cultural insecurity builds upon the standard definition of food insecurity outlined above, but is not constrained by it; the definition is expanded to include not just access and availability to food, but also to *traditional sources of food*. The difference between the two was highlighted by Paci et al., for whom the distinctiveness of food security among the Inuit was predicated on the “continued and predictable availability and access to food, derived from northern environments *through indigenous cultural practices*” (added emphasis) (*qtd. in* Wesche 362). While media reports often focus on the exorbitant prices of store bought food in the North, cultural insecurity presents an even greater threat to the Inuit, for it threatens both their physical *and* their socio-cultural wellbeing.

The physical benefits of country food are well-documented. It is more nutritious and “power-dense” than imported store-bought food (Power 96). The flora and fauna that are harvested for country food are full of nutrients that help to survive in extreme Arctic conditions. It is an excellent source of protein, omega 3, riboflavin, pyridoxine, iron, zinc, copper, magnesium, potassium, and phosphorous: “Even a

single portion of food derived from local animals is found to increase levels of important nutrients” (Wesche 362). Staples of country food include caribou, geese, char, seal, walrus, berries, polar bears, musk ox, beavers, and more.

While harder to pinpoint, socio-cultural wellbeing of the Inuit is also impacted by diminishing access to country food: “country food [is] an important cultural anchor providing both an economic and spiritual link with the land and wildlife” (Bone 230). This link manifests itself in a myriad of ways. First, hunting and harvesting days help the Inuit to maintain their relationship with the land (Power 96). Second, because sharing and eating the country food is highly ritualized, consuming it contributes to the social and cultural cohesion of Inuit communities (Power 96). Such social ties are evident even today, in the way that food banks and other community groups are combating food insecurity by establishing centres in which they distribute free country food in communal, sharing atmospheres (Davidee-Aningmiuq 2:01). Third, the process of searching for country food is a practice by which elders can pass on knowledge and skills to younger generations, thereby acting as a conduit for the transmission of traditional knowledge (henceforth referred to as TK). Fourth, country food can in theory act as an equalizer between individuals and between communities; animals and plants can be freely harvested by anyone who puts in the effort, and the consequences of remoteness and living far from the nearest store can be mitigated by searching out the sources of food that come from the land around you (Power 97). As we shall see throughout the course of this essay, the reality of the final point is that access to country food is becoming less democratic as harvesting increasingly hinges upon expensive vehicles and technology to obtain the food. Nevertheless, the cumulative effect of these four points demonstrates the importance of country food as a facet of socio-cultural wellbeing, so much so that the Nobel Peace Prize winning Intergovernmental Panel on Climate Change (IPCC) researcher James Ford, of McGill University, declared that, “The procurement, sharing, and consumption of traditional food contributes significantly to cultural identity, tradition, and social cohesion, and estimates of the value of Nunavut’s land-based economy are between 40 and 60 million Canadian dollars per year” (Ford et al 45, 2009).

Part Two: Analysis

In light of the important role that we have seen that country food plays in the physical, social, and cultural lives of the Inuit, it is evident that considerations of food security among the Inuit should include the additional layer of cultural insecurity. I turn now to an analysis of the three indicators that cultural insecurity is comprised of: access to country food, safety of the country food, and propagation of TK (Power 96). I will systematically examine the effects that climate change is having on each of these indicators to prove that climate change is negatively impacting the cultural security of the Inuit in Canada.

2.1: Access to Country Food

In a vicious, interrelated, and escalating phenomenon, various aspects of climate change have drastically reduced the capacity of Inuit to access certain key country foods. The Arctic is a “global hot spot of climate change” (Ford November 16, 2012), which experiences dramatic climate change effects. The acclaimed Inuit activist and member of the Inuit Circumpolar Conference (ICC), Sheila-Watt Cloutier, described the Arctic as the “canary in the coalmine, the barometer of the health of the planet” (*qtd.* in Dingman np), thereby highlighting the fact that impacts of climate change are first felt in the Arctic. One of the most measurable changes has been in temperature, which has increased in the Arctic double the rate of the rest of the planet (Ford November 16, 2012), and has created numerous negative consequences for Inuit in pursuit of country food. Higher temperatures mean that the ice freezes over later in the fall and thaws earlier in the spring, thus limiting the time frame in which hunters can venture out onto the ice in search of game.

One frustrated hunter had this to say of ice travel: “Distinguished delegation I come from Ranklin Inlet of Nunavut where, last week, we were finally able to use our snow machines. This was already one month later than they were able to use them in Repulse Bay” (Ernerk: 396). The ice travel conditions are unpredictable, more variable, and generally more dangerous. Consequently, hunters must increasingly reroute their trajectories, which in turn means longer distances, more gas, more wear and tear on the vehicle, and overall, more funds that are required to maintain the same if not less amount of ice travel. It also

means that hunters are choosing to embark on shorter trips and to stay closer to home on well-known routes, known as “spatial contraction” of hunting territory (Wesche 365; Furgal 1967; Ford November 16, 2012). In addition to imposing an added strain on the animals of the area, who may be over-hunted, limiting the time and scope of their hunts results in a diminished return; hunters come back with fewer animals: “decreased hunter mobility often results in higher concentrations of hunters and fishers using a smaller area. Residents in Nunatsiavut fear that this concentration will place undue pressure on local animal and fish populations (Unikkaqatigiit np). Less ice cover also means more boat travel, which is more dangerous and more costly than skidoos (Unikkaqatigiit np).

In addition to making it significantly more dangerous, costly, and time-consuming to go out on the land, climate change has also had an impact on the migratory routes of animals, which further exacerbates the difficulties that hunters face. In one study, where researchers interviewed 25 hunters and 100 local households, residents declared their frustration at changing ice and snow patterns that locked in the lichen caribou forage on. Consequently, the caribou had moved further south, out of the typical hunting range of that community (CECweb 1:59-2:36). Geese had also shifted their migratory routes, flying further east than they typically did (Wesche 368). Animal populations are decreasing as a result of the subsequent over-hunting of more accessible game, and of the increasing need for animals to forage further afield to find the same food. Consequently, the federal government has started imposing hunting quotas until stock is replenished, which further disadvantages hunters who are already struggling to find enough game (Ford November 12, 2016). And the impact of changing snow cover and warming temperatures does not stop with game; it extends into the plant world as well. Many Inuit complain of shrubbery growing where there once were berries (Nunatsiaq News np).

Collectively, these factors point to a significant reduction of accessibility to country food. Climate change has resulted in reduced safety, shortened seasons, increasing costs, increasing strain on animal populations, the imposition of new ‘protective’ quotas, and the displacement of species (Wesche 365; Ford November 12, 2016). The cumulative effect of these changes is an overall decline in “species

harvestability” (Wesche 370), which increases food and cultural insecurity for the Inuit who rely on Caribou, geese, fish, and whales for their main energy intake (Wesche 365).

2.2: Safety of Country Food Consumption

The second indicator that cultural insecurity is present is that of a diminished ability to consume country foods because of safety concerns. As we shall see, climate change is once again an aggravating factor in the decline in country foods that are safe for human consumption.

At first glance, it would seem counterintuitive to point to country food as unsafe for consumption; how can something harvested off of the land be any less healthy than the processed, sugary soda and potato chips that are sold in stores? As outlined in Section One, historically this was not the case. Country food was an incredible source of necessary vitamins, nutrients, and other minerals. And indeed, the nutritional value of country food has not changed—except for one, glaring difference: climate change. There are a few principal ways in which climate change has rendered much country food unfit for consumption.

The first is through the increased circulation of pollutants; as sea ice melts and becomes water and circulates, it mixes in pollutants from southern industry that have come north through currents. As is the norm when it comes to environmental issues, this has spillover into other areas: there is an increasing amount of carbon dioxide in the air, as well as the biomagnification of these pollutants in the food chain (in which the higher the species is on the food chain, the higher the concentration of contaminants that is present in their body) (Bone 213; Dingman np). Several environmental health studies demonstrate the impact of these contaminants. One of the most striking is that of the case of mercury levels in the Eastern Arctic, where one in three people have a daily intake of mercury that is higher than World Health Organization (WHO) limits (Bone 214). The negative effects of contamination are manifested in the psyche of the population as well, for a fear of contaminants means that many Inuit are choosing not to consume country food even when they do have access to it (Furgal 1967).

Furthermore, increasing contamination and other climate change side effects are also having a negative impact on the general health of the animals that the Inuit hunt. A case study that illustrates this is the story of seals. Thinning ice means that seal pups cannot be nursed as long, which means that they are thinner and less healthy once matured, which means that they sink faster when they are shot. This has a negative impact on the food security of the Inuit, for hunters must consequently drive their boats faster to retrieve the seals in time, which increases fuel consumption, which means that the hunters have to spend more money to hunt the same amount of seal. Compounding this is the fact that their poor health and warmer temperatures are reflected in their shabbier, thinner coats, which fetch less of a return. Thus, hunters face a dilemma: they often cannot even eat seals because they are contaminated, yet they also cannot sell their furs for the profits to buy store food, for they must spend more money to hunt less seals and get even less of a profit off of their furs (Unikkaqatigiit np).

Climate change has increased soil erosion and sedimentation (Wesche 365). This has a twofold negative effect on the food and cultural insecurity of the Inuit. Firstly, less fish spawn because of the sedimentation, which diminishes fish stock (Wesche 365). Moreover, as a result of the increased pollutants in the water outlined above, the fish that do remain are deformed and contaminated (Dingman np). Secondly, it makes it increasingly difficult to access water that is drinkable (Nunatsiaq News np). The problem of sedimentation and erosion is compounded by the lower water levels from higher rates of evaporation, which means more algae in the water. Consequently, more and more residents are being forced to boil their water before drinking it (Unikkaqatigiit np) (Bone 187).

Finally, higher temperatures created by climate change have resulted in a significant increase in insects, parasite infections, food and water borne diseases, and spoilage of meat (Hassi 290; Willox np; Inuit Tuttarvingat News np). It is becoming increasingly challenging for hunters to prevent meat from spoiling while they are transporting it from the hunt to their community, and increasingly difficult to preserve and dry fish in the sun without spoiling (Unikkaqatigiit np).

The combined effect of all of these factors is that Inuit are becoming increasingly suspicious of consumption of animals and fish, with a subsequent increase in waste as Inuit throw more food out (Unikkaqatigiit np). Overall, Inuit are more hesitant to consume country food, even when they are able to access it (Wesche 365): “industrial and urban pollution, whether from local mines, distant coal burning plants, or contaminated sources of water, has introduced a health threat to those who consume country food on a daily basis” (Bone 213). It is clear that, quite aside from a diminished access to country food, there are also valid and widespread safety concerns that hinder Inuit consumption of country food. Once more, climate change is demonstrated to have a marked effect on the growing levels of food and cultural insecurity among the Inuit.

2.3: Propagation of Traditional Knowledge (TK)

Inuit TK, otherwise known as *Inuit Qaujimajatuqangit* (Statham np “Inuit Food Security”), is the final indicator of cultural insecurity that has been impacted by climate change. The importance of TK on food security cannot be understated; indeed, it is even found in Section 26 of the Rome Declaration on Food Security:

Food security depends, inter alia, on sustainable management of fish, forests, and wildlife. In many indigenous communities, these resources are the principal sources of protein in the diet. The traditional knowledge within indigenous communities also plays an important role in the achievement of food security for these communities and others” (World Food Summit np).

TK continues to play an incredibly important role in the lives of Inuit in Canada today—a role which is being threatened by climate change. Other contributing factors to the degradation of TK include settlement living and a wage based economy; working nine to five jobs means that there is less time and need to be out on the land hunting and harvesting. Yet it is climate change that has negatively impacted the transmission of TK by changing the conditions of the land to such an extent that they are often unpredictable and unrecognizable to even the most experienced of hunters. A prime example of changing conditions is in prevailing winds, which no longer follow any

predictable pattern. The Inuit, who used to follow the patterns that the winds carved into snow banks and ridges, have higher chances of getting lost without this navigational guidance (Unikkaqatigiit np). Further exacerbations follow from the weather, which is increasingly harsh and unpredictable (Barnett 13). Nor does it help that the highly variable conditions created by climate change alter snow conditions and render ice conditions unreadable. Even necessities that were taken for granted, such as the construction of igloos for shelter whilst travelling or hunting, are no longer a given because of altered snow conditions (Furgal 1966). There is also harmful increased Ultraviolet B (UVB) exposure, and less access to potable water whilst out on the land (Furgal 1966). These increased hazards, when combined with the rising costs of hunting and fishing, has resulted in a generation of hunters that are ill-prepared and ill-equipped, fearful of venturing too far from their home villages. This in turn contributes to the decrease in mental and physical prowess of potential hunters, for they are spending less time out on the land than ever before (Willox np). And when they do go out, they are often at loss as to understanding weather patterns, interpreting navigational aids, knowing what to bring, or even deciding what to do in the case of danger. Instead of relying on skills acquired through the “institutional memory” of TK passed down through generations (Ford et al. 53, 2009), the youngest generations of Inuit are increasingly dependent on technological gadgets to help them survive. And while technology has allowed TK to evolve and adapt, and serves as a reminder of how resilient and resourceful the Inuit are in the face of widespread change, it must also be noted that an increased reliance on technology has resulted in higher risk-taking, for new hunters who do not have the skill-set to judge conditions for themselves are forced to rely completely on the (often incomplete, sometimes incorrect) information of technology (Ford et al. 49, 2009). This drastic reduction in the inculcation of TK in younger generations, which was in part caused by the changing climate conditions that rendered the Arctic unreadable even to those who know it best, has also contributed to the cultural insecurity of Inuit, for it is rather hard to acquire country food if no one has the skill-set or know-how to do so. Climate change has “compounded this trend by increasing the dangers of a lack of hunting knowledge and skills” (Ford et al. 51, 2009). It may not have started

the process of erosion of TK, but climate change may well threaten the future of TK transmission among the Inuit.

Closing Analysis

It has become clear throughout the course of this essay, that all three indicators of cultural insecurity (access to, safety of, and knowledge about country food) have been negatively impacted by climate change. Arguably, the story is not wholly one of doom and gloom; by all accounts population of musk ox, moose, and beaver have been *increasing* since climate change, and melting sea ice has resulted in a longer boating season, the opening up of shipping routes, and the potential for job creation through the extraction of resources that have become accessible (Ford November 16, 2012). Yet, in spite of these positives, it would seem that the effects of climate change on access to country food among the Inuit are still overwhelmingly negative: “global climate change on ecosystems affect the availability, supply, and safety of traditional/country food” (Power 96). Residents are worried that future generations will not have access to country food, which, as has been proved above, is not just a matter of food rights but also of cultural rights; country food is connected to the “emotional, spiritual, social and cultural well-being” of Inuit societies (Wesche 362). In communities where typically 33.5 to 51.9 percent of meat still comes from the land (Wesche 364), and where traditional foods are still used more than four hundred times a year (Wein 190), the concomitance of an acceleration in climate change and a twenty-year decline in country food consumption rates cannot go ignored.

Conclusion

As has been demonstrated in the above essay, climate change has a significant and negative impact on both the food and the cultural security of the Inuit in Canada. This trend will not wane anytime soon; in fact it has been predicted that the rate of change will continue to accelerate and that the Arctic is facing an increase of six to seven degrees Celsius by the end of the century (Ford November 16, 2012). The role that Canada will play in mitigating or exacerbating this trend is also set to grow, for starting in May 2013, Canada will Chair the Inuit Circumpolar Conference (ICC) for two years. Many in the international

community are already calling on Canada to “promote discussions on subjects such as food security—not just in the context of poverty, but also in relation to the ability to hunt and maintain traditional food sources in the face of a changing Arctic climate (Duane Smith, *qtd in Weber np*). And while it remains to be seen whether Canada will become a leader or a laggard on the issue of cultural security, what is certain is that the effects of climate change will continue to threaten food security and endanger the socio-cultural fabric and survival mechanisms of Inuit communities.

Yolanda Clatworthy is a McGill Student in Political Science and Canadian Studies. She has worked in Indigenous rights in New York and in South Africa.

Works Consulted

Aminzadeh, Sara. “A Moral Imperative: The Human Rights Implications of Climate Change.” *Hastings International and Comparative Law Review* 30.2 (2007): 231-265. Print.

Arctic Council . “Record minimum of ice in the Arctic.” *Arctic Council* . N.p., n.d. Web. 3 Dec. 2012. <<http://www.arctic-council.org/index.php/en/environment-a-climate/climate-change/614-record-minimum-of-ice-in-the-arctic>>.

Barnett, Jon. “Security and Climate Change.” *Global Environmental Change* 13 (2003): 7-17. Print.

Beaumier, Maude, and James Ford. “Food Insecurity among Inuit Women Exacerbated by Socio-Economic Stresses and Climate Change.” *Canadian Journal for Public Health* 101.3 (2012): 196-201. Print.

Bielawski, Ellen. “Inuit Indigenous Knowledge and Science in the Artic.” *Canadian Arctic Resources Committee*. N.p., n.d. Web. 3 Dec. 2012. <<http://www.carc.org/pubs/v20no1/inuit.htm>>.

Bone, Robert M.. *The Canadian north: issues and challenges*. 4. ed. Don Mills, Ont.: Oxford University Press, 2012. Print.

Bourque, Jim. “This Land is our Life.” *Canada’s changing North*. Rev. ed. Montreal, Que.: McGill-Queen’s University Press, 2003. 193-194. Print.

CECweb. “McGill Arctic food security updated small - YouTube.” *YouTube*. N.p., 19 July 2012. Web. 7 Dec. 2012. <http://www.youtube.com/watch?feature=player_embedded&v=Dn9bumObQ-4#!>.

Davidee-Aningmiuq, Elisapi. “Profile: The Iqaluit Community Tukisigiavik Society on Vimeo.” *Vimeo, Your Videos Belong Here*. Tukisigiavik Society, n.d. Web. 7 Dec. 2012. <<http://vimeo.com/12925366>>.

Dingman, Erica. “Arctic Environment a Portent of the Future | World Policy Institute.” *World Policy Institute | World Views on Global Challenges*. N.p., 15 Nov. 2012. Web. 3 Dec. 2012. <<http://www.worldpolicy.org/blog/2012/11/15/arctic-environment-portent-future>>.

doCip. “Update N 83-84.” *Indigenous Peoples’ Centre for Documentation, Research and Information*. N.p., n.d. Web. 3 Dec. 2012. <http://www.docip.org/gsd/collect/upd_en/index/assoc/HASH0107.dir/Upd8384eng_1.pdf>.

Ernerk, Peter. “Insights of a Hunter on Recent Climatic Variations in Nunavut.” *Canada’s changing North*. Rev. ed. Montreal, Que.: McGill-Queen’s University Press, 2003. 396-398. Print.

Ford, James , Tristan Pearce, Barry Smit, Johanna Wandel, Mishak Allurut, Kik Shappa, Harry Ittusujurat, and Kevin Qrunnut. “Reducing Vulnerability to Climate Change in the Arctic: The Case of Nunavut, Canada.” *Arctic Institute of North America* 60.2 (2007): 150-166. Print.

Ford, James , Barry Smit, Johanna Wandel, Mishak Allurut, Kik Shappa , Harry Ittusarjuats, and Kevin Qrunnuts. “Climate change in the Arctic: current and future vulnerability in two Inuit communities in Canada.” *The Geographical Journal* 174.1 (2008): 45-62. Print.

Ford, James. “Vulnerability of Inuit Food Systems to Food Insecurity as a Consequence of Climate Change: A Case Study from Igloolik, Nunavut.” *Regional Environmental Change* 9.2 (2009): 83-100. Print.

Furgal, Christopher, and Jacinthe Seguin. "Climate Change, Health, and Vulnerability in Canadian Northern Aboriginal Communities." *Environmental Health Perspectives* 114.12 (2006): 1964-1970. Print.

Hake, Tony. "NASA releases imagery comparing record low Arctic sea ice to average levels - National Climate Change | Examiner.com." *Welcome to Examiner.com | Examiner.com*. N.p., 27 Sept. 2012. Web. 5 Dec. 2012. <<http://www.examiner.com/article/nasa-releases-imagery-comparing-record-low-sea-ice-to-average-levels>>.

Hassi, Juhani. "Environmental Health Risks of the Arctic Assessed." *Circumpolar Health Journal*. N.p., n.d. Web. 3 Dec. 2012. <http://www.google.ca/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDoQFjAB&url=http%3A%2F%2Fwww.circumpolarhealthjournal.net%2Findex.php%2Fijch%2Farticle%2Fdownload%2F17476%2F19824&ei=soW-UL--IKfp0AGlnIDYDQ&usg=AFQjCNHPGbrL8iARSbLX_JKI-Ohebc-9ag>.

Inuit Tuttarvingat News. "Climate change poses health threats in Arctic | Inuit Tuttarvingat." *National Aboriginal Health Organization (NAHO) | Advancing the Well-being of First Nations, Inuit & Metis*. N.p., 8 Dec. 2011. Web. 3 Dec. 2012. <<http://www.naho.ca/inuit/2011/12/08/climate-change-poses-health-threats-in-arctic/>>.

Krupnik, Igor, and Dyanna Jolly. *The earth is faster now: indigenous observations of Arctic environment change*. Fairbanks, Alaska: Arctic Research Consortium of the United States, 2002. Print.

Marketwatch. "Climate Change, Food Security, Inuit Education and Arctic Sovereignty, Top Issues at ArcticNet's Annual Scientific Meeting - MarketWatch." *MarketWatch - Stock Market Quotes, Business News, Financial News*. N.p., 20 Nov. 2012. Web. 3 Dec. 2012. <<http://www.marketwatch.com/story/climate-change-food-security-inuit-education-and-arctic-sovereignty-top-issues-at-arcticnets-annual-scientific-meeting-2012-11-20>>.

Parsons, Anne. "Human Rights and Climate Change: Shifting the Burden to the State?." *Sustainable Development Law & Policy* 9.2 (2009): 21-68. Print.

Payton, Laura. "UN official sparks debate over Canadian food security - Politics - CBC News." *CBC.ca - Canadian News Sports Entertainment Kids Docs Radio TV*. N.p., 16 May 2012. Web. 8 Dec. 2012. <<http://www.cbc.ca/news/politics/story/2012/05/16/pol-un-canada-food-security.html>>.

Power, Elaine. "Conceptualizing Food Security for Aboriginal People in Canada." *canadian journal of public health* 99.2 (2008): 95-98. Print.

Schutter, Oliver de. "DisplayNews." *Office of the High Commissioner for Human Rights / OHCHR Welcome page*. N.p., n.d. Web. 5 Dec. 2012. <<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12159&LangID=E>>.

Schutter, Olivier De. "Canada: national food strategy can eradicate hunger amidst plenty" UN rights expert." *United Nations Human Rights Office of the High Commissioner*. N.p., 16 May 2012. Web. 6 Dec. 2012. <http://www.srfood.org/images/stories/pdf/press_releases/20120516_canada_en.pdf>.

Statham, Sara, and James Ford. "Feeding the family during times of stress: Food security, climate change and globalization in the Canadian North | Climate Change Adaptation Research Group." *Climate Change Adaptation Research Group*. N.p., 27 Apr. 2012. Web. 7 Dec. 2012. <<http://www.jamesford.ca/research/foodsecurity>>.

Statham, Sarah, and James s Ford. "Inuit Food Security: Vulnerability of the traditional food system to climatic extremes during winter 2010/2011 in Iqaluit, Nunavut | Climate Change Adaptation Research Group." *Climate Change Adaptation Research Group*. N.p., n.d. Web. 7 Dec. 2012. <http://www.jamesford.ca/research/traditional_foodsecurity>.

Stephens, Pamela. "Applying Human Rights Norms to Climate Change: The Elusive Remedy." *Washington & Lee Law School Current Law Journal Content* 21.1 (2010): 49-83. Print.

Unikkaaqatigiit. "Canadian Inuit Perspectives on Climate Change (Unikkaaqatigiit)." *Inuit Tapiriit Kanatami*. N.p., n.d. Web. 12 Mar. 2012. <<https://www.itk.ca/publication/canadian-inuit-perspectives-climate-change-unikkaaqatigiit>>.

Weber, Bob. "Canada to focus on development at Arctic Council; experts fear wrong approach | CTV News." *CTV News | Top Stories - Breaking News - Top News Headlines*. N.p., 3 Dec. 2012. Web. 3 Dec. 2012. <<http://www.ctvnews.ca/sci-tech/canada-to-focus-on-development-at-arctic-council-experts-fear-wrong-approach-1.1063161>>.

Wein, Eleanor, and Milton Freeman. "Frequency of Traditional Food Use by Three Yukon First Nations Living in Four Communities." *Canada's changing North*. Rev. ed. Montreal, Que.: McGill-Queen's University Press, 2003. 190-199. Print.

Wesche, Sonia, and Hing Man Chan. "Adapting to the Impacts of Climate Change on Food Security among Inuit in the Western Canadian Arctic." *EcoHealth* 7 (2012): 361-373. Print.

Wonders, William C.. "Insights of a Hunter on Recent Climatic Variations in Nunavut." *Canada's changing North*. Rev. ed. Montreal, Que.: McGill-Queen's University Press, 2003. 39-. Print.

Wonders, William C.. *Canada's changing North*. Rev. ed. Montreal, Que.: McGill-Queen's University Press, 2003. Print.

World Food Summit. "Rome Declaration and Plan of Action." *FAO: Food and Agriculture Organization of the United Nations, for a world without hunger*. N.p., n.d. Web. 5 Dec. 2012. <<http://www.fao.org/docrep/003/w3613e/w3613e00.htm>>.

Feminine Communities in Tomson Highway's *Rez Sisters*

Nurin Chatur, non-Indigenous Ally

Since the onslaught of colonialism and the onset of Westernization, the lifestyle of First Nations people has changed dramatically. The term "First Nations" is used to describe the heterogeneous groups of Aboriginal peoples in Canada who are neither Metis nor Inuit. The collision between Western culture and First Nations culture has resulted in deep societal traumas in First Nations communities, embodied by the pervasive symptoms of mental illness, poverty, and alcoholism. This collision has also resulted in an unhealthy emphasis on materialism and a disregard for culture. Thus, a healing of this cultural invasion is necessary to promote a fulfilling future for First Nations peoples. Tomson Highway's play *The Rez Sisters* tells the story of seven women on one reserve and the shared goals that hold them together as they are confronted by the overwhelming problems of their society. Without the support of the men in their society, these women find encouragement and fulfillment in the sometimes tumultuous bonds that they share with each other. Throughout the play, the sense of community shared by the seven women is further illustrated by the figure of Nanabush, the Ojibwa trickster. The trickster role is important to some Aboriginal communities as many traditions hold the trickster as intrinsic to spiritual ritual and his presence here further exemplifies their connection with their heritage. Finally, the play reveals that together the women on the reserve are resilient and, despite their impotence to break the cycle of social trauma, they are able to work for and hope for a better future for themselves and their people.

To contextualize the challenges faced by First Nations people, it is integral to explore the effects of colonization on their societies. In his article "Healing Traditions: Culture, Community and Mental Health Promotion with Canadian Aboriginal People," Laurence Kirmayer explores the effects of colonization on Aboriginal peoples and the subsequent devastating effects that still are pervasive in their communities. According to Kirmayer, "Aboriginal peoples in Canada

have faced cultural oppression through policies of forced assimilation on the part of Euro-Canadian institutions since the earliest periods of contact" (608) and this forced assimilation has provoked the multitude of social problems that affect Aboriginal societies today. Often, Aboriginal peoples live in communities with a low standard of living and with high rates of suicide, alcoholism, and mental illness. These issues touch the lives of many living on reserves where escape from the unrelenting effects of colonialism is near impossible.

The Wasaychigan Hill Indian Reserve, the setting of the play, is victim to the unrelenting social issues that plague Aboriginal communities. Nevertheless, the name of the reserve—*Wasaychigan*—projects an element of hope, since in English, it is translated as *Window* (Highway 1). The choice of this name for the reserve suggests that although it is isolated from the rest of the world, it is a place where residents can gain a greater understanding of their situation by looking through the *window* to see beyond the boundaries of their reserve. In her article "Cultural Collision and Magical Transformation: The Plays of Tomson Highway," Anne Nothof points out that, through this *window*, the women on the reserve are "looking out on the conspicuous indicators of an economically powerful White society, and looking in at its own signs of self-destruction and of self-preservation." To promote needed change, the residents of the reserve must first gain awareness of their problems.

Near the beginning of the play, far seeing Pelajia introduces the audience to the social problems on the reserve by seeing through the *window* and examining these problems from a more objective and grander scale than the other residents. She is first introduced while hammering shingles on her roof, a vantage point that gives her a clear sight of "half of Manitoulin Island" (Highway 2) and the despairing conditions within it. She sees Big Joey's "dumpy little house" (2) and the sorrow behind Marie-Adele's innocent "white picket fence" (2). As Pelajia watches, she is in a state of "waiting... waiting" (2) for a change in her society. Her view of the reserve is grim; she wishes to be on a boat "sailing away somewhere" (2) and escaping the issues that plague the reserve. Pelajia's vantage point from the roof is unique, as it allows her to see both the positive and the negative aspects of her community. Pelajia reveals her understanding of her society when she

says, "Everyone [on the reserve] is crazy. No jobs. Nothing to do but drink and screw each other's wives and husbands and forget about our Nanabush" (6). Thus, she identifies the cyclical hopelessness of those living on the reserve as is played out by a chain of infidelity, alcoholism, and rejection of past traditions, and her ability to see these problems causes her to long for change in her society. Yet despite the clear-sightedness that comes with her position on the roof, others ignore it or shy away from this view. For example, Pelajia's sister Philomena Moosetail "... comes up... to the roof... and obviously [hates] it" (2). Her reluctance to climb onto the roof and gain a new perspective of the state of the reserve reveals her difficulty to take an objective view of the problems that encompass her life. Additionally, the ability to gain an objective view of the reserve is difficult to retain. When descending the ladder from the roof, Philomena falls off and tears her skirt. The fall represents her inability to objectively view her community's plight. Moreover, the tear in Philomena's skirt is a physical manifestation of the scars of colonization.

A major issue that emerges from the persistent social problems on the reserve is a lack of reliable men. For example, Pelajia's husband has to go a "hundred miles... just to get a job" (Highway 7), Big Joey is unreliably promiscuous, and Marie-Adele has doubts about her husband's ability to hold her family together when she passes away. Pelajia, arguably the most farsighted of the reserve women, has to assume masculine characteristics to gain her foresight, as if to become double-sexed. On the roof, Pelajia wears men's coveralls and tells Philomena that one must "wear pants when... doing a man's job" (7). Pelajia's decision to fix her roof herself, stereotypically a man's job, and her assumption of male clothing reveals her desire to move beyond her fragmented society, including the split between males and females on the reserve. In this way, her actions break down the boundaries of gender that could otherwise imprison her in the role of the helpless woman and instead, she is blessed with a farseeing perspective and a desire for change. According to the stage notes of the play, Emily Dictionary, another of the reserve women, is "one tough lady, wearing cowboy boots, tight blue jeans [and] a black leather jacket" (37). Her clothes are almost an armor that she dons to protect herself from the harsh conditions of her world. She also is a figure of empowerment,

since she was able to leave her abusive husband of 10 years and survive the death of her lover. She and Pelajia contrast with Philomena, who climbs to the roof wearing a skirt, nylons, and heels that hinders her from moving to and from the roof, which is symbolic of the entrapment of societal roles. Pelajia resents the powerlessness that this entrapment causes, and longs to leave for Toronto; however, as Philomena says, the reserve is part of the people: "[the reserve] is too much inside of [their] blood. [They] can't get rid of it and it can't get rid of [them]" (4). Their culture is ingrained within them, so leaving the reserve will not heal them from the cultural traumas that they have experienced.

Nevertheless, all the women all have dreams to improve their lives on the Rez. Pelajia longs for paved roads, Philomena wishes for a giant white toilet to enthrone her, Annie wishes for a record player, and Veronique longs for a working stove. Their dreams serve to exacerbate the difference in the standards of living on reserves and the major urban centers. In most Canadian communities, paved roads, toilets, and working stoves are a reality taken for granted, rather than a fantasy. Yet, these women cannot afford to have grandiose dreams; the emphasis in their world is on survival, not comfort. Ironically, their dreams are reliant on the "Biggest Bingo in the World" in Toronto. In his article "Managing Diversity and Social Cohesion," Michael Devine discusses the significance of transitioning from the women's island reserve to the city of Toronto, the epitome of "white, affluent, mainstream Canadian culture" (2), which is a stark contrast to the women's lives on the reserve. Toronto represents a dream to these women living their lean lives on the reserve, so when considering the desperate condition of her reserve, Pelajia longingly says, "I wanna go to Toronto" (Highway 2). Toronto represents an unfathomable dream world and the journey there is almost beyond their means; they even have difficulty discerning how far they will have to drive to get there, where the estimated times range from "four hours" (62) to "eight hours" (63) and then to "six hours" (63). Their inability to gauge the travelling time is symbolic of the isolating aspects of the reserve and the great cultural distance between it and Toronto. These women are on an island "apart from mainstream Canada" (Devine 2), and the distance between the reserve and Toronto represents more than just physical distance. It also represents the gap between the standard of living in mainstream Canada and that on the reserves.

The goal of reaching Toronto also has further meaning. In Toronto, there is "THE BIGGEST BINGO GAME IN THE WORLD" (Highway 27), which Tomson Highway always writes with all capitals, which serves to emphasize the dreams that the women have projected onto this bingo game. The game becomes the means by which they can raise their standard of living and gain "a little more freedom than they had" (Devine 3). Yet importantly, this game that is a source of hope for these women is, in the end, a game of luck. The bingo game represents a state to which people living on reserves have yet to reach. If they win the bingo, they believe they will have the resources to change their lives. On the reserve, they see no way to change their lives and thus they must rely on dreams to continue on. Yet, to go to the bingo, the women must work to obtain the resources they need for the journey, which symbolizes just how much work must be done in Aboriginal communities to open up further opportunities to break the persistent cycle of multidimensional traumas. Further, it must be acknowledged that these women's dreams revolve around the materialistic gain that winning the bingo could bring them. According to Nothof, the women's dreams are "pervasively in terms of materialistic White society," which illustrates the cultural collision between First Nations culture and Western culture. The fact that Nanabush is invisible to all but Zhaboonigan, who is slow, and the dying Marie-Adele reveals that their traditional culture is marginalized in their daily lives. Only these two women, whose lives are beyond the vortex of materialism, are able to see Nanabush. This situation is indicative of the inability of the majority of these women to immerse themselves in their culture when their material needs are not being met. Nevertheless, even though they are unable to focus on their cultural heritage, these women are able to form a cohesive whole and move forward in life to achieve their goals by focusing on necessities.

Despite their lack of cultural connection, these women are each other's family and, Highway's play illustrates the "value of family" (Devine 3) and the protective nature of such a community when confronting almost insurmountable odds. The relationship of these women can be contrasted to the men who are unable to cope with reality or contribute to the well-being of their families. Annie says that white men are not like First Nations men who "screw you, drink all

your money and leave you flat on your ass" (Highway 86). The men on the reserve are "virtually a second clan" (Devine 3), since they do not contribute positively to the lives of the reserve women. Highway only alludes to the men who may have some potential to better the lives of the reserve women, and these men do not live on the reserve. They include Raymond, the partner of Annie's daughter, and Fitz, a Jewish country singer. The difference between the Native men and the white men are explained in sexual terms, like when Annie says, "White men [do not] make you do things to them. You just lie there and they do it all for you" (87). The white men serve as a contrast to the Native men; however, Annie's description of them may be based on an idealistic illusion. Similar to the women's dreams of meeting their material needs are their wishes to have a fulfilling partnership with white men, rather than the empty and draining relationships they have with the men on the reserve.

Yet, even though these women do not have fulfilling relationships with men, they manage to find solace and partnership within their female community. Their relationships with each other grow beyond simple friendships and sisterhood. In the *Rez Sisters*, Highway puts a great emphasis on the interactions between the women. According to the stage directions, Philomena playfully "tickles Pelajia on the breasts" (3). This titillating interaction between these sisters shows they are each other's partners; the women will "live every [day of their lives] right... beside [each other]" (3). The importance of the bonds between the women is further explained by Emily who has a romantic relationship with a woman named Rose. Emily says that she "loved her like no man's ever loved a woman" (97), and her relationship with Rose is a contrast to the women's unsatisfying relationships with men. This statement also can be broadened to apply to the female community at large; these seven women are each other's support, and they provide more for each other than the men in their lives have ever provided for them. Yet, their relationships are not free from strife, and often, they have conflicting ideas and dreams. However, Devine notes "the bond between the women is intimate and probably inextricable, despite the myriad tensions, which run through their lives on Wasy" (2). The cultural ties between the women are further illustrated after Marie-Adele's death when Zhaboonigan attempts to follow Marie-

Adele into the spirit world indicating that the bonds between the women will outlast death. However, Emily stops Zhaboonigan from leaving, which foreshadows that even with Marie-Adele gone, the women will continue to support each other throughout the obstacles created by colonization.

Nevertheless, the women are not impervious to the cultural collision caused by colonization since it has violated each of them, and Pelajia says there are "so many things to forget" (Highway 80). When she was living in Toronto, Philomena had an affair with a white man and bore a child whom she never met. Just as her child is a stranger to her, so is the hope for a better future. For ten years, Emily Dictionary's husband beat her; he was always "so drunk that his eyes were spittin' blood like Red Lucifer" (50). Her husband's alcoholism, a remnant of colonialism, has destroyed their relationship. Eventually, she finds solace in a relationship with Rose, but Rose kills herself because of "how hard it is to be Indian in this country" (97). On a motorcycle, Rose purposefully collides head-on with a "Big 18 Wheeler." The contrast between the flimsy motorcycle and an oppressively massive 18-wheeler symbolizes the impact of colonization on Aboriginal culture. Yet, when Rose is destroyed by the confrontation between cultures, Emily returns back to her home, to Wasaychigan, which shows that although her culture cannot dominate Western culture, she still is connected to her roots and returns to foster them. Zhaboonigan, another tragic victim of colonization, suffers from a trauma that is so buried that Nanabush, an emblem of First Nations culture, can only reflect her agony. Prior to the beginning of the play, two white boys rape her with a screwdriver. As indicated by the stage directions, in response to Zhaboonigan's speech, Nanabush "goes through agonizing contortions" (48). The rape also becomes symbolic of the violation that First Nations culture has suffered from colonization. The screwdriver is representative of a tool of Westernization, whereas Nanabush's suffering represents the collective destruction done to the First Nations peoples.

Additionally, Marie-Adele's struggle with cancer and her eventual death represent the impotence of Westernization to heal the problems of the reserve. Marie-Adele goes to the bingo to win money in hopes that it will take care of her family. Yet, it appears that Western means cannot save Marie-Adele from her future. First, the cancer

treatment and tests in Toronto do not cure her, and since she lives a great distance from her cancer treatment, this inaccessibility may have contributed to her death. Second, Marie-Adele does not win anything at the bingo. Despite her inability to better her life by Western means, the journey to Toronto allows her to accept and gain peace from her impending death. Nanabush pays particular attention to Zhaboonigan and Marie-Adele, who are the two women who have suffered the most. Yet, although he is a spiritual manifestation of her community, Marie-Adele is scared of what he represents. Before the bingo, Marie-Adele is terrified of Nanabush and of letting go of the material world. She begs him to “give [her] time” (92) and let her go to the bingo. Nevertheless, when it is time for her passing, she manages to accept and make peace with her impending death and is taken by Nanabush, in the form of the Bingo Master, in a romantic waltz. Her dance in the arms of Nanabush represents the delicate balance between life and death, and her acceptance of her own death allows her to let go of life easily and return to her Nanabush. Rather than dying in pain, she lets go of life in a blissful romantic haze. She has won the bingo; her death allows her to escape her pain and the never-ending cycle she has lived on her reserve. Additionally, her return to Nanabush indicates that she is not truly leaving her community but that she is merely becoming one of its spirits. The use of Nanabush as her escort from death indicates that their Aboriginal heritage is eternal and will last beyond death.

Eventually, Marie-Adele’s death becomes the catalyst for healing her community of women. Pelajia remarks that Marie-Adele “hit the big jackpot” (105) when she died. This acknowledgement veers the goals of the women away from the materialism of the bingo. Instead, the bingo becomes a spiritual catalyst that promotes the women to “make the most of [life]” (105) while they are still living, instead of being ensnared by life’s limitations and materialism. According to Devine, the women’s lives involve “acceptance, not resignation” (3). The women accept their situation in life, similar to how Marie-Adele comes to terms with her own death. Importantly, this acceptance allows them to work realistically for the future; although Marie-Adele dies, she leaves behind 14 children who represent the promise of the future. Veronique’s choice to cook for Eugene and Marie-Adele’s children reveals that, although she did not win the bingo, she has found purpose

and renewal in her life on the reserve. The food that she provides for the family indicates that, despite the odds, the women will continue to work and nurture each other to bring about a better future. Death also marks the coming of new life. Emily Dictionary becomes pregnant and shares the news with Zhaboonigan. The news of the child is a symbol of hope, and Zhaboonigan takes special pleasure in this knowledge.

Though much has changed from the beginning of the play, with a death and an upcoming birth, the cyclical life on the reserve continues. This cyclic pattern of life is illustrated by the fact that the play ends where it began—on the roof with Pelajia nailing shingles, which signals that these women still are inadvertently trapped in an endless cycle. Yet, even despite this cycle, Pelajia has new dreams of becoming the chief of the reserve. Pelajia’s dream is not far-fetched; Annie Cook even indicates her support for Pelajia’s dream. With her status as a chief, Pelajia dreams of gaining the power to pave the dirt roads, which would be a miraculous change for her community; she would see “women working... men working [and] young people sober on Saturday nights” (Highway 114). These paved roads would also lead to “Nanabush dancing up and down” (114) on the new roads and becoming part of their community. Pelajia has hope for the future and now no longer thinks about “shipping off to Toronto” (117). Furthermore, although her desires for a paved road are for a kind of material gain, she also brings Nanabush into her great scheme, which indicates that she is thinking of her community as a whole and that its cohesion would allow its members to focus on their culture.

In contrast, Philomena finds pleasure in achieving a simple materialistic dream. She wins six hundred dollars at the bingo, and with it, she purchases the bathroom of her dreams. Philomena’s musing confuses Pelajia, and she wishes to “bang Philomena’s head with [a hammer]” (118). Pelajia desires to move past simple selfish materialistic aspirations such as a luxurious toilet. She wishes to create those changes of a greater magnitude that will transform the lives of the community of women as well as the rest of the reserve, including the alienated men. She dismisses Philomena from the roof due to her lack of perspective, which is symbolic of her desires being incongruent with the wider perspective needed to fully understand the changes

required to create a better future. Furthermore, Philomena's lack of perspective may be due to the fact that her child was stolen from her. She finds only a narrow joy in a white porcelain toilet and will not experience anything near to the hope that Emily's child or Pelajia's dreams gives them.

After Philomena departs from the roof, Pelajia remains there and unnoticed by her, Nanabush lands and dances beside her: "[He] dances to the beat of the hammer, merrily and triumphantly" (118). Nanabush becomes the voice of the community of women as he celebrates the resilience of the women and their ability to face obstacles and accept their lives on the reserve. Moreover, although Pelajia does not notice Nanabush, he is ever present in her life, and the play ends on this sign of hope. The white color of Nanabush, as a seagull, indicates the hope and life that is present despite the fact that the women appear to be eternally trapped on the reserve. This hope indicates the ever-present support the community of women provides for each other and reveals that, though they may seem breached from their culture, they will always be connected to their heritage through this community of women.

The effects of colonization are still prevalent in the lives of Aboriginal peoples. In *The Rez Sisters*, Tomson Highway illustrates these obstacles by telling the story of seven women and their journey to achieve their goals. These women are held together by mutual troubles and desires for change. They become each other's source of support in an otherwise traumatic and unstable environment. Together, they face the pervasive effects of colonialism, including the need for material goods and the marginalization of their culture. Though their community is entrapped in a cycle of social trauma, the women's journey to Toronto and the subsequent death of a community member allows them to gain acceptance along with hope of renewal for their society.

Works Cited

- Devine, Michael. "Re-thinking Multiculturalism: A Theatrical Approach." *Managing Diversity and Social Cohesion: The Canadian Experience*. Sofia, Bulgaria: 5th International Conference of Central European Canadianists, 2009. 1-7.
- Highway, Tomson, et al. "Dry Lips Oughta Move to Kapuskasing" (1991).
- Highway, Tomson. *The Rez Sisters*. Saskatoon: Fifth House, 1988. Print.
- Kirmayer, Laurence J., Gregory M. Brass, and Caroline L. Tait. "Healing Traditions: Culture, Community and Mental Health Promotion with Canadian Aboriginal People." *The Canadian Journal of Psychiatry* 45.7 (2000): 607-16. Print.
- Nothof, Anne. "Cultural Collision and Magical Transformation: The Plays of Tomson Highway." *Studies in Canadian Literature / Études en littérature canadienne*, 20.2 (1995): n. pag. Web.

Artist's Statement – Idle No More Teach-In Poster

Marcy Maracle, 2013

This poster was hand-drawn for a teach-in hosted by the Indigenous Student Alliance at McGill University.

The colours were chosen as a nod to the traditional colours of wampum belts, which were composed of beads fashioned from quahog and whelk shells. The beads ranged in colour from deep purple to white. This conscious decision was made because, through the Idle No More (INM) movement, there has been recent re-examination and renewed interest in treaty rights and obligations between Native peoples and the government.

The two maple leaves in the poster represent the unity of those native to North America and those who came after. Though they are two factions, they are connected through history, through the soil itself, which is represented by the crescent banner that ties both symbols together. Indeed, though they are seemingly separate, they are still made of the same star-stuff, which is presented by the identical shape and colour of the maple leaves.

The feather and half-circles at the bottom of the poster are more traditional symbols from native culture, indicating of course that this dialogue was initiated by Indigenous peoples. The small circles at the top of the poster take elements from traditional Iroquoian beadwork, a particularly relevant point, as the teach-in was hosted on land where Iroquois peoples formerly settled. The circles found throughout the poster also are part of an over-arching theme of the INM movement: unity.

The open hand raised in the centre of the poster was chosen deliberately in reference to the raised fists that are present in other artwork that has surfaced throughout the INM movement. The open hand was chosen over the fist to represent not hostility, not anger, but action. The hand belongs to a person raising it up to ask a question of the government, of the people, or herself. The hand

belongs to a person throwing it out before himself to protect himself, the citizens of Canada, the rights of Indigenous and non-Indigenous people now, and the rights of Indigenous and non-Indigenous people in the future. The hand belongs to a person holding it out before herself to take the hand of another in collaboration, reconciliation, peace. The hand represents every hand, for the INM movement is one which should be supported by Aboriginal and non-Aboriginal people, as it affects us all and sets the stage for our generation, and those which follow, regardless of race.

This poster was created by Aboriginal undergraduate science student Marcy Maracle; it was hand-drawn and inked to represent the grassroots nature of the current incarnation of the Idle No More movement.



denial no more

by kai cheng thom*

close your eyes.
shut the doors.
lock the locks.
batten the hatches.
what's a batten?
pull the curtains.
dim the lights.
cover your ears.
get in the closet.
beside the skeletons.
and repressed homosexual urges
and your old aunt lara.
who could have known?
she always voted conservative.
curl in a ball.
sing to yourself,
"not guilty
not guilty
not responsible
not implicated
not a settler
not guilty
not guilty
not guilty".
still, the sound
of distant drumming.
still, the sound
of distant drumming.
still the sound
the sound
the sound
of drumming
drumming
drumming
drumming
drumming
drumming

**a settler of chinese descent*

Hydraulic Fracturing on Blood Land: Issues of Aboriginal Title, Governance and Political Legitimacy

Marion Provencher

In the wake of a national movement that defends Aboriginal rights in Canada, it is important to keep in mind that the struggles facing First Nations are by no means recent. Problems of status, group recognition and land claims have monopolized a large part of Aboriginal groups and First Nations' political efforts. I will focus my paper on the Blood Tribe, a First Nations community living on the largest land reserve in Southern Alberta, Canada. For the purposes of this paper, I will use the terms "First Nations," "Native", "Aboriginal" and "Indigenous" as they are used in the supporting research, but recognize the diversity of preferences for self-identification and also the heterogeneity of culture, language, history, religion and goals for the future among Indigenous communities in Canada.

In the autumn of 2010, Kainaiwa Resources Inc. (KRI), a natural resource development company owned by the Blood Tribe, signed with Murphy Oil and Bowood Energy a deal totalizing 50 million dollars. The deal went as follows: it allowed Murphy Oil and Bowood Energy to have access to approximately 50% of Blood Land for oil and gas exploration. The agreement consisted of a five-year lease with both companies that gave them access to approximately half of the reserve's territory to drill a minimum of 16 wells on Blood Land.

In September 2011, no less than a year after the deal, three women were arrested for trespassing and intimidation after they blockaded the road leading to a Murphy Oil well on Blood Reserve (Parkin 2011). The three women were part of a small group protesting against oil and gas exploration on Blood Land. More specifically, they were demonstrating against 'fracking', a technique of extraction used by Murphy Oil (CBC News 2011). The small group said they used blockades as a final resource to protest exploration on their land; they had previously contacted Aboriginal Affairs and Northern Development Canada, the Energy Resources Conservation Board,

as well as Murphy Oil, and each told the protesters to address their band council to discuss the problem (CBC News 2011). Yet the band council is also part of the issue. According to the protesters, the Blood Tribe Chief and Council did not consult the community members when signing the deal with Murphy Oil Company, leading to enough discontent to prompt the creation of *Protect Blood Land* (2012), a website dedicated to publishing information about 'fracking' and engaging in peaceful action against fracking on Blood Land. *Protect Blood Land* addresses a handful of issues meant to challenge the soundness of the agreement between KRI and Murphy Oil and Bowood Energy. Among the information provided, many of the problems mentioned can be taken as serious issues tying back to broader concerns of Aboriginal Title, management of natural resources, and governance.

In this paper, I will begin by providing a short review of the history of the Blood Tribe's settlement on reserve land, their involvement in managing economic resources historically, and their recent management of natural resources. Secondly, I will address the recent concerns about environmental and health damages associated with the use of hydraulic fracturing, or 'fracking', as a gas extraction method. Next, I will discuss the lack of consultation and referendum by the KRI in signing the lease and creating Kainaiwa Resources Inc. Finally, I will examine the legitimacy of the Blood Tribe Chief and Council when negotiating on behalf of the Blood Tribe.

The Kainai Tribe

The Blood Tribe, also called Kainai, live on a 1423.7 square kilometer reserve – the largest in Canada (Blood Tribe-Kainai). Along with the Peigan and the Siksika, they are believed to be the oldest inhabitants of the Prairie region and form what we call today the Blackfoot Confederacy (Goldfrank 1945:4). The Confederacy was and is still composed of a set of political, cultural and economic alliances between the different groups. The Blackfoot Peoples speak a common Algonquian language distinct from neighbouring Indigenous communities in Western Canada (Goldfrank 1945:4).

According to the Blood Tribe-Kainai website, the traditional Confederacy territory before colonization began at the North Saskatchewan River in Alberta and extended South to the Yellowstone

River in Montana. It was delimited West by the Rocky Mountains and went East to the Sand Hills in Saskatchewan (Blood-Tribe-Kainai). Today, contemporary boundaries are very different; each group within the Confederacy has its own reserve land. The Blood Tribe territory is bordered by three rivers, the Old Man, St. Mary and Belly, in Southern Alberta (Blood Tribe-Kainai).

The negotiations between the Crown and the Blackfoot groups over settlement on reserves started in the 1870s (Goldfrank 1945:12). In 1877, the Blood Tribe entered into treaty with the British Crown (Treaty 7, 1877). Treaty 7 was primarily a peace treaty meant to ensure peaceful coexistence with settlers. Treaty 7 also promised to provide the Blackfoot with economic and material compensations for the loss of buffalos and the sharing of the land (Treaty 7, 1877). The Confederacy and the other surrounding Indigenous groups were promised approximately 90 650 square kilometers of land (Treaty 7, 1877). However, the Chief of the Bloods, Chief Red Crow, was not consulted in the process and refused to settle on the land selected for him; he preferred the traditional territories further south (Blood Tribe-Kainai). In 1882, J.D. Nelson surveyed the reserve of the Blood Tribe and selected 1 835.8 square kilometers of land in the region chosen by Red Crow. Nevertheless, in 1883, the land was resurveyed and was reduced by more than 350 kilometers of the actual territory (Blood Tribe-Kainai). The Blood Tribe never accepted the readjustment and still understands their territory as designed by Red Crow before 1883 (Blood Tribe-Kainai).

Economic Resources on Blood Reserve

Traditionally, the Blackfoot's livelihood was centered on buffalo; they depended on it for food, clothing, shelter, trade, political organization, etc. (Goldfrank 1945:5). However, the signature of Treaty 7 coincides with the collapse of the buffalo herds in the West (Canadian Encyclopedia 2012). The collapse of the buffalo herds' population is often quoted as one primary reason for the signing of Treaty 7. With the prairie bison virtually extinct, the Blood Tribe and their confederates had to turn to others modes of subsistence (Goldfrank 1945:13).

In *Neighbours and Networks: The Blood Tribe in Southern Alberta Economy, 1884-1939* (2009), Keith Regular makes an extensive analysis of economic activities that took place on Blood Land from the Blood

settlement up until the Second World War. He demonstrates that during the early years of reserve life, non-Natives were very persistent in pushing to gain access to Blood Land for settlements or economic activities. Ranching activities were beginning to take place in Southern Alberta and deals were soon signed between the Bloods and ranching companies to let cattle graze on reserve land (Regular 2009:37-39). From those early arrangements in the 19th century ranching period, the Blood Tribe's economic activities changed drastically. The coal and hay industries, the harvesting of the sugar beet fields, and investments in the business economy were all attempts by the Blood Tribe to adapt economically, socially and culturally (Regular 2009:163-164). They were also, according to Regular, proof of their right to self-determination (2009:163). In the 1960's and 1970's, the practice of leasing became increasingly prevalent (Regular 2009:164). From this, the Land Management Department of the Blood Tribe Chief and Council was created to help manage growing non-Native interests and involvements on Blood Land (Blood Tribe Land Management Department).

History of Natural Resource Extraction on Reserves

Up until 1974, oil and gas found on reserves were legislated and regulated under the *Indian Act*. However, in 1974 the *Indian Oil and Gas Act* came into effect. The *Oil and Gas Regulations* followed in 1977 and were brought under the *Indian Oil and Gas Act*. The Regulations were revised in 1995 as a means to increase First Nations' participation in development projects (Indian Oil and Gas Canada 2009). Since then, *Indian Oil and Gas Canada* manages oil and gas resources under the two provisions (Indian Oil and Gas Canada 2009).

Under the *Indian Oil and Gas Canada* (2009), in order to permit the development of oil and gas activities on reserve land, the rights to the minerals and hydrocarbon products must be surrendered to the federal Crown (Notzke:199). When surrendered, those rights are administered under the *Indian Oil and Gas Act* and the *Indian Oil and Gas Regulations* (Notzke:199). These are regarded as having been successful over time: regulations permitting oil and gas extractions on reserve land led to development projects on more than 120 First Nations reserves (Indian and Northern Affairs Canada 2010; Indian Oil and Gas Canada 2009).

In 2006, the *First Nations Oil and Gas and Moneys Management Act*, or *FNOGMMA*, came into force. The *FNOGMMA* consists of an optional Act in which First Nations can decide to opt in and gives them greater management of their resources and moneys (Aboriginal Affairs and Northern Development Canada 2010). In 1995, the Blood Tribe initiated a project meant to create a community-owned corporation that would, once the *First Nations Oil and Gas and Moneys Management Act* was implemented, take over its responsibilities in the management of resources (Protect Blood Land 2012). Kainaiwa Resources Inc., fully owned by the Blood Tribe, was thus established in 1995 and started a 10-year process divided into 3 parts (Kainaiwa Resources Inc.). The first part was called "Co-Management". During this first phase, the KRI staff was trained and began to take over functions previously held and managed by *Indian Oil and Gas Management* on Blood Land. In the second phase, "Enhanced Co-Management", the KRI performed all *IOGC* work independently from them, with minor supervision. Finally, the third phase was the full management and control of work by Kainaiwa Resources Inc.

The transition to self-management of natural resources activities was supposed to be an early success story. To go through the final step of authority transfer, a referendum had to be held with Blood Tribe members. It was first set to happen in 2010 (Kainaiwa resources Inc.). The referendum however "has been held off indefinitely" (Kainaiwa resources Inc.). KRI states many reasons for proceeding without the final step, including the incomplete state of an impending agreement with the Province of Alberta, the uncertain status of the Federal Government's role once the mineral rights surrenders are dissolved (this question does not seem to have been assessed by the Federal Government yet), and the fact that they felt the "Federal Government was prematurely forcing the Tribe to hold a referendum" (Kainaiwa resources Inc.). Nevertheless, the Blood Tribe still has the option to complete the necessary agreements and proceed with the referendum.

Contemporary Issue

Now let us turn to the 2010 five-year lease signed between Murphy Oil and Bowood Energy and Kainaiwa Resources Inc. The five-year lease totalizes 50 million dollars in exchange for access to

roughly half of Blood Land for oil and gas exploration. In 2011, KRI announced a joint venture with Native American Resource Partners (NARP) with the creation of a new corporation: Kainai Energy. Kainai Energy has been created to further development projects on and off reserve land (Protect Blood Land 2012).

However, the deal signed between Murphy Oil, Bowood Energy, the Blood Tribe Chief and Kainaiwa Resources Inc. has attracted opponents among the clan members. From the main issues put forward by *Protect Blood Land*, three arguments are worth extensive consideration. The first one is the concern with environmental and health damages associated with the use of hydraulic fracturing, as a gas extraction method. The argument is that the Blood Tribe members' Aboriginal Title is threatened by such activities on their land. The second is the lack of consultation and referendum by the KRI in signing the lease and creating Kainai Energy. The last one questions the legitimacy of the Blood Tribe Chief and Council in negotiating on behalf of the Blood Tribe members.

"Fracking"

The process of hydraulic fracturing has attracted a lot of media coverage over the past couple of years. The documentary *Gasland* (2010) by Josh Fox played a major role in bringing the issue of gas extraction by fracking into public discourse. News reports, academic literature and enterprises have documented the issue and have very divergent conclusions regarding the consequences of fracking.

Hydraulic fracturing is the process by which water, chemicals and sand are pumped at high pressure into a well (Protect Blood Land 2012; Hydraulic Fracturing Facts). The pressure thus fractures the shale and the natural gas is released (Gasland 2010; Protect Blood Land 2012). Typically, the gas is collected in produced water and has to be separated from wastewater on the surface. It is estimated that between 1 and 8 million gallons of water are used for each fracking. During its lifetime, a well can be fracked up to 18 times (Gasland 2010).

In 2011, it was made public by the United States Energy and Commerce Committee that between 2005 and 2009, 14 oil companies all over the United States used a cocktail of approximately 750 different

chemicals in hydraulic fracturing (United States Energy and Commerce Committee 2011). It is known that a large part of the chemicals are harmless to human health and are common to most consumer products (Hydraulic Fracturing Facts; United States Energy and Commerce Committee 2011). However, in the same study conducted by the United States Energy and Commerce Committee (2011), hydraulic fracturing companies also used 95 different products, 13 of them known carcinogens. Among the highly volatile and potentially dangerous chemicals and products identified in hydraulic fracturing substance, we find diesel, naphthalene, toluene, methanol, ethylbenzene and xylene (United States Energy and Commerce Committee 2011; Gasland 2010). Depending on the well, 80 to 300 tons of chemicals may be used for one frack. The list of chemicals and products used for fracking in the province of Alberta is not yet available (CBC News 2012). On average, between 30% and 50% of chemicals and wastewater is usually recovered from one frack. The remaining water that stays in the soil is believed to be highly toxic and a potential threat to the health of humans and animals alike (Gasland 2010).

The documentary *Gasland* (2010) demonstrated on many instances that fracking ended up polluting tap water and reduced people's access to safe food and water. On other occasions, health problems were recorded amongst humans and animals, such as farm and domestic animals losing hair, and people constantly feeling sick (Gasland 2010). The EPA, the United States Environmental Protection Agency, is presently conducting a study on hydraulic fracturing and its potential impact on groundwater (EPA). This is added to the large amount of water utilized, and thus wasted, in the process of fracking.

Aboriginal Title in *Delgamuukw v. British Columbia*

Protect Blood Land claims that the Aboriginal Title of the Blood Tribe is being "infringed upon by the Blood Tribe Chief and Council along with Murphy Oil and Bowood Energy" (Protect Blood Land 2012). In *Delgamuukw v. British Columbia* (1997), Aboriginal Title was defined as the 'right to the land itself'. It is protected under section 35 of the *Constitution Act of 1982* which affirms the continuing existence of treaty rights and rights that exist or can exist through land claims agreements. The part of Aboriginal Title indirectly addressed in

Protect Blood Land's accusation, was discussed most thoroughly in the *Delgamuukw* court case.

The court report of *Delgamuukw v. British Columbia* (1997) has probably given the most detailed interpretation of Aboriginal Title to date. First, it should be noted that the report gives the right to occupation of the land claimed by a group for a variety of purposes, not restricted to "practices, customs and traditions integral to the claimant group's distinctive aboriginal culture". Thus Aboriginal peoples are not limited in their use of the land to so-called "traditional" activities; the content to Aboriginal Title therefore acknowledges changes in livelihoods and present-day needs. The second main point made by the court is that the Aboriginal Title is "inalienable and cannot be transferred, sold or surrendered to anyone other than the Crown" (*Delgamuukw v. British Columbia* 1997). It is justified because, on the one hand, the land is held communally by the group, and on the second, because of the nature of Aboriginal attachment to land. The land is considered inherently valuable, where land use should not endanger future generations' right to the land. Consequently, the community cannot use the land in ways that would destroy its value, or that are "irreconcilable with the nature of the claimants' attachment to those lands" (*Delgamuukw v. British Columbia* 1997).

The accusations of infringement made by *Protect Blood Land* follow two main ideas. First, they assert their right to collective landowning. By withholding the referendum and having by-passed the members' approval of the project, the Blood Tribe Chief and Council have not respected collective ownership and decision-making. Secondly, *Protect Blood Land* accuses KRI and the Blood Tribe Chief and Council of entering into activities that will compromise the health and well-being of Blood Tribe members and future generations.

This second accusation is based on the mixed results of hydraulic fracturing as a means of gas extraction. The lack of official consensus on the overall safety of fracking raises the concern that Blood Land might be irreversibly affected by gas extraction. Lack of official unanimity on latent health risks associated with fracking does not permit any judgments to be made on the matter. Fracking as a major threat to long-term health and well-being is not a *fait accompli*,

but the argument made by the *Protect Blood Land* is nonetheless interesting. The extent to which fracking can affect and possibly jeopardize future generations' health, well-being and access to the land is unknown. Therefore can potentially harmful economic activities on reserve land be considered an infringement of Aboriginal Title? The role of Aboriginal Title within the debate is unclear. However, what is certain is that, legally speaking, oil and gas exploration is permitted on reserve land according to the *Indian Oil and Gas Act* (1985) and the *First Nation Oil and Gas and Moneys Management Act* (Aboriginal Affairs and Northern Development Canada 2010). Mineral rights and the right to exploitation are also restated in *Delgamuukw v. British Columbia* (1997).

Consultation of Blood Tribe Members

The second main issue in the context of the creation of Kainaiwa Resources Inc. and the lease the company signed with Murphy Oil and Bowood Energy is the lack of consultation of community members and the absence of a referendum. The *First Nations Oil and Gas and Moneys Management Act* (FNOGMMA) collaborated with the Blood Tribe Chief and Council to establish Kainaiwa Resources Inc. A ten-year project was undertaken to slowly transfer responsibilities to oil and gas resources management from the *Indian Oil and Gas Canada* to the community-owned energy company. On its website, Kainaiwa Resources Inc. refers to a three-step project which encompasses, as a third and final step, a referendum within the Blood Tribe to allow the transfer of authority (Kainaiwa Resources Inc.). As for the FNOGMMA, the necessity to hold a community vote to allow the transfer of capital and moneys is also clearly mentioned as part of the process towards First Nations' self-management (AANDC 2010).

The Blood Tribe Chief and Council and the KRI did not follow through with this final step. As mentioned above, KRI's website provides many reasons for having held off the referendum, varying from the complexity of completing the agreements with each party, the uncertain state of subsurface mineral rights after a shift toward the First Nations' self-management, and the role of the federal government as an overseer of the process. The possibility of following through with the usual procedure is not excluded but so far appears unlikely. Furthermore, there does not seem to be any form of legal enforcement

from Aboriginal Affairs and Northern Development Canada when the step for a clean transition toward self-management of natural resources is not respected.

Legitimacy of the Blood Tribe Chief and Council

The third and final issue raised by *Protect Blood Land* is the question of the Blood Tribe Chief and Council's legitimacy. This last argument goes beyond the problem of oil and gas exploration on Blood Land, but nevertheless seems necessary to address. *Protect Blood Land* summarizes its argument as follows: "... the band council system is an artificial form of self-government imposed on First Nations peoples by the Crown and federal government" (*Protect Blood Land*).

To understand the serious question of the band council system's legitimacy, one must go back to its introduction on reserves with the *Indian Act*. Section 74 to 80 of the *Indian Act* (1985) details very precisely the requirements to establish a Chief and Band Council. In his chapter *The Struggles of Indigenous People for and of Freedom* (2000:39), James Tully gives an account of the processes of internal colonialism, which have reduced Indigenous communities to overcrowded groups economically dependent on the state. Indirect assimilation techniques were used to incorporate Indigenous peoples into a European form of government. One of these methods involved the "system of internal self-rule", also called in Canada the band council system (Tully 2000:38; Long 1990:753). There is no doubt then that the band council system was at the time an alien form of governance, which was imposed by the government on Indigenous peoples placed on reserves. As pointed out by Tully, many Indigenous communities never stopped calling the process illegitimate (Tully 2000:42).

To explain that many First Nations have participated in a foreign political system, we must understand resistance techniques in their multiplicity. Most groups have accepted that it was necessary to participate in dominant institutions in order to obtain more political leverage (Tully 200:42). This is how Indigenous peoples were able to express, even if only partly, their right to freedom within the federal government's structure (Tully 2000:42). More recently, in response to increasing demand for self-governance, many groups have entered into agreements to renegotiate the structure of their governments

(Long 1990:752). Many Aboriginal leaders considered the restoration of traditional Aboriginal customs and political practices as a step toward reconciliation (Long 1990:753-754).

The present system of governance on the Blood Reserve is based directly, as stated previously, on section 74 to 80 of the *Indian Act* as it existed in the 1930s (Long 1990:757, 760). Only some changes were made in the 70s, where under "custom provision 2:1a" band members living off reserves were permitted to vote in council elections, and candidates for elections had to pay a nominal fee in order to discourage "frivolous candidates" (Long 1990:758). During the 80s and the 90s, the Blood Tribe developed an extensive and sophisticated bureaucracy meant to help the community manage its internal affairs (Long 1990:759). Based on previous studies, Anthony Long, (Long and Boldt 1985:109) concluded that personal gain was the primary motivation for most candidates who decided to run for council seats (Long 1990:761). The role of kin and clan in making political decision nevertheless did not diminish with the imposition of the band council system (Long 1990: 762).

Today's system of governance is indeed very far removed from the Blood's "traditional" political system (Long 1990:759). The Blackfoot Confederacy was a segmentary society with tribal councils where candidates were elected based on their merit (Long 1990:754,759-760). The clan was conceived as a "spiritual compact", not as a collective agreement between individuals (Long 1990:764). Long goes on to explain that "no human being could have control over the life of another, and authority to rule could not be delegated to any subset of members of the political group" (Long 1990:764). With the arrival of the Department of Indian Affairs and Northern Development and the enforcement of the *Indian Act*, political decision-making shifted from a communal basis to an external foreign source (Long 1990:769). This caused a high level of dissatisfaction among clan members who never really recognized to its fullest extent the legitimacy of the band and council system.

Considering the history of band and council system, and the possible existence of contentions between members and the ruling system, it seems clear that if a band wants to take over responsibilities

of subsurface resources exploration and extraction, the question of the legitimacy of the governance system in place needs to be settled. If it is not, opposition on the basis of illegitimacy can arise, as in the Blood Tribe case, and interrupt the projects undertaken by the current political system. The contention over political systems goes beyond simply present-day decisions made by the band council; it conveys a necessity for political reforms that may need to precede any other decisions involving issues of governance and self-management.

Conclusion

The women arrested during the blockade in September of last year (2011) were part of a group of a dozen members who decided to protest because they felt they had exhausted the resources available to them. In an interview given to CBC News, the group said they went to Aboriginal Affairs and Northern Development Canada, the Energy Resources Conservation Board, and Murphy Oil. All agencies told them to meet with their chief and council to address their problems. They tried to meet with the Blood Tribe Chief and Band Council and KRI, and even tried to attract media coverage by writing letters, petitions, holding the Kainai Earth Watch and creating the *Protect Blood Land* website. They have raised three main issues: a possible infringement of Aboriginal Title, the lack of transparency by the Blood Tribe Council and KRI, and the political illegitimacy of the Blood Tribe Chief and Council. The three issues are concerned with decision-making on reserve land, representativity, self-government, and self-determination. Fracking on Blood Land has led to a division of opinion among members of the Blood Tribe and the general population around two opposite poles: the care for environmental sustainability and the inalienability of the land versus the right to self-management and economic development.

This paper has examined issues of political legitimacy and management of resources. However, economic opportunities, employment and formation opportunities, management of moneys and investments on Blood Land, the geographical locations of the wells, and many other important elements have to be taken into consideration when assessing the issue of fracking on Blood Land. The decisive agreement made in the fall of 2010 is only a beginning. The

lease signed between Murphy Oil and Bowood Energy and Kainaiwa Resources Inc is a five-year lease. What will have changed in the meantime? And most importantly, what will happen in five years?

Bibliography

- Aboriginal Affairs and Northern Development Canada. 2010. *Frequently Asked Questions - The First Nations Oil and Gas and Moneys Management Act (FNOGMMA): Moneys Provisions*. Accessed in February 2012. Available from: <http://www.aadnc-aandc.gc.ca/eng/1100100016416>
- Aboriginal Affairs and Northern Development Canada. 2010. *Fact Sheet - Indian Oil and Gas Act Amendments*. Accessed in February 2012. Available from: <http://www.aadnc-aandc.gc.ca/eng/1100100016422>
- Aboriginal Affairs and Northern Development Canada. 2010. *First Nations Oil and Gas and Moneys Management Act (FNOGMMA)*. Accessed in March 2012. Available from: <http://www.aadnc-aandc.gc.ca/eng/1100100032341/1100100032342>
- Credoreference. 2012. *Blackfoot*. Accessed in February 2012. Available from: <http://www.credoreference.com/entry/hmenai/blackfoot>
- Blood Tribe-Kainai. *History*. Accessed in February 2012. Available from: <http://www.bloodtribe.org/>
- Blood Tribe Land Management Department. *History*. Accessed in March 2012. <http://www.btlands.com/history.html>
- CBC News. 2011. *Arrests Made in Blood Tribe Fracking Blockade*. Accessed in February 2012. Available from: <http://www.cbc.ca/news/canada/calgary/story/2011/09/11/alberta-blood-reserve-fracking-protest.html>
- CBC News. 2012. *Alberta Regulator to Launch Fracking Chemical Website*. Accessed in March 2012. Available from: <http://www.cbc.ca/news/canada/edmonton/story/2012/02/22/calgary-ercb-fracking-chemicals.html>
- Constitution Act, 1982, Section 35. Accessed in February 2012. Available from: <http://www.canlii.org/en/ca/const/const1982.html>

Copy of Treaty and Supplementary Treaty No. 7 between Her Majesty the Queen and the Blackfeet and Other Indian Tribes, at the Blackfoot Crossing of Bow River and Fort Macleod, 12 July 1877. Accessed in February 2012. Available from: [at: http://www.aadnc-aandc.gc.ca/eng/1100100028793](http://www.aadnc-aandc.gc.ca/eng/1100100028793)

Delgamuukw v. British Columbia. 1997. *The Content of Aboriginal Title, How It Is Protected by s. 35(1) of the Constitution Act, 1982, and the Requirements Necessary to Prove It*. Available from: <http://www.canlii.org/en/ca/scc/doc/1997/1997canlii302/1997canlii302.html>

Gasland. *The Facts*. Accessed in March 2012. Available from: <http://www.gaslandthemovie.com/whats-fracking#frackingprocess>

Goldfrank, Esther Schiff. 1945. *Changing Configurations in the Social Organization of a Blackfoot Tribe During the Reserve Period (The Blood of Alberta, Canada)*. New York: J.J. Augustin Publisher.

Hydraulic Fracturing Facts. *The Process*. Accessed in February 2012. Available from: <http://www.hydraulicfracturing.com/Process/Pages/information.aspx>.

Long, J. Anthony. Political Revitalization in Canadian Native Indian Societies. *Canadian Journal of Political Science*. Vol 23. 4. December 1990. Stable URL: <http://www.jstor.org/stable/3228441>

Indian Act. 1985. *Section 74 to 80: Election of Chiefs and Band Councils*. Accessed in March 2012. Available from: <http://laws-lois.justice.gc.ca/eng/acts/I-5/index.html>

Indian Oil and Gas Act. 1985. Accessed in March 2012. Available from: <http://laws-lois.justice.gc.ca/eng/acts/i-7/page-1.html#h-1>.

Indian Oil and Gas Canada. 2009. *Indian Oil and Gas Canada at a Glance*. Accessed in March 2012. Available from: <http://www.pgic-iogc.gc.ca/eng/1100110010629>

Gasland. 2010. Documentary. Directed by Josh fox. United States.

Kainaiwa Resources Inc. Accessed in February 2011. Available from: <http://www.kainaiwaresourcesinc.org>

Kainaiwa Resources Inc. *First Nations Oil and Gas and Monies Management Act*. Accessed in February 2011. Available from: <http://www.kainaiwaresourcesinc.org/FNOGMMA.html>

Notzke, Claudia. 1994. *Aboriginal People and Natural Resources in Canada*. North York Ont.: Captus University Publications

Parkin, Sara. 2011. Holding their Ground: Blockade on Blood Reserve Results in Three Arrests. *The Meliorist*. Accessed in February 2012. Available from: <http://themeliorist.ca/2011/09/holding-their-ground-blockade-on-blood-reserve-results-in-three-arrests/>

Protect Blood Land. 2012. Accessed in February 2011. Available from: www.protectbloodland.ca

Regular, Keith. 2009. *Neighbours and Networks: The Blood Tribe in Southern Alberta Economy, 1884-1939*. Calgary : University of Calgary Press

The Canadian Encyclopedia. 2012. *Blood (Kainai)*. Accessed in February 2012. Available from: <http://www.thecanadianencyclopedia.com/articles/blood-kainai>

The Canadian Encyclopedia. 2012. *Buffalo hunt*. Accessed in February 2012. Available from: <http://www.thecanadianencyclopedia.com/articles/buffalo-hunt>

Tully, James. 2000. The Struggle of Indigenous Peoples for and of Freedom. In D. Ivison; P. Patton; W. Sanders. *Political Theory and the Rights of Indigenous Peoples*. Cambridge: Cambridge University Press, pp. 36-59.

United States Environmental Protection Agency. 2012. *EPA's Study of Hydraulic Fracturing and Its Potential Impact on Drinking Water Resources*. Accessed in March 2012. Available from: <http://www.epa.gov/hfstudy/>

United States House of Representatives Committee on Energy and Commerce Minority Staff. 2011. *Chemicals Used in Hydraulic Fracturing*. Accessed in March 2012. Available from: <http://democrats.energycommerce.house.gov/sites/default/files/documents/Hydraulic%20Fracturing%20Report%204.18.11.pdf>

Drinking Tea with the Queen

Artist's Statement:

As a First Nations artist I am compelled to address the social fabric that makes up the world I live in. As an artist it is my wish to project imagery that represents historical and social culture. And it is definitely my belief that I am maintaining my tradition as a Native by using my art as a mechanism to document issues that are relevant to me.

Project Summary:

For my series I've included the image of an Indian Souvenir Doll that evidently represents colonialism, and not only sold as a commodity, the Indian doll also creates a homogenous identity that denotes a complex ideal that hides the fact that First Nations people were and are victims of colonialism. The Victorian tea cup and beaver pelt are both utilitarian items. The cup and beaver pelt are symbols of the presence of the unrelenting colonial interference of the British Empire. However, the beaver pelt also became a form of currency utilized by First Nations people to obtain trade goods. Although all three images represent a colonial presence, the images in this series also signify a relationship that was at times positive because we readily used the items traded with the British. I have embellished all three images with beads as gesture of recognition and consciousness of my history.

Jobena Petonoquot is of Algonquin heritage from the Kitigan Zibi reservation. She has recently graduated from Concordia University with a Bachelors of Fine Arts in the Spring of 2012, and is a full supporter of the international movement Idle No More.



▲ **Good Little Indian**
(2011)
15" x 22"
Intaglio print:
Printed on rag paper
Embellished with violet
seed beads



▲ **English Rose
Tea Cup** (2011)
15" x 22"
Intaglio print: Printed on
rag paper
Embellished with violet
seed beads



▲ **Beaver Pelt** (2011)
15" x 22"
Intaglio print:
Printed on rag paper
Embellished with
violet seed beads

Valse hivernale d'un nu-mains et d'un épinette ivre

Par: Marc-Antoine Sauvé

En plein coeur d'la métropole aux cents clochers, mais bein loin
d'Teresa...
Hochelag dans l'sang, Enkoodabao, en boule s'un canal, regârd
valser la neige qui r'couvre
le tapis de béton de son salon. Trop gelé pour dormir, y finit par
s'coucher d'boult. Par la
branche, y prend un épinette aussi croche que lui; Un épinette qui
porte aussi le
fardeau d'une poudre blanche qui à prime abord, semblait v'nir du
ciel...
C'est sans doute, qu'y l'invite à danser...
Dans son délire, avant d'partir, y'aura au moins r'connecté une
dernière
fois avec cette fotêt ivre q'yhabitait, qui l'habitait, avant l'arrivé d'cé
ostis d'colons.
Tout en valsant, ça chante sa rage:
Tu m'parles de mort sociale, j'te r'donne mon boult de miroir sul kel
j'pellette ma neige.
Celui qui m'aliène par le désir depuis trop longtemps... Tu m'parles
de direction, j'm'effondre,
j'm'effondre comme un aigle pu d'plume, tsé, j'pense qu'on m'a trop
fait tourner...

Enkoodabao: One who lives alone; Origin: Algonquin

Full text interpreted before the musical: *Valse hivernale d'un nu-mains et d'un épinette ivre*; by : Marc-Antoine Sauvé

Marc-Antoine Sauvé is an author-composer-interpreter who's from the region of Lanaudière in Québec. Over the years, he accumulated many experiences by various meetings and travels, which influenced his work. The short poem presents actual facts in a literary story. Not being indifferent to this reality is the first step to finding solutions to remedy the situation.

Art as Resistance in Vancouver's Downtown Eastside

Claire Stewart-Kanigan, non-Indigenous Ally

Marked by the unshakeable "poorest postal code in Canada"¹ epithet, Vancouver's ² Downtown Eastside has long been treated as a study in drug culture, poverty, and general delinquency.³ However, while the academic and political eye has remained fixed on these social issues, a unique development has gone largely unrecognized: the emergence of a socially-charged Aboriginal arts community. This paper will explore the links between community advocacy and solidarity-building, and the art of the Downtown Eastside. Looking at the Downtown Eastside as a space of creativity rather than as a space in decline represents a step in expanding the discourse of healing and growth beyond the community itself, and more broadly, in combatting the fatalistic depictions of low-income spaces and persons often favoured by media and political rhetoric. My exploration will focus on several specific projects expressing resistance based on healing, discussion, and direct action—the Gallery Gachet, the Intersections Fence Project, and the paint-ins of 'Woodsquat' and 'Save Pantages' respectively. Before outlining these, let us begin with a brief of sketch of the Downtown Eastside community.

Located on the unceded lands of the Tsleil-Waututh, Musqueam, and Squamish nations,⁴ Vancouver's Downtown Eastside—or 'DTES'—is home to 16,500 residents, 76% of which qualify as low-income, 700 of which are homeless, and 14% of which identify as Aboriginal.⁵ "The United Nations has reported that the Downtown Eastside has

¹ Steven Christoff and Sawsan Kalache, "The Poorest Postal Code," posted January 12, 2007, <http://www.dominionpaper.ca/articles/909>.

² The author recognizes 'Vancouver' as the settler-imposed name for a region of uncoded, occupied Coast Salish territory. For expediency's sake, this settler name will be used to reference the region defined by the name 'Vancouver.'

³ Candance Plattor, "An Addictions Counsellor in the Downtown Eastside," accessed March 15, 2013, http://www.candaceplattor.com/articles/an_addiction_counsellor.htm.

⁴ "Downtown Eastside Neighbourhood Council Constitution," Downtown Eastside Neighbourhood Council, last modified November 4, 2011, <http://dnchome.wordpress.com/about/>.

⁵ "Downtown Eastside Fact Sheet," Carnegie Community Action Project, posted January 2010, <http://ccapvancouver.wordpress.com/ccap-reports/>.

a Hepatitis C rate of 70 per cent and an HIV rate of 30 per cent—which puts it at the same level as Botswana,” a phenomenon largely attributed to drug use and lack of access to health facilities or housing.⁶ The community’s median personal income is half that of Vancouverites as a whole—\$13,600 and \$26,560 respectively⁷—but this relationship is reversed when examining the percentage of self-identified artists per capita: the DTES measures twice as high as the city average.⁸ These facts combined with the historical legacy of the Downtown Eastside—once Vancouver’s undisputed hub, housing both the commercial and political centres of the city in the early 20th century—provide the backdrop for what is today, a complex community with neither a shortage of issues to fight, nor a shortage of will to fight them. Most community activism today centres around combatting what two-spirit Peguis First Nation elder and Downtown Eastside Neighbourhood Council co-president Tami Starlight describes as the infliction of a “slow bleeding”⁹ of the DTES: gentrification. Accordingly, *resistance*¹⁰ to this phenomenon and the role of art within this resistance is the primary subject matter to be explored throughout the rest of this work.

In the Galleries: the Gallery Gachet

The Gallery Gachet is a collectively-run DTES art gallery aiming to support mental health in the community.¹¹ The gallery provides not only an exhibition space for aspiring artists, but also a sharing and healing space for locals, providing regular creative workshops and events in support of the mental health mandate. From October to November 2012, they hosted their fifth annual Oppenheimer Park Community Art Show, an exhibition showcasing the art of DTES community members.

⁶ “Sobering statistics,” Dominion Paper, last edited August 25, 2008, <http://www.dominionpaper.ca/articles/1996>.

⁷ statscan

⁸ 2.3% Vancouver-wide and 4.4% in the DTES. SOURCE: “Local Area Profile 2012: Downtown Eastside (DTES),” City of Vancouver: Downtown Eastside Local Area Plan, last modified August 2, 2012, <http://vancouver.ca/files/cov/profile-dtes-local-area-2012.pdf>.

⁹ Tami Starlight (Peguis First Nation) in discussion with the author, November 14, 2012.

¹⁰ ‘Resistance’ will henceforth be used to refer to active social, political, physical, visual, and/or spiritual opposition to a force deemed adverse by the person(s) or group(s) exercising the act(s) of opposition.

¹¹ “About,” Gallery Gachet, accessed November 4, 2012, <http://gachet.org/about/>.

The exhibition features a mix of artistic mediums, ranging from installations to paintings, to examples of traditional Aboriginal object-making skills. One artist featured at the exhibition is community activist Karen Ward. Ward contributes to the DTES community as both an organizer with the Gallery Gachet, and as a visual artist in her own right. Her piece “Not for Sale” (fig.1) that is currently displayed at the Oppenheimer Park exhibition takes the form of an interactive, mixed-media installation echoing the text-heavy, Rauschenburg-esque collage style popularized by influential Aboriginal artist Carl Beam.¹² Much as Beam did, Ward visually re-appropriates settler aesthetics—in this case, an urban planning diagram of the Downtown Eastside—to give voice to anti-colonial resistance by creating anti-colonial artwork using settler materials. “Not for Sale” takes this act of vocalization a step further by encouraging viewers to contribute their own ideas by attaching pens to the piece accompanied by the phrase “write away” (fig.1).

The juxtaposition of the vivid primary colours of the work’s painterly border with the cold, ruler-straight lines of the planning diagram establishes the motif of life encaged. This motif is reinforced through collaged images of the dark, mechanical pattern of a chain-link fence, and the hazy lines of what appear to be prison cell bars. This motif may reflect both the social cages DTES residents are trapped in by developers and policy-makers acting “for profit” (fig.1) instead of ‘for people,’ as well as the entrapment of Coast Salish land by industrialized settler occupation. The bolded quartet of phrases “for profit, forgot, forever, for gain” draws the eye around the piece’s network of phrases and imagery. This leads us to view these details through the quartet’s confrontational lens, communicating a sense of urgency and challenge to the viewer. The marker-scrawled phrase of “10,000 years, and I’m living in the trash”, in particular, speaks to a central message of many Aboriginal DTES voices as expressed in acts of resistance, and of the Oppenheimer Park exhibition as a whole.

Another piece in the exhibition that partners with the message of Ward’s work is Aboriginal¹³ artist and DTES community member

¹² “Carl Beam: From Sitting Bull To Rauschenberg, And Back Again,” Canadian Art, posted December 9, 2010, http://www.canadianart.ca/reviews/2010/12/09/carl_beam/.

¹³ Eastman’s specific nation identity could not be further discerned upon research.

Cassandra Eastman's installation¹⁴ featuring several traditional North American¹⁵ Aboriginal objects: three varieties of leather purses, a pair of child-sized moccasins, and a woven blanket (fig.2). The objects evoke a wide geographic range of Indigenous cultures: the fur-lined moccasins may represent Inuit or Northern First Nations in which fur lining in footwear is generally more common than in Coast Salish nations, while the blanket, although evocative of the geometric patterns of Northwest Coast Tlingit baskets (fig.3), echoes the "chevron, diamond, serrate, triangle-repeated"¹⁶ patterns of Navajo weavers of the American Southwest (fig.4). The choice to include objects depicting a range of Indigenous nations of North America suggests the theme of solidarity and common struggle amongst colonized nations.

The arrangement of the objects—one purse suspended alone from the ceiling, looming atop the other objects below—evokes a sense of abandonment. The objects appear neglected, lonely in their disuse, and awkwardly out-of-place atop their square, sterile pedestal (fig.2a). This uncomfortable feeling of 'out-of-place' may suggest the challenges of maintaining traditional Aboriginal practices—or perhaps even *being* Aboriginal—in a colonizer-dominant environment.¹⁷ Further, the use of empty, child-sized moccasins could suggest the challenges of passing traditional knowledge onto future generations given the explicit and implicit assimilationist agendas of past and present governments and other settler institutions.

The work of the Gallery Gachet in exhibitions such as the Oppenheimer Park Community Art Show is an act of resistance in that it provides safe space for the expression of voices that are otherwise systematically silenced, particularly those of low-income Aboriginal persons with limited access to other platforms for creative expression. In light of this focus on 'safe space' and expression for oneself and gallery-goers, the focus of the Gallery Gachet appears to be *healing*

over outright *resistance*, though healing may be considered an act of resistance in itself.

In the Streets: the Intersections Fence Project

The DTES is also home to many street-level initiatives. Such initiatives allow art to become a participatory experience, allowing more voices to be expressed and more discussion to be provoked. One such project is the Intersections Fence Project at 150 Cordova (fig.5) which began in December 2010. According to Intersections Fence Project, the initiative is a "public art project on the perimeter fencing at 150 east cordova [sic] [consisting of a series of canvases affixed to the fence] that incorporates the work of 15 local artists who have produced work within the theme of 'living here' [in the DTES]."¹⁸ The notion of resistance is expressed both by the nature of the installation itself—the visual and physical reclamation of a space—and in the content of the included work.

One example of such a work in the Intersections Fence Project is "Our Streets," also by Ward of the Gallery Gachet (fig.6). Ward writes the following of the piece:

In this painting, I tried to create the atmosphere of the street without the people. As you look at it, I bet your mind and imagination fill in the people. But this is what some people want, all of us in our rooms and not filling the streets with our spirit and beauty. This is what we must fight to prevent, and keep these streets ours.

Source: Karen Ward, "Our Streets," Intersections Fence Project, posted 2010, <http://intersectionsfenceproject.blogspot.ca/>.

The text serves as a call to action to the viewer by including them in the "we" of "we must fight." The image complements this message by depicting Ward's 'streets' from an exaggerated, almost fish-eye lens-eque, first-person perspective, evoking the feeling of being pulled into

¹⁴ Upon contacting Karen Ward of the Gallery Gachet, the title of this piece could not be confirmed.

¹⁵ The author recognizes 'North America' as the settler-imposed name for the land of Turtle Island.

¹⁶ "Authentic Navajo Rugs traditional designs Zoonie Deschene," End of Trail Home Decor, accessed November 13, 2012, <http://www.endoftrailhomedecor.com/category.sc?categoryId=47>.

¹⁷ The author does not mean to deny the adaptiveness of Aboriginal persons, nor to deny the unique, vibrant culture of urban Aboriginals.

¹⁸ "Intersections fence project at 150 east cordova street," Intersections Fence Project, last updated April 4, 2011, <http://intersectionsfenceproject.blogspot.ca/>.

the scene. This effect involves the viewer in the experience of empty streets that Ward seeks to convey, making it seem as though the image is a first-person freeze-frame of walking the streets oneself. Further, the meta-experience of viewing Ward's artistic depiction of the DTES streets while walking the same DTES streets forces viewers to reflect on their roles in the gentrifying forces critiqued by the piece: 'Am I a part of this problem?' 'If so, what can I do to change this?' However, even if the viewer is not compelled to reevaluate or change their role, the piece breaks the silence of gentrification as a natural, unquestioned process, making it a resistant act.

In Action: Paint-ins

The DTES has a long history of subjection to gentrification projects, and also a long history of resisting them. Two of the most notable recent acts of gentrification are the demolition of the historic Woodward's department store, and the demolition of the equally historic Pantages Theatre. Both demolitions were conducted with the aim of building condominium complexes on the site under the banner of 'community revitalization,' much to the ire of low-income DTES residents.¹⁹ This opposition has seen expression in 2002's 'Woodsquat' occupation, and 2011's 'Save Pantages' movement respectively, both of which were marked by the practice of 'paint-ins'. A 'paint-in' here refers to a practice similar to the more well-known 'sit-in' practice, except in addition to *physically* reclaiming a space to make a political statement, protestors *visually* reclaim the space as well by painting materials of the actual site, such as walls of buildings, or by painting materials which are then affixed to or displayed at the site, such as wooden panels or banners.²⁰

Woodsquat

In September 2002, following the halt of the mixed social housing project set to begin on the site of the vacant Woodward's department store, residents occupied the site in a movement that became known as

'Woodsquat' as an expression of the urgency of reclaiming the space for the community.²¹ The site was physically re-appropriated, with 'squatters' occupying the space for over 90 days, but also *visually* re-appropriated. Banners were hung and walls were painted, covering nearly the entire Woodward's exterior. This act not only carried the voices of the occupiers onto the streets to the eyes of passers-by and media sources alike, but served to revitalize the tradition of 'paint-ins' and public art as tactics of resistance in the DTES.²²

One of Woodsquat's most emblematic images is that of three long banners with the words "CAMPBELL'S OLYMPIC SHAME" hung from the iconic Woodward's 'W' tower (fig.7). Politically, the piece represents a response to the British Columbia government's then-recent cuts to social services—social housing included—at the same time that Vancouver was in the process of placing its \$34 million bid for the 2010 Olympic Winter Games.²³ Visually, the piece represents an assertion of community ownership over city space, and a statement that DTES voices will not be bracketed into the city's history as developers sought to do with Woodward's, as embodied by the 'W' tower, a symbolic landmark of the DTES. The fluidity of the hanging banners reflects the life and movement of the DTES community, bringing visual dynamism to a structure that otherwise appears dated and stagnant, much as the DTES is often perceived.

The spray-painted banners and murals adorning the exterior of the main Woodward's building (fig.8) were equally iconic. The motif of movement overtaking stagnation was repeated by the banners' placement over the aged building's brick foundation, and the use ironic statements— "O Canada, our home on native land" (fig.9)—brought an air of dry humour to the action. In the words of well-reknowned

¹⁹ "An open letter to City Council & Staff," Downtown Eastside Neighbourhood Council (DNC), posted January 11, 2011, <http://vancouver.mediacoop.ca/fr/newsrelease/5618>.

²⁰ "DTES Residents stage Paint-In Against Condos," Downtown Eastside Neighbourhood Council (DNC), posted May 13, 2011, <http://vancouver.mediacoop.ca/fr/newsrelease/7247>.

²¹ Susan Pell, "Making citizenship public: identities, practices, and rights at Woodsquat," *Citizenship Studies* 12 (2008): 144, accessed November 13, 2012, <http://woodsquat.files.wordpress.com/2009/09/susan-pell-making-citizenship-public-identities-practices-and-rights-at-woodsquat-2008.pdf>.

²² It has been noted that Save Pantages Paint-in participants likened the paint-ins to the earlier "daisy-painting sessions" at Woodward's during the 1990s. The author was unable to locate further explanation of what these "sessions" were. Source: "DTES Residents stage Paint-In against Condos," Downtown Eastside Neighbourhood Council (DNC), posted May 13, 2011, <http://vancouver.mediacoop.ca/newsrelease/7247>.

²³ "BC 2010 Winter Olympic Bid," Maple Leaf Web, accessed November 13, 2012, http://www.mapleleafweb.com/old/education/spotlight/issue_28/olympic.html.

Kwakwaka'wakw comic book artist and Indigenous activist Gord Hill, "Humour [in efforts of resistance] is very important as it is good for morale and a way of breaking the tension that is part and parcel of resistance. Humour is also a good way to undermine or subvert authority and the aura of invulnerability they [the dominant group or class] try to surround themselves with."²⁴ This function helps explain the high incidence of humorous content and presentation in both Aboriginal protest art, and protest art in general, for instance in Hill's "The 500 Years of Resistance Comic Book." However, the role of humour in the protest art of indigenous resistance takes on a unique dimension in that it allows for stereotypes to be reclaimed and challenged, most directly that of the 'stoic Indian.'

The Save Pantages movement

In May 2011, the first annual 'paint-in' at the soon-to-be-demolished Pantages Theatre was held with the aim of pressuring the government to set aside the space for 100% social housing in this region referred to as "ground zero of the Downtown Eastside."²⁵ DTES residents and supporters covered the bricks of the condemned building with visual expressions of their demands in the forms of text and imagery; shared and prepared communal meals; and filled the air with songs, drumming, and speeches of the same spirit. Although the site was eventually sold to condo developers in April 2012, the art of the paint-in still served as a powerful expression of community dissent and community reclamation of the space.

In the most-documented portion of the mural (fig.10), a parent and child are seen walking into the distance of what looks to be a DTES alley that has been reclaimed by nature - as illustrated by the flowers, vines, and richly forested mountains in the background. The long shadows in front of the walking pair imply that the sun is either rising or setting; suggesting either the dawning of a new day for the DTES, or that the sun is setting on opportunities for a positive future for the DTES. The figure whose hair and arm are visible in the image's

bottom right corner adds to this ambiguity: are they turning away with resignation, or looking onwards with hope? Although it is unclear which outlook the artist holds—if either—pressure is placed on the viewer to consider the precarious situation of the DTES today—that the time to take a turn one way or another is imminent. However, the inclusion of overflowing garbage bins in the otherwise pristine alleyway and the replacement of the parent's head with a spray paint can give the image a twist of surrealism, and even the grotesque. This speaks to the dark complexities of systematic poverty and the perpetuation of for-profit marginalization underlying many issues facing the DTES, and communicates that clear-cut 'solutions' are likely misleading.

Next to this scene, we see several textual statements, as well as some humorous, light-hearted images, such as the depiction of a toque-wearing Woody Woodpecker smoking a cigarette and a bright flower growing out of a rainbow. These images serve the same tension-breaking function as was outlined by Gord Hill in regards to the art of Woodsquat; the amusement expressed in the images illustrates the joy of the process of resistant art-making, depicting a humorous affront to the "aura of invulnerability"²⁶ of the offices responsible for seeking to remove Pantages from community hands. The 2011 Save Pantages movement was also an act of artistic resistance in itself. The sounds of construction crews demolishing a community space were overtaken by the chanting and drumming of the Aboriginal Front Door Drummers,²⁷ the exclusionary nature of private property was challenged through the sharing of food and other resources, and the neglected walls of a building forced to be forgotten were filled with new life.

Looking Forward

The role of art within activism efforts in the DTES cannot be overstated. The projects and actions discussed here touch only the surface of some of the most easily observable instances of artistic

²⁴ Gord Hill, interview by Comrade Black, "Drawing (A) Militant Resistance: Interview with Indigenous artist and author Gord Hill," *Profane Existence*, September 18, 2012.

²⁵ "DTES Residents stage Paint-In against Condos," *Downtown Eastside Neighbourhood Council (DNC)*.

²⁶ Gord Hill.

²⁷ The Aboriginal Front Door Drummers are a working group of the Aboriginal Front Door Society, a group whose mission is to provide a safe space for DTES Aboriginal people to promote healing and capacity building through traditional cultural practices such as drumming, singing, Sweatlodge ceremonies, and Moonlodge teachings. Source: "Our Mission Statement," *Aboriginal Front Door Society*, accessed November 14, 2012, <http://aboriginalfrontdoorsociety.tripod.com/index.html>.

resistance in community. If the scope of 'art as resistance' is expanded to include Aboriginal women reclaiming traditional skills through sharing workshops, low-income residents collectively creating and presenting spoken word pieces at creative writing collectives, anonymous street art, and all of the other more subtle forms of creative expression in the DTES, our exploration would be endless. However, even through the limited scope of work discussed, it is clear that the "poorest postal code in Canada" has much more to offer than compelling sociology statistics. Art takes the role as a tool of healing-based, discursive, and direct action-based resistance in Vancouver's Downtown Eastside, and forms an integral part of the community's growing networks of organizing, solidarity, and activism. In the words of Intersections Fence Project contributor and long-time DTES resident Armand Tencha,

There are many signs of beauty in everyday life here.
You just need to be open to seeing them.

Source: Intersections Fence Project

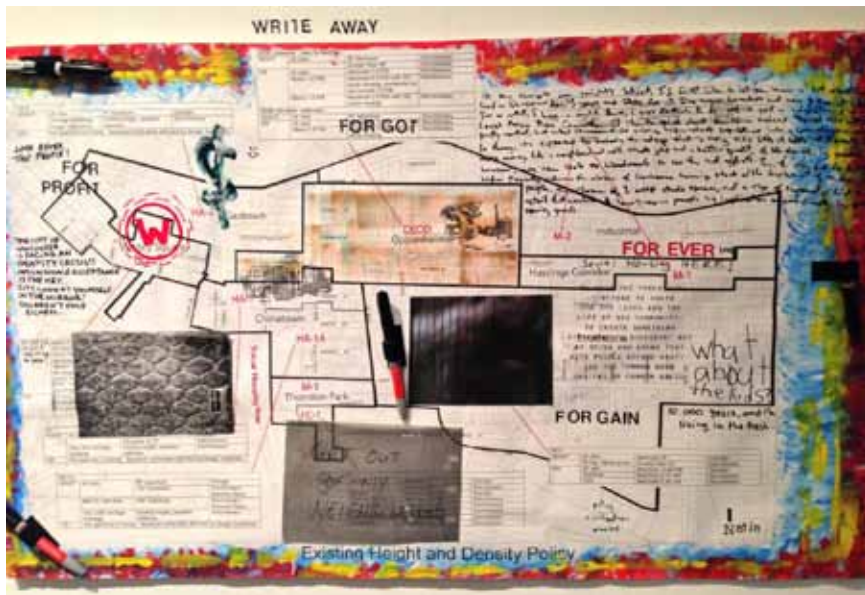


Fig.1: Karen Ward, "Not for Sale," 2012, mixed media, Gallery Gachet, Vancouver. Photo courtesy of Tami Starlight.



Fig.2: Cassandra Eastman, 2012, mixed materials, Gallery Gachet, Vancouver, <<http://www.flickr.com/photos/gallerygachet/8136264368/in/set-72157631882616803>>. Photo by Sylwia



Fig.2a: Cassandra Eastman, 2012, mixed materials, Gallery Gachet, Vancouver, <<http://www.flickr.com/photos/gallerygachet/8136318168/in/set-72157631882616803>>. Photo by Sylwia



Fig.3: Painted Tlingit basket, <http://firstpeoplesofcanada.com/fp_groups/fp_nwc5.html>.



Fig.4: Zoonie Deschene, "Eye Dazzler," 2012, wool, <<http://www.endoftrailhomedecor.com/category.sc?categoryId=47>>.



Fig.5: "Intersections Fence Project," 2010, framed canvas on metal fence, Vancouver, <<http://intersectionsfenceproject.blogspot.ca>>.



Fig.6: Karen Ward, "Our Streets," 2010, acrylic on canvas, 24" x 54", Vancouver, <<http://intersectionsfenceproject.blogspot.ca>>.



Fig.7 "Day 1 - W," 2010, Vancouver, <<http://woodsquat.wordpress.com/photographs/>>. Photo by Marginalized



Fig.8: "Woodward's Squat 2002," 2002, video stills, Vancouver, <http://www.youtube.com/watch?v=56UHhnt5lml&feature=player_embedded>.



Fig.9: Ibid.



Fig.10: Save Pantages mural, mixed media, 2011. Photo courtesy of Tami Starlight.

Works Cited:

Aboriginal Front Door Society. "Our Mission Statement." Accessed November 14, 2012. <http://aboriginalfrontdoorsociety.tripod.com/index.html>.

Canadian Art. "Carl Beam: From Sitting Bull To Rauschenberg, And Back Again." Posted December 9, 2010. http://www.canadianart.ca/reviews/2010/12/09/carl_beam/.

Carnegie Community Action Project. "Downtown Eastside Fact Sheet." Posted January, 2010. <http://ccapvancouver.wordpress.com/ccap-reports/>.

City of Vancouver: Downtown Eastside Local Area Plan. "Local Area Profile 2012: Downtown Eastside (DTES)." Last modified August 2, 2012. <http://vancouver.ca/files/cov/profile-dtes-local-area-2012.pdf>.

Dominion Paper. "Sobering statistics." Last modified August 25, 2008. <http://www.dominionpaper.ca/articles/1996>.

Downtown Eastside Neighbourhood Council (DNC). "Downtown Eastside Neighbourhood Council Constitution." Last modified November 4, 2011. <http://dnchome.wordpress.com/about/>.

Downtown Eastside Neighbourhood Council (DNC). "DTES Residents stage Paint-In against Condos." Posted May 13, 2011. <http://vancouver.mediacoop.ca/newsrelease/7247>.

Gallery Gachet. "About." Accessed November 4, 2012. <http://gachet.org/about/>.

Hill, Gord. Interview by Comrade Black. "Drawing (A) Militant Resistance: Interview with Indigenous artist and author Gord Hill." Profane Existence. Posted September 18, 2012. <http://vancouver.mediacoop.ca/story/drawing-militant-resistance-interview-indigenous-artist-and-author-gord-hill/12814>.

Intersections Fence Project. "intersections fence project at 150 east cordova street." Last updated April 4, 2011. <http://intersectionsfenceproject.blogspot.ca/>.

Maple Leaf Web. "BC 2010 Winter Olympic Bid." Accessed November 13, 2012. http://www.mapleleafweb.com/old/education/spotlight/issue_28/olympic.html.

Pell, Susan. "Making citizenship public: identities, practices, and rights at Woodsquat." *Citizenship Studies* 12 (2008): 143-156. Accessed November 13, 2012. <http://woodsquat.files.wordpress.com/2009/09/susan-pell-making-citizenship-public-identities-practices-and-rights-at-woodsquat-2008.pdf>

Does the human rights discourse contribute to or hinder Indigenous peoples' quests to reclaim self-determination? A critical exploration.

Isabelle Dobronyi, non-Indigenous Ally
McMaster University

Introduction

Many First Nations people in Canada face multidimensional poverty and anomie, largely because they have been, and continue to be, denied control over their homelands, traditional cultural knowledge, and natural resources through hundreds of years of colonialism. First Nations people often speak of cultural resurgence as the key to addressing these problems; this entails using their own reclaimed languages and worldviews as the source of power to reclaim their sovereignty. Their efforts, however, are also increasingly framed in the language of the "human right" to "self-determination" by states and the United Nations (UN). States, including Canada, have actively excluded Indigenous peoples from international forums, first by barring Indigenous participation, then by denying their status as colonized "peoples" and refusing to acknowledge alternatives to the human rights discourse. This has forced many Indigenous peoples to engage with human rights discourse and fight for a voice at the UN. Although the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was drafted with the inclusion of Indigenous representatives from all over the world, the UN, with its state-based structure and Eurocentric liberal bias, continues to exclude Indigenous worldviews from international law. Focusing on First Nations in Canada, I argue that the human rights discourse has proven insufficient in helping Indigenous peoples reclaim their self-determination. This paper will begin by exploring the racist origins of Indigenous peoples' role in international law, including the concept of *terra nullius*. It will then look critically at the way in which states have sought to ostracize

Indigenous peoples from the international community, and the goals of UNDRIP in challenging this pattern of exclusion. It will go on to examine three ways in which human rights discourse at international and state levels have hindered Indigenous struggles to reclaim self-determination, namely, colonialism and the politics of recognition, the compartmental and universal nature of human rights, and the tension between rights and responsibilities. This essay will conclude by looking at some Indigenous alternatives for beginning the process of self-determination from the bottom-up rather than top-down. I acknowledge that this essay refers to “Indigenous peoples” and “First Nations” in a seemingly homogenous sense. I would like to emphasize the diversity encompassed by these terms but, for the majority of this essay, I will use the generalized “Indigenous perspectives” that many of my sources have described.

The Origin of Indigenous International rights: Treaties versus *terra nullius*

The first international relationship with Indigenous peoples and Europeans was so-called “discovery”, based on the concept that North America was *terra nullius*, or “land belonging to no one,” at the time of European contact (Venne 1998, 8). The basis for *terra nullius* was the racist belief that Indigenous peoples had no civilized culture or political organization prior to colonization. Despite the fact that colonizing states justified land dispossession and domination under *terra nullius*, in what would become Canada treaties were drawn between First Nations and the British Crown pre-Confederation, which, in accordance with international norms, seems to imply that the British did recognize First Nations as sovereign nations (Venne 1998, 10). It was not until the 1975 International Court of Justice (ICJ) ruling in the *Western Sahara* case that the,

degree of civilization [was] no longer [considered] a valid criterion for determining if a territory inhabited by Indigenous peoples is *terra nullius*... In other words, Indigenous governments do not have to emulate European governmental structures to have sovereignty over their territories (Venne 1998, 45-46).

Canada, however, continues to refuse Indigenous peoples’ sovereignty failing to honour their nation-to-nation relationship with First Nations previously recognized in treaties, thus perpetuating the spirit of *terra nullius* and the doctrine of discovery (Coulthard 2003, 160).

Indigenous peoples as objects of international law

Denied their nation status by colonial powers, Indigenous peoples have been excluded from the state-centered international community. Indeed, the history of Indigenous involvement at the UN has proven to be non-existent at worst and conditional at best, allowing UN member-states to make decisions for and affecting Indigenous peoples. The first international document to directly address Indigenous rights was the International Labour Organization (ILO)’s Convention 86 in 1947 (Venne 1998). Convention 86 was blatantly assimilatory, suggesting that Indigenous peoples required education in order to properly integrate themselves within capitalist culture (Ibid., 33). In 1957, the ILO passed the Indigenous and Tribal Populations Convention 107, and it too aimed to assimilate Indigenous peoples into the dominant society. Article 2(1), for example, states that, “governments shall have the primary responsibility for ... the populations concerned and their progressive integration into the life of their respective countries”, and indicated that this support should last for “as long as there is need” (International Labour Conference no date). Unsurprisingly, Indigenous peoples objected to ILO Conventions 86 and 107 for “legitimizing the gradual extinction of Indigenous peoples as such” (Venne 1998, 70). These conventions are examples of international law with serious implications for Indigenous livelihoods created with complete disregard for Indigenous perspectives. The first time Indigenous peoples were actually involved in international law making was ILO Convention 169 in 1985 (Venne 1998, 89). The ILO, however, limited Indigenous involvement to the role of observers. The only exception was if Indigenous people were part of an ILO-sanctioned organization, but these organizations were only given ten shared minutes per Article to address the committee (Venne 1998, 89). As a result, ILO Convention 169—like those before it—did not reflect the goals of Indigenous peoples seeking self-determination. Overall, the first inclusion of Indigenous peoples in the international community did little to challenge their place as objects of international law.

In 1982 the Subcommittee of the UN Commission on Human Rights recommended the formation of the UN Working Group on Indigenous Populations, in order to “review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of Indigenous populations” (Hartley, Joffe & Preston 2010, 19-37). Unlike the ILO, the Working Group accommodated Indigenous participation in the structure and procedure of the Working Group, taking “the almost unprecedented step of allowing oral and written interventions from all Indigenous organizations which wished to participate in its work, not limiting such participation to those with formal consultative status” (Venne 1998, 115). Still, some Indigenous representatives were critical of the level of involvement, especially the limits placed on what Indigenous peoples could present to the Working Group:

The Working Group was established in a far corner of the UN system [and] was carefully and intentionally structured so that it could not properly hear complaints. That was the rule... [but] how does one review current developments in communities whose members are being systematically murdered without appearing to make complaints? (Moses 2000, 173).

The Working Group was to draft UNDRIP in order to set minimum, though non-binding standards for Indigenous peoples’ rights (Hartley, Joffe, & Preston 2010). Ted Moses, former Grand Chief and Ambassador of the Grand Council of the Cree in Quebec, argues that UNDRIP is not a genuine reflection of Indigenous worldviews but merely “attaches Indigenous peoples to the basic human rights instruments that already existed” (Moses 2000, 176). He says that UNDRIP became necessary because the UN has failed to transcend the interests of its members by allowing state interests to supersede Indigenous perspectives, thereby impeding Indigenous peoples’ self-determination (Moses 2000, 173). In addition to struggling against structural exclusion, Indigenous peoples must increasingly engage with the human rights discourse in order to be acknowledged at the UN and state levels. In particular, I will argue, there are three main features of human rights discourse that constrain Indigenous expressions of self-determination: the language

of recognition, the compartmentalization and purported universality of human rights, and the lack of a responsibility-based discourse.

Continuing colonialism and the politics of recognition

The international human rights discourse uses the language of recognition. Accordingly, Indigenous peoples must seek to be recognized as ‘eligible’ for self-determination under international law. This requires appealing to the definitions of “peoples” and “colonized” as the UN uses them.

Article 1 of the UN Charter states its goal “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples” (United Nations, 1945). States attempted to deny Indigenous peoples their status as “peoples” in order to deny them their right to self-determination. Drafts of ILO Convention 169, for example, used the term “Indigenous populations” and, although the ILO responded to the demands of Indigenous representatives by semantically changing “populations” to “peoples”, they stipulated that “the use of the term ‘peoples’ in this Convention shall not be construed as having any implications as regards the rights which may attach to the term under international law” (International Labour Organization 2012). In 1976 the International Covenant of Civil and Political Rights (ICCPR) and that on Economic, Social and Cultural Rights (ICESCR) both declared in their first articles that “all peoples have the right to self-determination” (Office of the United Nations High Commissioner for Human Rights 2007). Many states have avoided associating these Conventions with Indigenous peoples by denying them the second criteria for the right to self-determination, which is recognition as colonized peoples. This stems from the 1960 UN General Assembly Resolution 1514 titled *The Declaration on the Granting of Independence to Colonial Countries and Peoples*. Resolution 1514 recognizes the right to self-determination for peoples under colonial and alien domination, effectively excluding First Nations due to their treaty agreements with the ex-colony of Canada (Venne 1998, 151). The 1991 Draft of UNDRIP, for example, included nothing on the right to self-determination because some states, including Canada, deemed it unacceptable due to its “implicit reference to colonialism” (Venne 1998, 151).

Navajo author Robert Yazzie defines colonialism as “a situation in which people in Washington, Ottawa, or other neocolonial capitals ... make decisions for Indigenous peoples, tell them what they can and cannot do, refuse to support them, or effectively shut them out of the process” (Yazzie 2009, 46). Under this definition, Canada’s First Nations are certainly experiencing colonialism. According to Alfred and Corntassel (2005) this contemporary colonialism is subtler than earlier missionary and military colonial enterprises, but equally oppressive (597). For example, seeking recognition as “Aboriginal” in Canada is an example of ongoing colonialism, exacerbated by the fact that many Indigenous communities are “forced by the compelling needs of physical survival to cooperate ... with state authorities” (Alfred and Corntassel 2005, 599). Indeed, with Resolution 1514 associating self-determination with the decolonization of those under foreign domination—with painful irony—First Nations in Canada must prove to their colonizers that they remain colonized in order to be recognized as ‘eligible’ for self-determination as peoples. By denying First Nations recognition as ‘colonized’, human rights discourse denies them decolonization. This is problematic because without challenging the colonial status quo in seeking self-determination, “[Indigenous peoples] may find that [they] are merely entrenching [them]selves deeper in the systems, values, and controls put in place by the colonizer” (Laenui 2009, 158). In other words, they will not be able to genuinely reclaim Indigenous sovereignty.

Recognition as “colonized” under Resolution 1514 also comes with an important stipulation: it says that, “any attempt aimed at the partial or total disruption of national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the [UN]” (Venne 1998). The 1974 Special Rapporteur Esiell clarifies this provision, stating that “if a state intends the argument of territorial integrity to deny the rights of peoples to self-determination, [it is] recommended that the international community view this misapplication of the principle of self-determination as contrary to the purpose of the Charter” (Venne 1998, 77). This study did not, however, lead to the General Assembly extending provisions of Resolution 1514 to Indigenous peoples, so states, including Canada, continue to employ arguments against self-determination fueled by

fear of secession. For example, when UNDRIP eventually went before the UN General Assembly in 2007 it contained Article 3 proclaiming Indigenous peoples’ right to self-determination. This formed the basis of Canada, Australia, New Zealand and the United States’—all of which have significant populations of Indigenous peoples and were founded “illegitimately” under *terra nullius*—voting against UNDRIP (Keal 2003; Corntassel 2008). Their argument was based on Resolution 1514’s protection of territorial sovereignty and state unity, and they proposed an amendment resulting in Article 46 of UNDRIP:

Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the [UN] or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States” (UN General Assembly 2007).

This shows how state agendas can affect the extent to which Indigenous peoples’ rights are recognized. Therefore, the imposition of external and arbitrary definitions onto Indigenous peoples—with the power to dictate whether or not First Nations’ rights are recognized internationally—throws into question the supposedly universal and inalienable nature of human rights.

The influence of the human rights language of recognition can be easily seen within Canadian borders. Indeed, “it would appear that recognition has emerged as the hegemonic expression of self-determination within the Indigenous rights movement in Canada” (Coulthard 2008). Furthermore, Canada aims to recognize Indigenous struggles for self-determination exclusively within the confines of the state apparatus, including the land claims process, economic development deals, and self-government packages. Glen Coulthard elaborated on the framework using the experience of the Dene Nation in the Northwest Territories (NWT). In 1968 the Dene confronted Canada’s Mackenzie Valley pipeline proposal, which would have involved the construction of a gas pipeline through Dene territory. It was acknowledged that the pipeline would “probably destroy their

traditions and way-of-life” (Coulthard 2003, 83). So, in 1975, the Dene asserted their nationhood, declaring that, “our struggle is for the recognition of the Dene Nation by the government and people of Canada and the peoples and governments of the world” (Ibid.). But there was no accessible forum by which the Dene could formally express these concerns, except the land claims process. The Dene fought to avoid colonial ensnarement, employing “the land claim [as their] fight to gain recognition as a different group of people – with [their] own way of seeing things, [their] own values, [their] own lifestyle, [their] own laws.... [It was] a fight for self-determination using [their] own system with which [they] have survived until now” (Coulthard 2003, 96). But the federal government refused to recognize Dene conceptions of land and self-government, confining any accommodation of Indigenous rights to “one political formation—namely colonial sovereignty—and one mode of production—namely, capitalism” (Coulthard 2008). The pipeline project was delayed and the government offered the Dene Nation a non-negotiable settlement of land ownership conditional on the Dene dropping their request for self-determination, and agreeing to “cede, release, and surrender” any remaining land in the NWT (Coulthard 2008). Dene community negotiators eventually conceded and agreed to sign this in 1988, more than ten years after the negotiations began (Coulthard 2003, 114).

In the end, land “claims policy functioned to undermine Dene self-determination by limiting the terms of recognition the state was willing to make available to [them] through the negotiation of a land claim settlement” (Coulthard 2003, 217). Canada continues to constrain First Nations’ quests for self-determination into the land claims process, demanding expensive litigation to define terms of legal recognition. This adversarial relationship does not embody the spirit of cooperation or good faith called for in UNDRIP (UN General Assembly 2007). In fact, one of Canada’s reasons for originally not ratifying UNDRIP was that “it is inconsistent with all of the policies under which we have negotiated land claims for 100 years” (Hartley, Joffe, & Preston 2010, 77). By forcing First Nations to seek recognition for rights under state definitions and state mechanisms, Canada has maintained their colonial domination over First Nations and refused to genuinely support self-determination. These “politics of

recognition” in Canada have failed to challenge the root of First Nations dispossession and domination, namely, “a racist economy and... the racist origin of Canada’s assumed authority over Indigenous peoples and their territories” (Coulthard 2008). This reflects more generally the fact that the human rights system—including the implementation of UNDRIP—demands that Indigenous peoples, such as the Dene, seek recognition from state powers.

Compartmentalization and universality

Another problem with human rights discourse is that it forces Indigenous peoples to translate their worldview into Eurocentric liberal terms that appear to refer to discrete rights. A better understanding of an Indigenous worldview will illustrate the issue. Central to many Indigenous worldviews is an understanding of land as more than a material object or resource; land is understood as a source of spirituality, as well as a “library, laboratory, and university ... All that an Indigenous people have been, and all they know about living well and humanly, is embedded in their land and in the stories associated with every feature of the land” (Daes 2001, 59). Indigenous traditional knowledge, then, stems from their homeland and is a highly localized and adaptive philosophy. Indeed, “the heritage of an Indigenous people is not merely a collection of objects, stories, and ceremonies, but a complete knowledge system with its own concepts of epistemology, philosophy, and scientific and logical validity” (Henderson 2009, 266). Land is also the source of life and subsistence, and is inseparable from governance. Many Indigenous peoples assert that there is no English word able to express the link between land and an Indigenous community (Keal 2003, 125). Further, from an Indigenous worldview, culture encompasses all of these aspects, including those that Western nations attempt to separate as objective, such as law. Therefore, from a general Indigenous perspective, human rights discourse artificially separates self-determination from the land and culture, and, thus, economy, governance, education, and language.

Alfred and Corntassel agree that, “one of [First Nations’] biggest enemies is compartmentalization ... For example, policymakers who frame new government initiatives as ‘economic development’ miss the larger connections embedded within Indigenous economies

linking homelands, cultures, and communities” (Corntassel 2012, 89). Indeed, discourse at the international and state levels refer to self-determination in a narrow sense, focusing on its political and legal aspects. Furthermore,

even when culture or land are mentioned as an essential part of Indigenous self-determination, these linkages are often expressed within a narrow rights framework that diminishes the full scope of these ongoing relationships to the natural world ... for an Indigenous self-determination process (Corntassel 2008,114).

The preamble of UNDRIP highlights the importance of connection with land to Indigenous identities,

recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources (UN General Assembly, 2007).

Although this statement reflects Indigenous understandings of self-determination more than any UN document before it, these remain embedded in the Eurocentric language of human rights. UNDRIP seems to, as Corntassel identifies, limit the complexity and spirituality of Indigenous concepts of self-determination to non-Indigenous understandings of economy, politics, social structures, and culture. Perhaps most pertinently, the compartmentalization intrinsic to human rights discourse is dangerous because, “when they mimic the state-centric rights discourse, Indigenous nations run the risk of seeking political and/or economic solutions to contemporary challenges that require sustainable, spiritual foundations” (Corntassel 2008, 116).

The fact that the human rights discourse purports universality further constricts holistic Indigenous understandings of self-determination, as it assumes that the way human rights are separated

and organized pertains to all peoples. However, as James Youngblood Henderson of the Chickasaw nation points out:

Colonial law made the idea of the universal central to the legal order under the guise of impartiality and equality... These universal norms provided as assimilative template for the denial of the value of Aboriginal peoples. ... (Henderson 2009, 267).

In this way, the imposition of supposedly universal human rights discourse serves to compartmentalize complex Indigenous worldviews, restricting Indigenous peoples’ own expressions of self-determination, which are rooted in the land and spirituality—notably absent from the Eurocentric, rational, and liberal human rights architecture.

Individual rights versus collective responsibilities

Another incompatibility between the human rights discourse and Indigenous worldviews lies in the concept of rights as inherent to each individual. According to Tsalagi scholar Jeff Corntassel, “rather than focus on the rights discourse, [Indigenous] energies should be directed where the real power lies: [their] inherent responsibilities” (2012, 90). He says that, while individual human rights “are re-gifted from artificial states”, Indigenous responsibilities to nature and community come from their connection to their homelands, “relationships that have existed long before the development of the state system” (Corntassel 2012, 86-101). According to Indigenous worldviews,

people are like any element of the land, part of it, and humans are not the only ones imbued with spirit or agency such that humans hold certain obligations to lands, animals, plants, and water (Coulthard 2003, 88).

Indigenous peoples generally view self-determination as a way to renew traditional, inherent and ongoing responsibilities as part of a spiritual relationship as “defenders” of the land (Corntassel 2012, 86-101), which stands in sharp contrast to the human rights discourse. Recognition of group rights has been used to accommodate Indigenous

peoples' collective responsibilities at the root of their quest for self-determination. It is often assumed that "group rights [are] taken care of automatically as the result of the protection of the rights of the individual" (Venne 1998, 115). Indeed, one of the major differences between UNDRIP and other UN documents is its emphasis and insistence on both individual and collective rights of peoples by "recognizing and reaffirming that ... Indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples" (UN General Assembly, 2007). In this way, UNDRIP demonstrates an attempt towards understanding human rights beyond the prevalent individualistic view. Despite this, collective rights are typically still "negotiated only as a set of state-derived individual rights aggregated into a community social context, [which is] a very different concept than that of collective rights pre-existing and independent of the state" (Corntassel 2008, 115). In this way, human rights discourse has yet to change enough to accurately encompass Indigenous collective responsibility-based understandings of self-determination.

How to make change: Alternatives to the UN and human rights discourse

Many Indigenous authors argue that, rather than reaching out to and relying on human rights discourse and international organizations, Indigenous peoples must start by decolonizing their communities. Alfred emphasizes that decolonized self-determination is a process neither "glamorous [n]or expedient" (Corntassel 2012, 98). Decolonized self-determination requires Indigenous peoples to first recover and rediscover their history, language, and Indigenous identities without succumbing to the "subjectifying gaze and assimilative lure of colonial recognition" (Coulthard 2008). Laenui writes that, in the rediscovery process, Indigenous peoples should be "able to lament their victimization" as part of healing (Laenui 2009, 155). Once people move past this "mourning phase", they must begin to "dream", expressing their hopes through discussion, debate, and consultation in order to create "the flooring for the creation of a new social order" (Laenui 2009, 156). Corntassel agrees that decolonization requires a shift from awareness of struggle to active engagement in everyday expressions of Indigenous cultural revitalization (2012, 89).

These everyday practices include traditional diet, family relationships, and restoring "Indigenous presence on the land" (Corntassel 2012, 97). Leanne Simpson, a Nishnaabeg writer, says that, fundamental to everyday resurgence, is Indigenous peoples learning their own languages (Simpson 2008). Simpson argues that another important part of the decolonization process is renewing pre-colonial relationships and building solidarity with neighbouring Indigenous nations through traditional forms of treaty-making that reinvigorate Indigenous understandings of nationhood (Simpson 2008). Through open dialogue and cultural resurgence, Indigenous peoples can explore how their distinct ways of life can provide a lasting and "substantive alternative to the colonial present", rejecting the rights discourse and state-based affirmation in favour of Indigenous concepts of self-determination (Coulthard 2008; Corntassel 2012, 90). This is all part of a self-recognition process, affirming the value of an Indigenous worldview in conceptualizing self-determination by looking within rather than using definitions approved by the state or UN.

Funding is seen as a barrier to the self-determination process because, as Alfred argues, many First Nations experience state-dependency (Alfred and Corntassel 2005, 599). UNDRIP, for example, includes both Article 39, which says that, "Indigenous peoples have the right to have access to financial ...assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration" as well as Article 41, which says that the UN will also provide "financial cooperation ..." (UN General Assembly 2007). Simpson, however, confronts this "funding mentality", saying that, "it is time to admit that colonizing governments and private corporate foundations are not going to fund our decolonization" (Simpson in Coulthard 2008). Alfred and Corntassel agree that,

[Indigenous communities] do not need to wait for the colonizer to provide [them] with money or to validate [their] vision of a free future; [they] only need to start to use [their] Indigenous languages to frame [their] thoughts, the ethical framework of [their] philosophy to make decisions, and to use [their] laws and institutions to govern [them]selves (2005, 614).

This may be true, but it seems that, especially for the First Nations communities in Canada encumbered by poverty, the self-determination process may be very demanding on a community's resources. There are many more barriers and questions to ask. What about loss of culture—especially Indigenous languages—through colonialism, in particular the residential school legacy? How can the substantial numbers of First Nations living in urban areas participate with their community's self-determination process? What about some First Nations' demands for traditional territory that is now used for colonial purposes? How can a First Nations community reach consensus on a vision of their collective future? How can Canadian governments balance appealing to voters and also making potentially unpopular decisions that further First Nations' causes? How can Indigenous communities use both international and grassroots Indigenous initiatives to achieve self-determination? While these questions remain daunting and largely unanswered, the important message is that effective strategies will not entail compartmentalizing culture, succumbing to state restrictions, or translating responsibilities to rights. They require the arduous process of cultural resurgence and rejection of entrenched colonial norms, harnessing Indigenous worldviews as both a means and an end.

Conclusion

Although Indigenous peoples have more involvement with international law than ever before, the underlying goal of most Indigenous nations is not to participate in international institutions, but, rather, to determine what it means to live freely as Indigenous peoples (Daes 2001, 58). UNDRIP is certainly a unique document that promotes some Indigenous perspectives of self-determination, but, overall does not go far enough in creating the changes that Indigenous peoples ask for. This has to do with the fact that its implementation is largely at the whim of states. The self-determination process is not easy. It requires courage, strength, and patience to kindle a new relationship with the colonial state, learn language and culture from which community members have been disconnected, and forge a new path true to their community's goals. Indigenous peoples are nonetheless beginning to address the limitations of international human rights systems and starting to make everyday changes in order to someday realize self-determination on their own terms within their own communities.

Works Cited

- Alfred, T., and Corntassel, J. 2005. Being Indigenous: Resurgences against Contemporary Colonialism in *Government and Opposition, Politics of Identity- IX*, Bellamy, R (Ed.). Blackwell Publishing Inc.
- Corntassel, J. 2012. Re-envisioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-determination. *Decolonization: Indigeneity, Education & Society* 1(1): 86-101.
- Corntassel, J. 2008. Toward Sustainable Self-determination: Rethinking the Contemporary Indigenous-Rights Discourse. *Alternatives*, 33: 105-132.
- Coulthard, G. 2003. Subjects of Empire? Indigenous Peoples and the "Politics of recognition" in Canada. In partial fulfillment of doctor of Philosophy in the Department of Social sciences at the University of Victoria. Retrieved from http://dspace.library.uvic.ca:8080/bitstream/handle/1828/1913/Dissertation_Formated%5B1%5D.pdf?sequence=1 on October 25 2012.
- Coulthard, G. 2008. "Beyond Recognition: Indigenous Self-determination as prefigurative practice" in *Lighting the Eighth Fire: The Liberation, Resurgence, and Protection of Indigenous Nations*, Simpson, L. (Ed). Arbeiter Ring Publishing: Winnipeg,.
- Daes, E. 2001. "Striving for self-determination for Indigenous Peoples in *In pursuit of the right to self-det: collected papers and proceedings of the first international conference on the right to self-determination and the UN*, Kly, Y., and Kly, D. (Eds). Atlanta: Clarity Press Inc.
- Hartley, J., Joffe, P. & Preston, J. (Eds). 2010. *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*. Purich Publishing Ltd: Saskatoon.
- Henderson, J. 2009. "Ayukpachi: Empowering Aboriginal thought" from *Reclaiming Indigenous Voice and Vision*, Battiste, M (Ed.). Vancouver: University of British Columbia Press.

International Labour Conference. No date. *Convention 107*. Retrieved at <http://www.ilo.org/images/empent/static/coop/pdf/Conv107.pdf> on November 25 2012.

International Labour Organization. 2012. C169 Indigenous and Tribal Peoples Convention, 1989 (No. 169). Retrieved from http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:312314 on November 25 2012.

Keal, P. 2003. *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society*. Cambridge University Press: Cambridge.

Laenui, P. 2009. "Processes of Decolonization" from *Reclaiming Indigenous Voice and Vision*, Battiste, M (Ed.). Vancouver: University of British Columbia Press.

Moses, T. 2000. Invoking International Law in *Reclaiming Indigenous Voice and Vision*, Battiste, M (Ed.). UBC Press: Toronto.

Office of the United Nations High Commissioner for Human Rights. 2001. *General Comment No. 12: The right to self-determination of peoples (Art. 1) : 03/13/1984. CCPR General Comment No. 12. (General Comments)*. Retrieved from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/f3c99406d528f37fc12563ed004960b4?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/f3c99406d528f37fc12563ed004960b4?Opendocument) on November 26 2012.

Office of the United Nations High Commissioner for Human rights. 2007. *International Covenant on Civil and Political Rights*. Retrieved from <http://www2.ohchr.org/english/law/ccpr.htm#part1> on November 26 2012.

Office of the United Nations High Commissioner for Human rights. 2007. *International Covenant on Economic, Social and Cultural Rights* retrieved from <http://www2.ohchr.org/english/law/cescr.htm> on November 26 2012.

Simpson, L. (Ed). 2008. *Lighting the Eighth Fire: The Liberation, Resurgence, and Protection of Indigenous Nations*. Arbeiter Ring Publishing: Winnipeg.

Tauli-Corpuz, V. 2007. A Framework for Advocacy in Support of Indigenous Peoples' Visions, Perspectives and Strategies for Self-Determining Development in *Indigenous Peoples and the Human Rights-Based Approach to Development: Engaging in Dialogue*, Cordillera Indigenous Peoples' Legal Centre and UNDP Regional Initiative on Indigenous Peoples' Rights and Development. Keen Publishing Co.

United Nations. 1945. *Charter of the United Nations*. Retrieved from <http://www.un.org/en/documents/charter/chapter1.shtml> on November 25 2012.

United Nations. No date. *The Universal Declaration of Human Rights*. Retrieved from <http://www.un.org/en/documents/udhr/index.shtml> on November 27 2012.

UN General Assembly. 2007. *United Nations Declaration on the Rights of Indigenous Peoples*. Retrieved at <http://www.un.org/esa/socdev/unpfii/en/drip.html>

Venne, S. 1998. *Our Elders Understand Our Rights: Evolving International Law Regarding Indigenous Rights*. Penticton, BC: Theyton Books Ltd.

Yazzie, R. 2009. "Indigenous Peoples and Postcolonial Colonialism" in *Reclaiming Indigenous Voice and Vision*, Battiste, M (Ed.). Vancouver: University of British Columbia Press.

Partners



Quebec Public Interest Research Group (QPIRG):

The Quebec Public Interest Research Group at McGill is a non-profit, student-run organization that conducts research, education, and action on environmental and social justice issues at

McGill University and in the Montreal community. With such a broad mandate, QPIRG brings together a wide range of activists interested in many different issues.

QPIRG-McGill is opposed to all forms of discrimination on the basis of: class, gender, race, sexual orientation, and dis/ability. QPIRG-McGill is run by a volunteer Board of Directors which is responsible for QPIRG management, budgeting, project development, staff, working groups and the development of the group's political vision. Every March, students are elected at the Annual General Meeting open to all QPIRG members. In addition, the Students' Society of McGill University (SSMU) and the Post-Graduate Students' Society (PGSS) each have one representative on the Board.

Contact Information:

QPIRG McGill

3647 University, 3rd Floor
Montreal, Quebec, H3Z 2P8

Hours: Monday - Friday 11 - 5 PM

QPIRG McGill regrets that their space is not wheelchair accessible.

T: 514-398-7432

F: 514-398-8976

E: qpirg@ssmu.mcgill.ca

W: <http://qpirgmcgill.org/>



Arts Undergraduate Society (AUS) of McGill:

The AUS is an elected student government with two aims: to represent and promote the welfare and interests of its members, and to provide activities and services to enhance the educational, cultural, environmental and social conditions of its members. All undergraduates in the Faculty of Arts are members of the AUS.

Contact Information:

McGill University

Leacock Building B-12

855 Sherbrooke Ouest, Room B-12

Montreal, Quebec, H3A 2T7

T: 514-398-1993

F: 514-398-4431

W: <http://ausmcgill.com/>



Student Society of McGill University (SSMU):

The SSMU stands for the Students' Society of McGill University! They are one of the McGill student unions. Every undergraduate at McGill is a member of the SSMU. They advocate for students at the university, provincial, and national levels. They also aim to provide students with everything they might need during their time here at McGill that isn't provided by the University itself.

Contact Information:

SSMU

3600 rue McTavish, Suite 1200

Montreal, Quebec, H3A 1Y2

T: 514-398-6800

W: <http://ssmu.mcgill.ca/>



FIRST PEOPLES' HOUSE
LA MAISON DES PEUPLES AUTOCHTONES

First Peoples' House (FPH):

Mission:

'A Home Away from Home'

First Peoples' House is an innovative and unique partnership between McGill University and the Aboriginal communities. Playing many roles, including those of residence, gathering place and resource centre, it is first and foremost a community. Our aim is to provide Aboriginal students attending McGill with a "home away from home", where they can find support and encouragement to succeed in their studies and remain connected to their culture.

- To increase the admission and retention rates of Aboriginal students studying at McGill
- To promote and increase the accessibility of student services of McGill to Aboriginal students
- To meet the concerns of Aboriginal communities which include educational programming and policies that are culturally relevant to Aboriginal peoples
- To promote collaborative research and learning between McGill University and Aboriginal communities
- To raise awareness within the McGill University community regarding the past, present, and future aspirations of Aboriginal peoples through the promotion of activities that encourage personal, social, intellectual, and cultural interactions between Aboriginals and McGill students and staff.
- Collaborate and engage with the McGill, local and national Aboriginal communities to support Native student issues.

Contact Information:

First Peoples' House at McGill
Peel 3505
Montreal, Quebec H3A 1W7

T: 514-398-3217

E: firstpeopleshouse@mcgill.ca

W: <http://www.mcgill.ca/fph>

McGill Institute for the Study of Canada
L'Institut d'études canadiennes de McGill



The McGill Institute for the Study of Canada (MISC)

The McGill Institute for the Study of Canada was established in 1994. Its mission is to:

- promote a better understanding of Canada through the study of our heritage;
- develop a clearer understanding of Canada's social, political and economic future;
- identify and explore the benefits that a pluralistic society offers;
- support the study of Canada across the country and internationally.

In order to achieve these goals, the Institute:

- encourages a multidisciplinary approach to the study of Canada;
- promotes public as well as university-based education about Canada;
- fosters the development of networks in the areas of Canadian Studies;
- enhances informed discussion of public policy.

Contact Information:

McGill Institute for the Study of Canada (MISC)
3463 Peel Street
Montreal, Quebec H3A 1W7

T: 514-398-8346

W: <http://www.mcgill.ca/misc>

Indigenous Students Alliance (ISA)



The ISA is a student-led group, which strives to seek out the wants and needs that exist within the Indigenous populations on campus, and to provide integrative support to, as well as, connect Indigenous and non-Indigenous Peoples throughout McGill University and Montreal. Our vision is to respectfully represent Indigenous Peoples on campus and foster creativity, growth, innovation, development, and education in all of our endeavours, and offer a platform for Indigenous voices.

Logo design by Marcy Maracle

Contact Information

E: indigenoumcmcgill@gmail.com



The Aboriginal Sustainability Project:

This project is supported by First Peoples' House, the Social Equity and Diversity Education Office (SEDE), the Office of the Dean of Students (represented by the Aboriginal Outreach

Coordinator) and the Office of Sustainability Office at McGill. The aim is to enhance the visibility and presence of Aboriginal peoples in the McGill and Montreal community through educational and cultural activities. The project seeks to develop a broad-based educational campaign aiming to provide Aboriginal-specific programming and opportunities for bridge-building among diverse members of the McGill community.

Contact Information:

T: 514-398-3711

W: http://www.mcgill.ca/equity_diversity/aboriginal

Aboriginal Law Students' Association (ALSA) | L'association étudiante pour les droit des peuples autochtones

L'association étudiante pour les droits des peuples autochtones est un groupe d'étudiants en droit à l'université McGill qui s'engage à sensibiliser le public sur les enjeux juridiques touchant les peuples autochtones au Canada. Aboriginal Law Students Association members also seek to expose students at the faculty to the legal traditions of Aboriginal peoples in Canada. ALSA is a non-hierarchical club open to everyone.

Contact Information:

ala.law@mcgill.ca



Aboriginal Health Interest Group of McGill:

We are a group based in the Faculty of Medicine at McGill, but welcome everyone interested in promoting and improving the health of Aboriginal people, families and communities in Canada.

Our VISION: Healthy and vibrant Indigenous nations, communities, families and individuals supported by an abundance of well informed Indigenous and non-Indigenous health care practitioners working together. Because... HIV, TB, diabetes and suicide rates in Canada's First Peoples are unacceptably high; there are incredible young Aboriginal leaders that would make terrific doctors and nurses if given the opportunity; a lack of sustainable health care workers for northern communities; a lack of interest among medical students in pursuing a northern career; a need to inform health care workers of traditional healing and cultural practices; environmental health impacts of climate change, Hydro development, persistent organic pollutants; Justice for all.

Our areas of action:

ADVOCACY-

Locally= Lobbying to improve conditions in Montreal

Broadly= Lobbying to increase enrollment of aboriginal students in the health professions

AWARENESS-

Locally= Hosting events, engaging media, reaching out to raise awareness

URBAN HEALTH-

Locally= Connecting volunteers with local organizations including the Native Friendship Centre and the Native Women's Centre

RURAL HEALTH-

Locally= Training medical students in cultural sensitivity and preparedness

Beyond= Funding options, SARROS, etc

Contact Information:

W: <http://groups.google.ca/group/aboriginalhealth>



Indigenous Access McGill:

What they do:

- is provide support to students from First Nations and Inuit communities studying in the Health and Social Services disciplines at McGill (Social Work, Nursing, Occupational Therapy, Physiotherapy, Dietetics and Speech and Language Pathology)

What they offer:

- is a dedicated support team of advisors who will offer mentoring and tutoring on all aspects of your studies
- is a direct link to all the resources available to students at McGill from counseling to study skills, from writing skills to library research and much more
- is the use of a resource centre in the School of Social work where you can consult documentation, do on-line research, discuss with other students, talk to the tutors
- is an opportunity to get together with other First Nations and Inuit students and to support each other
- is a summer support program for First Nations and Inuit students who have been accepted into the social work program or one of the health disciplines mentioned above. The orientation includes mini-courses, field placement visits, and an introduction to McGill support services.

Contact Information:

Indigenous Access McGill Office
McGill University School of Social Work
3506 University, Room 319
Montreal, Quebec, H3A 2A

T: 514-398-2129

E: iam.socialwork@mcgill.ca



Social Equity and Diversity Education (SEDE):

Through innovative practices, strategic partnerships and capacity building, we promote the development of inclusive, sustainable, and equitable environments within our communities. By connecting with local and regional organizations, SEDE also provides McGill's

students and staff with community-based learning experiences that foster leadership, encourage civic engagement, and promote a deeper understanding of diversity. At the same time, via outreach initiatives, SEDE seeks to further McGill's stated objective of increasing and improving access for underrepresented groups.

Contact Information:

Social Equity and Diversity Education Office (SEDE)
3610 McTavish Street, Suite 12
Montreal, Quebec H3A 1Y2

T: 514-398-5645

www.mcgill.ca/equity_diversity

E: equity.diversity@mcgill.ca



McGill Social Work Student Society (SWSA):

SWSA works to represent social work students' interests politically and facilitate meaningful learning opportunities outside of school.

Contact Information:

SWSA
3506 University St., Room 314
Montreal, Quebec, H3A 2A7

E: communication.swsa@gmail.com

W: <http://mcgillswsa.blogspot.com>