

**ENVIRONMENTAL RACISM ON
INDIGENOUS LANDS AND
TERRITORIES**

Beverley Jacobs

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Environmental Justice on Indigenous Lands and Territories

There is a current scholarly debate about the issue of racism between those writers who “reject the concept of race analytically on the grounds that it is a scientific myth whose continued use in scholarly analysis hides more than it reveals about human variation” and those writers who seek “to explain the ways in which racial identities are experienced, internalized and lived” and that “race is real in the present context” (Hier and Bolaria 2007: 15). The purpose of this paper is the latter; to identify the lived and present experiences of Aboriginal peoples on their lands, territories and environment in Canada and to focus on the extension of racism as it applies to the environment and the lands of Aboriginal peoples in Canada.

This paper will highlight the intersectionality of racism, class and the lands of First Nations’ peoples to the exposure of environmental hazards in Canada. It will provide two examples of the environmental racism occurring within and around First Nations peoples’ territories in Canada, including such territories as Fort Chipewyan and Kashechewan. And finally, suggestions will be made to respond with a more universal and unifying environmental justice movement by Aboriginal peoples and their allies in Canada. The underlying theory of this paper is a “decolonizing antiracist” theory (Lawrence and Dua, 2005), which will be intertwined throughout this paper. This paper has taken on an approach of addressing the ongoing struggles of decolonization of Aboriginal peoples as foundational in understanding environmental racism.

Aboriginal Peoples’ Relationship to Land and the Environment

Prior to the discussion on environmental racism, one must understand the relationship of Aboriginal peoples to their lands, territories and the environment. This relationship is a very universal concept amongst Aboriginal peoples around the world. It is a very spiritual, emotional, mental and physical relationship between human beings and their surroundings.

“To Indigenous peoples, land is not just physical and biological environment. The land is the ashes of their ancestors who fought to keep the land from becoming destroyed by others, the ancestors on whose shoulders we stand in this generation, land we must preserve for the next seven generations.” (Colomeda and Wenzel, 2000: 7)

Aboriginal peoples’ creation stories begin with their original connections to Our Mother the Earth (Lawrence and Dua, 2005: 126) and all Aboriginal peoples relate their spiritual connections to Our Mother the Earth through ceremonies and acknowledgements of thanksgiving. It is that spiritual connection that as human beings, we are no different than a tree, a plant, an animal or any other living spiritual thing. The only difference is that the Creator gave human beings a mind to think; a mind to make decisions for the betterment of future generations. It is also a spiritual connection through language (Lawrence and Dua, 2005: 126). Each Nation of Indigenous peoples has a specific language that identifies who they are in connection and relationship with their lands and territories. Winona LaDuke notes:

The teachings of our people concerning our relationships to the land are deeply embedded in our language. For instance, in Ojibway, *nishnabe akin*, means ‘the land to which the people belong’...It means that we belong to the land. This concept is accompanied by many teachings, one of which is that our relationship to the land is just that—a relationship. (LaDuke: 2006: 23)

There is also a gendered relationship to Our Mother the Earth through the language of Indigenous peoples' calling the earth "Our Mother" (Anderson, 2000:180). There is a direct connection to femininity and to Our Mother the Earth.

Starting to connect with Mother Earth as a woman, I think that's pretty important. Because she's that mother for all of us, men and women. That's a pretty important ally. (Barbra Nahwegahbow cited in Anderson, 2000: 182).

In his work with Aboriginal peoples in the late 1970s, Suzuki had just begun to understand Aboriginal peoples' connections to Our Mother the Earth. He was told, "The Earth...is our mother because it gives birth to us, creating us out of the four elements—earth, air, fire and water" (Suzuki, 2009: 602). The following is just a small section of a statement made by the Haudenosaunee Clanmothers on land and environment issues:

Continuance of life depends on [the] sustenance and it is the duty of everyone to nurture and protect the land. As women we have a special relationship to [Our Mother the Earth] because we also give life and nourish children and the generations that come from us. We are responsible to teach and demonstrate that we are stewards of the natural world. The role must now encompass a much greater struggle that indigenous peoples all around the world are facing in light of the industrialization and destruction of [Our Mother the Earth]. (Haudenosaunee Clanmothers, 2007)

Thus, when discussing the concepts of land and environmental issues in relationship to Aboriginal peoples, the two go hand in hand. It is interesting to note that the study of environmental sociology seems to be very close to Indigenous people's ideology and relationship to their lands and environment. For example, ecology is often described as the study of natural communities and sociology is often described as the study of human communities. Environmental sociology is "the study of both together, the single commons of the Earth we humans share, sometimes grudgingly, with others—other people, other forms of life, and the rocks and water and soil and air that support all life. Environmental sociology is the study of this, the biggest community of all" (Bell, 2009: 3).

It is important to understand Indigenous peoples' relationship to the land and environment because it is the underlying reason why Indigenous peoples are so connected mentally, spiritually, emotionally and physically. And despite colonization, which will be discussed next, Indigenous peoples' have continued to resist negative and detrimental impacts to their lands and environment.

Colonization is Racist

Despite struggles and many hardships upon the lives of Aboriginal peoples, they have resisted and continued to resist the violent acts of colonization. Aboriginal peoples have had to adapt to a multitude of changes within their lands and their environment but they have remained resilient in their continued responsibilities to Our Mother the Earth. As noted by Lawrence and Dua:

Part of the profound strength that has helped Indigenous peoples to maintain their identity despite five centuries of colonization derives from the fact that they have retained knowledge of who they are due to their longstanding relationship to the land. (Lawrence and Dua, 2005: 127)

The original intent of Indigenous peoples of the Americas was to share their lands as it was not theirs to own or to sell. This original intent was developed through nation-to-nation relationships

of mutual respect and the early treaty process with European colonizers was “part of a larger set of intersocial encounters” (Macklem, 2001: 137). This relationship “generated norms of conduct and recognition that structured their ongoing relationship” and according to Jeremy Webber: the distinctive norms of each society furnished a point of departure, determining the spirit of interaction, colouring the first interpretations of the other’s customs, and shaping the beginnings of a common normative language. (Webber, 1995:627 cited in Macklem, 2001: 137)

What must be noted here was that in acknowledging nation-to-nation relationships, there were two independent societies that created these relationships. Treaties between nations are instruments of international law (Macklem, 2001: 137). Aboriginal people have never forgotten these relationships and still consider themselves, through these historic treaty processes, as Nations, as Nations capable of creating international treaties, as Nations that continued to pass down its customs and beliefs from generation to generation. These treaty relationships acknowledged Aboriginal peoples’ relationships to their lands and territories.

Racism began with colonization in Canada through the enforcement of colonial institutions and laws upon Aboriginal peoples (Coates, 1999:141). The colonial legal institution would not interpret nation-to-nation treaty relationships as agreements between two independent powers when these treaties were brought to court for interpretation of various clauses within a particular treaty. The courts, a colonial legal institution, “regarded Aboriginal nations as uncivilized and thus not independent [and] they refused to view Crown promises in treaties with Aboriginal people as legally enforceable obligations under international or domestic law” (Macklem, 2001: 137). These treaties were no longer considered “covenants of trust and obligation but devices of state—formally acknowledged but frequently ignored” (Macklem, 2001: 137). The interpretations of the original treaty relationship now differ between the descendants of ancestral treaties. This dichotomy has enabled Canada to continue with its colonial powers to claim ownership of Indigenous lands and territories. In contemporary times, Lawrence and Dua note that:

The immediate problem facing Aboriginal peoples in Canada is that the status quo of a colonial order continues to target them for legal and cultural extinction while undermining the viability of communities through theft of their remaining lands and resources. (Lawrence and Dua, 2005: 125)

It is important to note at this point the scholarly debate of studying the social value of race within the context of European post-colonial relations of oppression and exploitation (Hier and Bolaria 2007: 25). It is not a coincidence that the actual concept of race as a discourse is no more than 500 years old (Hier and Bolaria 2007: 26) which is approximately the same time that colonization began and when Indigenous peoples were considered racial others. Heir and Bolaria note:

Race classifications originated from, but have not necessarily remained, dialectical Western European discourses of human categorization, whereby social groups are ‘imagined’ to be different from one another...The differences are ‘imagined’ because the vast majority of people whom we conceptualize as racially different from (and similarly to) ourselves are people we have never actually encountered. For example, when 16th century European explorers and colonists encountered groups of human beings whom they perceived to look and act differently than they did, these others were ‘experienced others’ for the explorers and colonists”. (Hier and Bolaria 2007: 26)

It is also interesting to note that the discourse of race did not become popular until the 19th century (Hier and Bolaria 2007: 26) when racial others or “experienced others” were also described as “pagan, heathen, uncivilized, barbarian and particularly non-Christian” (Heir and Bolaria 2007: 26). It was also during this time, by the mid 19th century that the discourse of scientific biological differences between groups of human beings then involved:

hierarchical social constructions that dialectically pitted the Western European self against the non-Western European other, as respectively, superior and inferior socially, culturally, and/or intellectually. For this reason, arguing that the only ‘race’ is the ‘human race’ actually negates the process by which racial representations are formed. Race classification is always a dialectic: to categorize or define racial others as different from oneself is necessarily to categorize and define oneself in racial terms. (Miles and Brown 2003 cited by Heir and Bolaria 2007: 27)

Because of this dialect and racist ideology, Aboriginal peoples as a race of peoples, have been considered “inherently inferior and incapable of governing themselves” (Henry 2000:119) . Unilateral actions have been and continue to be carried out by the colonial government of Canada without the consent or involvement of Aboriginal peoples and these actions are “deemed for their benefit” (Henry 2000: 119).

There is a debate whether or not Canada is a racist society. As noted by Gosine and Teelucksingh, “Canada is often heralded as an egalitarian, multicultural, modern state” that has laws like the *Canadian Charter of Rights and Freedoms* (1982) and the *Canadian Multiculturalism Act* (1988) that guarantees civil and cultural liberties (Gosine and Teelucksingh 2008 :35). They also noted that the “imagined portrait of Indigenous Peoples in Canada’s ‘wilderness’ are often cited as evidence that racism does not exist in Canada” and that “[r]acism...is an American – that is not Canadian – phenomenon” (Gosine and Teelucksingh 2008 :35). Therefore, one must dig deeper to find that racism is institutionalized within the state itself. Fleras and Elliott (2003) state that “a racist society is one that systemically oppresses others by denying or excluding on the basis of race or ethnicity” (2003: 54). They provide the following criteria of what constitutes a racist society:

A racist society is one in which racism is institutionalized insofar as it (1) is supported by cultural values, (2) is expressed through widely accepted norms, (3) is tacitly approved by the state or government, (4) is intrusive in many interpersonal relations, (5) is codified into laws that openly discriminate against minorities, and (6) excludes minorities from equal participation as part of the normal functioning of society. (Aguirre and Turner, 1995 cited in Fleras and Elliott, 2003: 54)

When analyzing these criteria as it relates specifically to First Nations peoples, there is no doubt that Canada is a racist society. Since colonization, claims to Indigenous lands and territories began with an example of the following view of Indigenous peoples, which was a widely accepted norm by European colonizers:

[I]ndigenous peoples were not fully human; they were not Christian; they were not civilized; they had not evolved; they were doomed to extinction by history and progress; they had no recognizable legal systems or concepts of property rights and were thus lawless; and they did not cultivate their lands. (Thobani, 2007 cited in Gosine and Teelucksingh, 2008: 36).

In fact, colonial domination was legally enacted in legislation called the *British North America Act, 1867*, which gave the colonial government unilateral powers to control “Indians and lands reserved for Indians” under Section 91(24). This legislation then enabled the Canadian colonial government to enact in 1876 the most racist, colonial piece of legislation that still exists in the world: *The Indian Act*, which has served and advanced a program of social and cultural genocide (Gosine and Teelucksingh, 2008: 37). The Canadian government, through the Indian Act, “imposed a form of institutionalized racism in the relationship between Canada and its Aboriginal peoples” (Henry 2000: 131). Henry acknowledged that “the racist ideology of the dominant society continues to have a negative impact on Aboriginal peoples” (Henry, 2000: 119). The racist ideologies continue to impact the lands and environment of Aboriginal peoples. ...traditional lands and life-ways are being altered the name of economic development by non-traditional enterprises such as logging, mining, dam building, and various other development projects (Young 1995). (Colomeda and Wenzel, 2000: 1)

Environmental Racism and its response: Environmental Justice

This brings us then to the discussion of environmental racism. Social scientists and environmental activists, including Indigenous Peoples, who were concerned about pollution began to use the term environmental racism in the 1980s in the United States (Hamilton 1995: 107). Literature and research on environmental racism and environmental justice is well established in the United States (Westra 2008: 135). Benjamin Chavis, Jr., a commissioner for the United Church of Christ’s Commission for Racial Justice, published a report in 1987 (Chavis, Jr. and Lee, 1987) and found that “race has been a factor in the location of commercial hazardous waste facilities” and concluded that “patterns of exposure of minorities to uncontrolled waste sites and commercial hazardous waste facilities were strong evidence of ‘environmental racism’ (Hamilton, 1995: 107). Chavis, Jr. defined environmental racism as “the intentional siting of hazardous waste sites, landfills, incinerators and polluting industries in areas inhabited mainly by Blacks, Latinos, Indigenous peoples, Asians, migrant farm workers and low-income peoples...[he further contended that environmental racism] was an extension of institutional racism” (Gosine and Teelucksingh, 2008: 4). He elaborated further that environmental racism is racial discrimination in environmental policymaking, in the enforcement of regulation of laws, in the deliberate targeting of communities of colour for toxic waste disposal and the siting of polluting industries, in the official sanctioning of the life-threatening presence of poisons and pollutants in communities of colour, in the history of excluding people from the mainstream environmental groups, decisionmaking boards, commissions, and regulatory bodies (Bullard, 1993: 3).

Bullard further defined environmental racism as:

any policy, practice or directive that differentially affects or disadvantages (whether intended or unintended) individuals, groups, or communities based on race or colour. (Bullard, 1996: 497 cited in Gosine and Teelucksingh, 2008: 4)

And of course, the term has its critics. Gosine and Teelucksingh note a “popular consensus among neo-conservatives that environmental racism is an ‘outrage that doesn’t exist,’ promoted by self-interested ‘ethnic advocates’ ...[and another] “popular position is that a ‘race’ or racism analysis will serve only to divide and fragment the environmental movement or detract it from primary concerns” (2008:5). However, despite critics there is “strong empirical evidence that environmental racism *is* a credible notion” (2008:5) and that it is a fact that twenty years after the release of the Commission’s report, “people of colour and low-income communities are

still the dumping grounds for all kinds of toxins” (Bullard et al, 2008: 1). Bullard highlighted the following to skeptics of the existence of environmental racism:

consider the fact that zoning boards and planning commissions are typically stacked with white developers. Generally, the decisions of these bodies reflect the special interests of individuals who sit on these boards. People of colour have been systemically excluded from these decisionmaking boards, commissions and governmental agencies (or allowed only token representation). Grassroots leaders are now demanding a shared role in all the decisions that shape their communities. They are challenging the intended or unintended racist assumptions underlying environmental and industrial policies. (Bullard, 1993: 19)

This view presented by Bullard is very similar to the term “quasi-racism” developed by Anthony Richmond (Richmond 1994:155). Richmond’s focus was on British and Canadian immigration policies and its racist discourse and practice. He noted that:

If the intended or unintended consequence of particular regulations is to put certain ethnic groups at a disadvantage while making it easier for others to gain admission, then such policies may be designated ‘quasi-racist’ or systemic forms of discrimination...(Richmond 1994: 155).

It can then be further argued that environmental and industrial policies that have intended or unintended racist assumptions are quasi-racist.

To assess environmental racism, research must be included in many disciplines such as toxicology, epidemiology, sociology and economics (Hamilton, 1995: 108). In the United States, researchers have access to the U.S. Environmental Protection Agency’s Toxics Release Inventory which “is a yearly database where individual manufacturing facilities report their release of over 300 toxic chemicals” (Hamilton, 1995: 108). This enables researchers to match this information with census data and provide any further evidence on incidence of pollution by race. Bullard notes that “as environmental justice research efforts have progressed, newer methods have been introduced that do a better job of matching where people live with where environmental hazards are located” (Bullard, 2008: 10). He further notes that these newer methods “indicate that such disparities are even greater than whether the previous studies have shown”, which then means that there is an “urgency in finding solutions to this problem.” (Bullard, 2008: 10).

In 1990, Bullard, in his book *Dumping in Dixie: Race, Class, and Environmental Quality* “chronicled the convergence of two social movements—the social justice and environmental movements—into one, the environmental justice movement” (Bullard, 2005: 20). In 1991, a gathering of 650 grassroots and national leaders from around the world attended the First National People of Color Environmental Leadership Summit in Washington, DC. This summit was described as “the single most important event in the environmental justice movement” (Bullard, 2005:20). At this summit, delegates adopted a defining advocacy and policy document entitled 17 Principles of Environmental Justice, (Gosine and Teelucksingh, 2008: 9-11; Bullard et al, 2009: 4; Hamilton, 2008: 108) and it effected change as follows: “[the principles] were developed as a guide for organizing, networking, and relating to government and nongovernmental organizations (NGOs). By June 1992, Spanish and Portuguese translations of the Principles were being used and circulated by NGOs and environmental justice groups at the Earth Summit in Rio de Janeiro. And in September, 2002, the UCC helped facilitate the Second People of Color Environmental Leadership

Summit (EJ Summit II) in Washington, DC [where] 1400 individuals participated in this historic event—a clear indication that the environmental justice movement is alive and well.” (Bullard et al, 2008: 4)

It must be noted that there are “unsung heroes” of women of colour at the front lines of the environmental justice movement (Bullard, 2005: 62). There are also Aboriginal women who have been and are at the front lines of environmental justice movement. Katsi Cook is a Mohawk traditional midwife, mother, grandmother and environmental health researcher. She describes her work as evolving “organically as a result of the compelling impetus handed down to [her] from [her] parents, grandparents and ancestors” (Cook, 2008: 154). She lives in Akwesasne, a Mohawk community whose traditional homelands are along the St. Lawrence River Valley on the United States-Canada border and whose subsistence lifestyle only changed recently in 1950 with the post-World War II industrial development of the St. Lawrence Seaway (Cook, 2008: 154). Katsi Cook has had to address the issue of whether it was safe for mothers to breastfeed their babies as a result of exposure to chemicals in their environment. Adjacent to the Mohawk community of Akwesasne is a General Motors Corporation toxic waste site in which two PCB-filled open lagoons leaked into the St. Lawrence River, “the lifeblood” of the Akwesasne Mohawk community, and “contaminated the local food chain” (Cook, 2008: 157). In a scientific study, PCBs were found in tissues of fish caught in the Wildlife Pathologist Ward Stone’s contaminant cove, adjacent to the GM landfill. Cook noted that mothers (Cook being one of them) actively participated in a study and partnered with research scientists to confirm that these same contaminants were found in Mohawk mothers’ breast milk. Cook acknowledged the work of the environmental justice movement and that the tools of science were used “to weave our way out of this web of confusion that took five hundred years to envelop us” (Cook, 2008: 159)

The Indigenous Environmental Network (IEN) is a specific example of an Indigenous Environmental Justice Movement that began at an Indigenous woman’s table in Bemidji, Minnesota in 1988 (Cole and Foster, 2001: 138). The IEN is made up of grassroots Indigenous groups from across the United States. It is an activist group with a strong spiritual component to its work and identity (Cole and Foster, 2001: 141). Tom Goldtooth describes the IEN as follows:

The Indigenous Environmental Network came out of the fire, our sacred fire. Everyone I’ve talked to who were the founders, and those other people who have come to the gatherings, believe that there is a spiritual foundation to our Network, that we were brought together from many different tribes and cultures and languages but that we have something in common that brought us together, and that’s faith, a spiritualness in our cultures and our spiritual belief that no matter what we do, we have to continue to pray and respect the Mother Earth. (Cole and Foster, 2001: 141)

Many early organizers of IEN participated in the First National People of Color Environmental Leadership Summit that took place in Washington, DC in 1991 that was noted earlier.

Environmental racism in Canada?

Frances Henry is a respected scholar in the field of race and ethnic relations in Canada. Although environmental racism did not make it to her analysis, she did refer to institutional and systemic racism and the impacts of institutional racism on Aboriginal peoples in Canada (Henry, 2000). She also acknowledged the racist acts of continued colonization in Canada. The above noted discussion has already identified that racism exists in Canada as it relates to Aboriginal

people and more specifically against First Nations people that are controlled by the racist and genocidal policies of the *Indian Act*.

In research completed for this paper, two sources were found that specifically related to environmental racism and justice in Canada. (Gosine and Teelucksingh, 2008; Westra, 2008) Another source was found but its subject area was in environmental conflict (Adkin, 2009). It is safe to say that the study of environmental racism in Canada has not been researched; however, environmental justice movements have been existence amongst Aboriginal peoples and their allies for quite some time. For example, Grassy Narrows has been resisting the encroachment on their lands and territories by logging companies. The community has allowed Amnesty International to partner with them to address the land and resource rights within that community (Amnesty International, 2007). Westra provides an analysis of environmental racism in Canada utilizing Bullard's analysis and demonstrates that environmental racism is alive and well in Grassy Narrows and another First Nations community of White Dog. (Westra 2008: 139) She noted that "strong environmental regulatory regimes would eliminate the suffering of countless people, such as those in Grassy Narrows and White Dog in the 'line of fire' from such operations" (Westra 2008: 139).

Aboriginal peoples have maintained connections to their lands and environments despite 500 years of colonization and have responded through their own "modern resistance" movements. Linda Smith, a leading theorist on decolonization of Maori in New Zealand notes:

For the past 500 years the indigenous peoples' project has had one major priority: *survival*. This has entailed survival from the effects of a sustained war with the colonizers, from the devastation of diseases, from the dislocation from lands and territories, from the oppressions of living under unjust regimes; survival at a sheer basic physical level and as peoples with our own distinctive languages and cultures. (Smith, 1999: 107)

It was noted by Gosine and Teelucksingh that:

Attempts by activists and researchers to call attention to some of the ways in which racism affects environmental planning, policies and politics in Canada have been readily dismissed as a consequence. (Gosine and Teelucksingh, 2008: 35).

Activists and researchers that have dismissed environmental racism in Canada must take on the call by Lawrence and Dua to use a decolonizing antiracism approach to their research. If this were done, the dismissal would not be there and as a result, there would be much research on environmental racism in Canada.

Youth environmental justice movements in Canada are at the brink of getting national attention. Most recently, a young woman was escorted out of the Canadian parliament for yelling at Parliamentarians during the House of Commons Question Period, "Climate justice!" and approximately 1,000 youths who form a campaign called "Power Shift 2009" gathered in Ottawa to call for stronger action on climate change and Aboriginal rights. (The Toronto Star, 2009)

Two Preliminary Case Studies of Environmental Racism in Canada

As noted earlier, there are no empirical studies of environmental racism in Canada. The purpose in presenting examples of the water-quality crises in Kashechewan and Fort Chipewyan is to demonstrate that this has to occur. Water quality crises in First Nations communities are

causing major health concerns. The provincial and federal governments are well aware of these concerns but have done little to address the situation or to resolve any of the concerns.

Kashechewan

Originally known as Fort Albany, Kashechewan was recognized as reserve land under the Indian Act on November 6, 1905 when the James Bay Treaty was signed. At that time, the Cree band was located on Albany Island, where the Hudsons Bay company was located. There was flooding on Albany Island, so band relocated to its present location in 1950. Some members did stay on the Island. Since 1950, the Cree reserve band called on the federal government to relocate to higher ground, further upstream; however federal authorities refused request due to “high cost” (Gosine and Teelucksingh, 2008: 38).

In 2005, Kashechewan was exposed to toxic water-supply in which E. Coli bacteria was discovered in its water system. The cause was a result of a local operator who had not been adequately trained to run the water treatment plant. It is federal government’s responsibility to train facility operators. Eight hundred community members were evacuated by the Ontario government when the federal government refused to take any responsibility. Two years prior, Kashechewan was under a water boil advisory. Problems with the water system that was set up by the federal government was well documented by Health Canada. In 2003, the Ontario Clean Water Agency reported that the situation in Kashechewan was a “Walkerton-in-waiting”, which was a town in Ontario where seven people died and another 2300 were ill after drinking E.coli-contaminated water in 2000. (Gosine and Teelucksingh, 2008: 38)

It is the federal government’s responsibility to ensure that First Nations peoples living on reserve lands have safe, clean and secure drinking water – potable water and proper wastewater systems. Environment Canada (under the Canadian Environment Protection Act) is responsible to develop standards, guidelines and/or protocols for wastewater systems on federal and reserve lands. The band chiefs and councils are responsible for the basic infrastructure and day to day operation of water and wastewater systems on reserves. The Department of Indian and Northern Affairs is responsible to provide funding for construction, operation, upgrading and maintenance of wastewater treatment facilities on reserves. It is also responsible to train and certify facility operators and inspectors. (Gosine and Teelucksingh, 2008: 39)

The facility at Kashechewan drew its water from a nearby creek, which would sometimes get contaminated from a nearby sewage lagoon that was handling the community’s waste. The water facility was especially problematic when the lagoon became clogged by beaver dams or as a result of a lot of rain. Further complications were that the community sat on a flood plain and was susceptible to floods every year. As a result of the horrible water quality, severe health problems escalated, especially in children who suffered horrible rashes, infections and in some cases hepatitis A.

With the federal government’s responsibility of this community under the Indian Act, Environment Canada’s responsibility under the Canadian Environmental Protection Act and Health Canada’s knowledge of the horrible water quality and severe health problems, it can be argued that its refusal to take responsibility of ensuring safe, clean potable water and proper wastewater systems is environmental racism. There is further argument that this is environmental racism when the federal government refused to act on its fiduciary responsibility and refusal to evacuate the First Nations’ people in this community. In applying Chavis, Jr. and Bullard’s

analysis of environmental racism, the federal government's lack of action was a practice, whether intentional or unintentional, that differentially affected them. Its lack of action directly affected the lives of a people who had no choice where they lived because that decision was controlled by the federal government under the Indian Act and who had no choice of a useless and defected wastewater system because that was also controlled by the federal government.

Fort Chipewyan

Fort Chipewyan is a remote urban community with mostly residents of two First Nations communities (Athabasca Chipewyan and Mikisew Cree) and Metis peoples living there. It is situated downstream from “what is often referred to as largest industrial project on the planet— Alberta’s oil sands. And it shares shores with Saskatchewan’s Uranium City, which supplied the world with most of its enriched uranium for many years”. Concerns from the residents of Fort Chipewyan are that they can no longer trust the environment that they live in because they believe that the water is poisoning them and hunters and trappers can no longer drink the water from the Athabasca River. (CBC Edmonton Feature, 2009).

Much community activism and public outcries has occurred by the Fort McMurray Medical Association and by a fly-in physician and medical examiner who was working in the community from 2000 to 2007. There have been promises of a human health baseline assessment. There have been rushed studies with incomplete data and studies done without community input or previous physician advice. The provincial and federal governments have refused to implement an empirical study to determine whether the water quality is causing cancers and deaths in the community. CBC noted that “federal officials responsible for the quality of Fort Chipewyan’s drinking water admitted to CBC News that they do not test—and had never tested—the settlement’s water for polycyclic aromatic hydrocarbons (PAHs)...that are linked to cancers and other illnesses” (CBC Edmonton Feature, 2009). CBC also noted that a report by Polaris Institute, an Ontario-based safe water advocacy group found that the water quality in Fort Chipewyan was among the worst in Canada. (CBC Edmonton Feature, 2009)

The situation in Fort Chipewyan is a quite similar to the one in Kashechewan with respect to proper water quality. With the refusal of the federal and provincial government to implement any empirical studies or to take any responsibility of the worst water quality in Canada, it can be argued that this is environmental racism. The refusal to take action is again affecting a racialized community with high rates of cancers and deaths in the community. It can be further argued that this is environmental racism based on the fact that this community is downstream from Alberta’s oil sands, an industrial development project approved under both federal and provincial government’s policies. As noted by Chavis, Jr. previously, environmental racism is racial discrimination in environmental policy making and in the enforcement of regulation of laws and targeting communities of colour. This is exactly what is happening in Fort Chipewyan.

In an interview with youth at Fort Chipewyan, they stated that they had attended four funerals in two weeks and that they had noticed that many people were dying in the community. They noticed that they could no longer swim, fish or drink from their nearby water supply, the Athabasca River. The youth seemed apathetic about what is happening in their community by saying “whatever happens, happens” and that they didn’t want to think about it too much because they just wanted to finish school and get out of the community (CBC Radio Broadcast, 2006) . This was a sad comment coming from a younger generation where there is apathy and a feeling of not having any future in their own community.

In a recent 2009 Auditor General's Report (Office of the Auditor General, 2009), the Auditor General examined how Indian and Northern Affairs Canada (INAC) and Environment Canada (EC) have carried out the federal government's responsibilities for land management and environmental protection on reserve land. There are 632 First Nations reserves in Canada. In her conclusion, she noted the following:

- 1) INAC and EC have not addressed significant gaps in the regulatory framework that protects reserve lands from environmental threats
- 2) INAC has not met key responsibilities for implementing existing regulations to provide essential environmental protection on First Nations reserves
- 3) While regulations exist under the IA to cover solid waste management, most landfill sites on reserves operate without permits, monitoring or enforcement by INAC
- 4) While these same regulations apply to liquid waste, INAC does not issue permits or monitor and enforce compliance with the regulations for sewage treatment and disposal
- 5) INAC and EC have not established a regulatory regime that protects the environment of First Nations reserves and that is comparable to the regime provided by provincial laws. They have not filled the regulatory void that occurs when provincial laws governing land management do not apply on reserves; nor have they adequately managed the environmental threats that this void creates. (Office of Auditor General, 2009: 21)

In analysing the Auditor General's Report, there is an obvious question: Why has INAC and EC not implemented any of the five points noted above? I would argue that this is environmental racism at its best. Even if the federal government were to argue that this is a financial issue and that it did not have the resources to adequately fund 632 First Nations communities in Canada, it still has a responsibility. If it is a matter of making financial choices, it is obvious that ensuring high quality wastewater facilities and environmental protection on First Nations communities is not a choice or priority. This is environmental racism.

Despite the lack of any empirical studies on environmental racism in Canada, one can anecdotally see that there are issues of common concern between the two communities of Kashechewan and Fort Chipewyan. Both of them have water quality issues that are impacting the health, wellbeing and the future of a race of people, First Nations peoples. Under the racist legislated regime of the Indian Act, the federal government is responsible to both of these communities. The federal government actually has a legal duty to First Nations peoples; however, it has refused to acknowledge its responsibilities not only to ensure that First Nations peoples have safe drinking water but it is also not carried out its responsibilities for land management and environmental protection on reserve lands.

To reiterate the definition of environmental racism, it is quite obvious that the water quality crises in both the communities of Kashechewan and Fort Chipewyan fit the criteria. It must also be reiterated that both of these communities have been affected by the impacts of colonization. As Henry notes:

...the legacy of centuries of dispossession, oppression and exploitation directed at the Aboriginal peoples of Canada is reflected today in Aboriginal peoples' high rates of physical and mental illness, suicide, homicide, incarceration, unemployment and poverty—the direct result of pervasive and intractable racism. (Henry, 2000: 139)

Conclusion

We are still living within white settler mythologies (Razack, 2002: 2) and there is a denial that colonization has ever existed in Canada (Harper's Statement, 2009). As noted by Lawrence and Dua:

The failure of Canadian antiracism to make colonization foundational has meant that Aboriginal peoples' histories, resistance and current realities have been segregated from antiracism. (Lawrence and Dua, 2005: 132)

Aboriginal peoples in Canada suffer from the impacts of colonization and from the impacts of environmental racism. Lawrence and Dua has made "a call out to postcolonial and antiracism theorists to begin to take Indigenous decolonization seriously" (2005: 120). This must happen and this was completed in this paper to address environmental racism in Canada.

With the environmental justice movement's success in the United States, the movement in Canada has just begun. Recommendations already made by Bullard, a leading scholar in this area, is what is required in Canada. Studies that use methodologies of matching the population and environmental hazard sites need to occur in Canada. Canada, as a government, needs to acknowledge that colonization and environmental racism is occurring in Canada and that the grassroots movement in Canada, mostly now lead by the youth needs to respond with appropriate and useful legislation that will end environmental racism against those who are being effected the most: Aboriginal peoples, visible minorities and the low income population.

Bullard noted:

Getting government to respond to the environmental and health concerns of low-income and people of color communities has been an uphill struggle. Achieving environmental justice for all makes us a much healthier, stronger, and more secure nation as a whole. More important, it's just and the right thing to do (Bullard, 2008: 20).

This also applies to all peoples that have been directly affected by environmental racism in Canada.

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