Federalism-E

Water (what're) We Doing: An Analysis of Water Insecurity in Indigenous Communities in Canada

By: Sawyer Junger

The University of British Columbia

Federalism-E is founded by the Royal Military College of Canada and the Institute of Intergovernmental Relations at Queen's University

Federalism-E Vol. 20, No.1 (2019)

Federalism-E is an online, undergraduate student-run journal focusing on the theory of federalism. *Federalism-E* publishes academic articles and essays focusing on federalism, multi-level governance, and intergovernmental relations. Publishing in both English and French, the journal has a mandate to provide a forum encouraging research and scholarly debate with respect to a wide variety of issues concerning federalism, both within Canada and abroad.

Editors-in-Chief

Officer Cadet Miles Smith, Royal Military College of Canada

Officer Cadet Alexandre Veilleux, Royal Military College of Canada

Associate Editors:

Officer Cadet Jack Wery, Royal Military College of Canada

Officer Cadet Jack Murphy, Royal Military College of Canada

Officer Cadet Damian McCracken, Royal Military College of Canada

Rylee Rose Kloek, University of Ottawa

Joyce Le-Yi Yang, University of Toronto

Mduduzi Mhlanga, University of Toronto

Srijan Sahu, University of Toronto

Jenna Mohammed, University of Toronto Mississauga

Ali Bachir Taha, University of Toronto

Charmaine Lee, University of British Columbia

Faculty Advisor:

Dr. Christian Leuprecht, Royal Military College of Canada, Institute of Intergovernmental Relations at Queen's University

Contact Information:

Address: Royal Military College of Canada

13 General Crerar Crescent

Kingston

ON, K7K 7B4

ISSN: 2562-3435

Email: federalismeditors@gmail.com

Website: <https://ojs.library.queensu.ca/index.php/fede>

Federalism-E is founded by the Royal Military College of Canada and the Institute of Intergovernmental Relations at Queen's University

Federalism-E Vol. 20, No.1 (2019)

Introduction

Environmental issues are often portrayed as neutral and beyond the reach of states or human actors, simplified to the notion of ‘acts of God’ or apolitical events. Contemporary scholars however, have conceptualized the notion of ‘environmental racism’ to explain power imbalances in the formation and treatment of environmentally centered inequalities. Environmental racism, as an analytical tool, is useful for explaining the drastically varying treatments and resource distributions between minority and majority groups in wealthy nation-states. This paper will draw on literature concerning environmental racism to examine the case of water insecurity amongst Indigenous communities in Canada.¹ With the third largest supply of renewable freshwater in the developed world and second highest per capita at 103,899 m³ per person,² it has been argued that Canada should have no issue providing drinkable water for its entire population.³ Nevertheless, an alarming number of Indigenous communities throughout the country lack consistent water security with a recent study from Human Rights Watch noting that 134 water systems across 85 First Nations reserves lack adequate water security conditions.⁴ Water security can be defined as an individual or collective regular and safe access to potable water. It is also a normative concept, in that it implies all peoples have an inherent right to water that is drinkable, easily obtainable, and adequate in quantity for survival.⁵ Conversely, water insecurity refers to when a region and/or community faces either a water scarcity or the water available is unsafe for human consumption.⁶ Thus, this paper begs the question ‘why is there an ongoing issue of safe water distribution amongst so many Indigenous communities in Canada?’.

The body of this paper begins by examining the literature concerning environmental racism to form a framework for the case study of the Canadian government’s inaction. Following this theoretical framework, the paper then provides an overview of Indigenous-government relations in Canada to illustrate the factors permitting this human rights violation. The third section of the body of this paper will synthesize and discuss the findings of the previous two

¹ Indigenous groups in Canada represent a diverse population, with various groups self-identifying under a variety of labels including First Nations, Metis, and Inuit. However, at the risk of underrepresenting a complex issue, this paper will use the term “Indigenous” as an umbrella term for the sake of coherence and brevity.

² Statistics Canada. “Human Activity and the Environment 2016: Freshwater in Canada.” *Statistics Canada*. March 21, 2017. Accessed March 5 2018.
<http://www.statcan.gc.ca/pub/16-201-x/16-201-x2017000-eng.htm>.

³ Dan Walters, Nicholas Spence, Kayli Kuickman and Budhendra Singh. “Multi-Barrier Protection of Drinking Water Systems in Ontario: A Comparison of First Nation and Non-First Nation Communities.” *International Indigenous Policy Journal*. 3.3 (2012).

⁴ Human Rights Watch. “Make it Safe Canada’s Obligation to End the First Nations Water Crisis.” *Human Rights Watch*. June 7, 2016. Accessed March 5 2018.
<https://www.hrw.org/report/2016/06/07/make-it-safe/canadas-obligation-end-first-nations-water-crisis>.

⁵ Cassandra L. Workaman & Heather Ureksoy. “Water insecurity in a syndemic context: Understanding the psycho-emotional stress of water insecurity in Lesotho, Africa,” *Social Science & Medicine*. 179 (2017).

Quentin Grafton, “Responding to the ‘Wicked Problem’ of Water Insecurity,” *Water Resources Management*. 31.10 (2017).

⁶ Ibid.

sections to illustrate the relevance of this particular case study within wider debates in environmental politics. Ultimately, this paper will argue that the water crisis amongst Indigenous communities in Canada is the result of both a lack of accountability amongst the Canadian government concerning Indigenous issues and the country's historical precedence. More specifically, the case will be made that water insecurity in Canada is the result of the country's colonial history and the fact that Indigenous groups inhabit a political space outside of the state's governmental framework.

Framework of Environmental Racism

On a broad theoretical level, environmental racism is defined as “the idea that non-whites are disproportionately exposed to pollution”.⁷ This concept builds on notions of structurally-entrenched racism to illustrate how minority groups, in otherwise affluent nation-states, disproportionately inhabit areas with worse environmental conditions. Environmental racism first became a widely acknowledged facet of environmental politics in 1987, when the United Church of Christ Commission for Racial Justice conducted a study which found race to be the primary factor for individuals to be found living in proximity to hazardous areas in the United States. This evidence persisted even after controlling for third variables such as socioeconomic status and rural-urban variations.⁸

An ongoing debate amongst scholars involves the labelling of structural issues as environmental *racism*. For many scholars, there is a reluctance to label environmental issues as race related, arguing that there is a lack of intent to marginalize.⁹ However, explicit intent should not be deemed necessary to label a scenario as an example of structural racism. The reasoning for this position is that even when individual actors are not taking action based on racialized thinking, they may still implement and maintain structural conditions that were created by and contribute to racial inequality.¹⁰ For example, Laura Pulido's analysis of the water crisis in Flint, Michigan emphasizes that while the issue may be partially explained through a socioeconomic lens, it is impossible to isolate the racial aspects from the economic ones. Pulido illustrates that “the people of Flint are so devalued that their lives are subordinated” to economic concerns due to “both their blackness and their surplus status”.¹¹ As a result, the Flint water crisis illustrates the interconnection between racial discrimination and socioeconomic divides in environmental issues.

Additionally, what constitutes the *environmental* aspect of environmental racism has also been an open discussion. While issues of marginalized populations being disproportionately exposed to pollution is a commonly cited example, Ryan Holifield notes that issues of

⁷ Laura Pulido, “Rethinking Environmental Racism: White Privilege and Urban Development in Southern California.” *Annals of the Association of American Geographers*. 90.1 (2000): 12.

⁸ Charles A. Gallagher and Cameron D. Lippard. *Race and Racism in the United States: An Encyclopedia of the American Mosaic* (Greenwood, 2014).

⁹ Christopher Boerner, & Thomas Lambert. “Environmental Injustice.” *The Public Interest*. 118 (1995).

¹⁰ Imani Perry, “Post-Intent Racism: A New Framework for an Old Problem,” *National Black Law Journal*. 19.2 (2005-2006).

¹¹ Laura Pulido. “Flint, Environmental Racism, and Racial Capitalism.” *Capitalism Nature Socialism*. 27.3 (2016): 1.

environmental racism are often broadened to include a wide and diverse range of interrelated social issues.¹² ‘Environmental racism’ acts as a sort of umbrella term, covering a multitude of issues as diverse as Indigenous land rights and opposition to military land occupation.¹³ As a result, discourses of environmental racism reject a simplified empirical definition and ought to be examined from bottom up approaches, emphasizing the perspectives of the marginalized groups in question based on their own perspectives and values. The nature of how environmental racism is implemented is indicative of what Rob Nixon coins as “slow violence”. Slow violence is a form of long-term delayed destruction which occurs “gradually and out of sight, [as well as] dispersed across time and space”.¹⁴ Because of its subtle nature, community perspectives are imperative for understanding the ways in which the discreet effects of environmental slow violence occur. Entirely top down methods of analysis can be lacking as these phenomena lack a “media spectacle” to capture attention, and significant time lapses between cause and effect makes perceiving the exact results of slow violence difficult to pinpoint. Conversely, community understandings may emphasize the long-term consequences of environmental degradation as well as display the lived realities of environmental racism.

Ultimately, environmental racism as a framework stems from the evidence that suggests race to be a key driver of an individual’s likelihood to inhabit a geographical location that places them in an increased risk of hazardous living conditions. Despite the supposed arbitrary nature of ecological issues, environmental racism as a lens of analysis thoroughly illustrates how environmental issues may reinforce racial inequalities. While much of the scholarship focusing on environmental racism centers on the United States, the following section of this paper will examine the the case study of water insecurity amongst Indigenous communities in Canada to illustrate the interconnection between race, politics, and resource access.

Case Study: Water Insecurity amongst Indigenous Communities in Canada

As previously mentioned, there is little to no economic reason for the prevalence of water insecurity amongst Indigenous groups in Canada. Nevertheless, many Indigenous communities in Canada continue to lack consistent access to potable water. Water insecurity in Canada, while perhaps not the most prevalent issue to the wider lay community, is not an unknown issue. An analysis of media trends from 2000-2015 illustrates a growing trend of media reporting on the problem, with the majority of sources quoted being Indigenous community members.¹⁵ Thus, there is growing public recognition of the water insecurity crisis amongst the Canadian public, often framed from Indigenous perspectives.

Additionally, there is little to no correlation with the size of a community or proximity to urban areas and their likelihood of water security, as “no apparent clustering of First Nations

¹² Ryan Holifield. “Defining Environmental Justice and Environmental Racism.” *Urban Geography*. 22.1 (2001).

¹³ Ibid.,

¹⁴ Rob Nixon. *Slow Violence and the Environmentalism of the Poor*: (2011): 2.

¹⁵ Steven Lam, Ashlee Cunsolo, Alexandra Sawatzky, James Ford, and Sherilee L. Harper. “How does the media portray drinking water security in Indigenous communities in Canada? An analysis of Canadian newspaper coverage from 2000-2015.” *BMC Public Health*. 17.282 (2017).

based on size or location” can be found.¹⁶ Community size has also not been shown to affect non-Indigenous water security, with even the smallest communities rarely receiving even a low risk rating.¹⁷ Thus, a community’s remoteness from urban centers, size, or public knowledge are not primary factors of the likelihood of water insecurity. Instead, as will now be illustrated, it is political and structural facets that have led to the prevalence of water insecurity amongst Indigenous groups.

As a result of the prior evidence, there ought to be significant political incentive for the Canadian government to remedy the situation as it is a salient issue. However, recent reports maintain that the issue is ongoing with little to no signs of improvement.¹⁸ The explanation for this can be found in longstanding structural issues stemming from Canada’s colonial heritage, as well as the decentralized framework of Canadian federalism which excludes Indigenous groups from legislative processes. Maura Hanrahan illustrates how water insecurity amongst Indigenous Canadian communities is inherently intertwined with the Canadian neo-liberal framework and identity as a settler nation that historically omits Indigenous voices from its cultural narrative.¹⁹ In particular, Hanrahan displays how Indigenous communities tend to hold little political incentive for Canadian politicians due to their outsiders status. Indigenous peoples are a minority population, being only 3.8% of the country’s overall population.²⁰ As a result, “politicians can afford to ignore [Indigenous communities]” in elections as they do not represent a significantly politically or culturally influential group in the Canadian government.²¹ While there is arguably sufficient legislation to ensure “water security is in place nationally,”²² the mechanisms in place are insufficient for holding government officials accountable to Indigenous groups. This has ultimately allowed Indigenous water insecurity to fester and continue.

Hanrahan’s analysis of water insecurity and environmental racism is not simply abstract criticisms of contemporary Canadian culture. Her analysis is also reflected in the structures of federal and provincial governments, particularly as they relate to Indigenous communities. Martin Papillon notes that within the structure of Canadian federalism, “Aboriginal peoples have no statutory voice”, as they are not represented in the legislative system and hold little incentive to influence political elites beyond the strength of their limited demographic size.²³ Similarly, the division of powers between the federal and provincial governments has often placed Indigenous

¹⁶ Dan Walters, et al, “Multi-Barrier Protection of Drinking Water Systems in Ontario: A Comparison of First Nation and Non-First Nation Communities.”

¹⁷ Ibid.

¹⁸ CBC, “Ottawa’s promise to fix First Nations water crisis still falling short: report,” *CBC*. February 8 2018. Accessed March 5 2018. <http://www.cbc.ca/news/Indigenous/david-suzuki-foundation-first-nations-water-report-1.4525456>.

¹⁹ Maura Hanrahan, “Water (in)security in Canada: national identity and the exclusion of Indigenous peoples.” *British Journal of Canadian Studies*. 30.1 (2017).

²⁰ Martin Papillon, “Canadian Federalism and the Emerging Mosaic of Aboriginal Multilevel Governance” in *Canadian Federalism* (2012).

²¹ Maura Hanrahan, “Water (in)security in Canada: national identity and the exclusion of Indigenous peoples.”: 80

²² Ibid, 80.

²³ Martin Papillon, “Canadian Federalism and the Emerging Mosaic of Aboriginal Multilevel Governance.”: 287.

communities in a grey area in terms of political responsibility. Both orders of government regularly seek to unload their responsibilities concerning Indigenous groups to the other, viewing them as a political liability.²⁴

This political reluctance has had tangible effects in terms of the treatment of water systems in Indigenous communities. For example, while the maintenance and provision of potable water in non-Indigenous communities is under provincial jurisdiction, water protection in Indigenous communities is a matter of federal responsibility. This is problematic because, as generally marginalized members of the Canadian state, Indigenous communities are not often able to mobilize in ways that would pressure Ottawa to suit their needs. This has resulted in vastly different policy outlines for Indigenous and non-Indigenous communities water security. Walters et al. note that “the strategy for protecting drinking water in non-First Nations is more robust compared to the [strategies] in First Nation communities” as provincial regulatory frameworks are more holistic and binding whereas federal directives do not have policy measures to ensure compliance.²⁵ Thus, the separation of responsibilities in water management has facilitated a notable gap in management efficiencies between Indigenous and non-Indigenous communities.

Discussion & Analysis

Ultimately, issues of water security in Canada are reflective of environmental racism as they are caused by, reflect, and reinforce the systemic cultural and political marginalization of Indigenous peoples in Canada. The root causes of the water insecurity epidemic are not based in any sort of inherent geographic or environmental factors. While these are traits that could influence the severity of water insecurity in various Indigenous communities, it is apparent that the heart of the issue lies in the Canadian political framework and the motivations of government authorities. As there is generally little political incentive for most politicians to focus on Indigenous issues in Canada, actors in the federal government have yet to create a policy framework for water security that is as effective or encompassing as those created by the provinces for non-Indigenous communities.

The issue of water insecurity is crucial for discussions of environmental racism as they not only reflect structural marginalization, but also reinforce said marginalization by having negative health effects on communities. For example, members of the Black Tickle Inuit community have been found to be at significant risk of diabetes as their water is visually unappealing due to high iron content, forcing parents to mix water with products such as Kool-aid or Pepsi in order to make it appealing to children.²⁶ While exact figures are not currently available, nurses operating in Black Tickle cite the rates of diabetes and similar health risks to be significantly higher than non-Indigenous communities.²⁷

²⁴ Ibid.

²⁵ Walters et al., 5.

²⁶ Maura Hanrahan, Atanu Sakar, Amy Hudson, “Water insecurity in Indigenous Canada: a community-based interdisciplinary approach,” *Water Quality Research Journal of Canada*, 51.3 (2016).

²⁷ Ibid.

Issues of water security in Canada are not ‘caused’ by any one actor in the traditional sense that stresses intent. Rather, water insecurity is the result of historical and structural factors that both reflect and reinforce racial inequalities. While government authorities are not explicitly restricting access to safe water from Indigenous groups, their inaction with regards to a well-documented case reflects the ongoing effects of Canada’s colonial history. This history is one where Indigenous actors have been omitted from the nation’s cultural narrative. In other words, the water insecurity issue facing many Indigenous-Canadian communities is an example of environmental racism as it reinforces structural racial inequalities stemming from politically driven resource inequalities.

Conclusion

In conclusion, this paper argues that water insecurity amongst Indigenous communities in Canada is representative of environmental racism, with the root causes stemming from the state’s colonial history and government structure. As a minority group that have had their rights infringed upon throughout Canada’s history, the lack of access to reliable potable water in these communities is indicative of the larger issue of marginalization. In addition to the symbolic significance of water insecurity, the concrete health detriments caused by water insecurity are also a cause to alarm unto themselves.

Ultimately, this paper calls for a reformation of the structure of Indigenous water networks. The current system, where non-Indigenous communities’ water structures are curated by provincial governments and Indigenous ones by the federal government, has facilitated discrepancies in water quality between the two groups. If these variations in water safety are not addressed, racial based divides in Canada will continue to grow, further harming an already oppressed community and questioning Canada’s global reputation as a champion of human rights.

References

- Boerner, Christopher, and Thomas Lambert. "Environmental Injustice." *The Public Interest*. 118 (1995): 61-82.
- CBC. "Ottawa's promise to fix First Nations water crisis still falling short: report." *CBC*. February 8, 2018. Accessed March 5, 2018.
<http://www.cbc.ca/news/Indigenous /david-suzuki-foundation-first-nations-water-report-1.4525456>.
- Gallagher, Charles A. and Cameron D. Lippard. *Race and Racism in the United States: An Encyclopedia of the American Mosaic*. (Greenwood, 2014).
- Grafton, Quentin. "Responding to the 'Wicked Problem' of Water Insecurity," *Water Resources Management*. 31.10 (2017): 3023-3041.
- Hanrahan, Maura. "Water (in)security in Canada: national identity and the exclusion of Indigenous peoples." *British Journal of Canadian Studies*. 30.1 (2017): 69-90.
- Hanrahan, Maura, Atanu Sakar, and Amy Hudson. "Water insecurity in Indigenous Canada: a community-based interdisciplinary approach." *Water Quality Research Journal of Canada*. 51.3 (2016): 270-281.
- Holifield, Ryan. "Defining Environmental Justice and Environmental Racism." *Urban Geography*. 22.1 (2001): 78-90.
- Human Rights Watch. "Make it Safe Canada's Obligation to End the First Nations Water Crisis." *Human Rights Watch*. June 7, 2016. Accessed March 5 2018.
<https://www.hrw.org/report/2016/06/07/make-it-safe/canadas-obligation-end-first-nations-water-crisis>.
- Lam, Steven, Ashlee Cunsolo, Alexandra Sawatzky, James Ford, and Sherilee L. Harper. "How does the media portray drinking water security in Indigenous communities in Canada? An analysis of Canadian newspaper coverage from 2000-2015." *BMC Public Health*. 17.282 (2017): 1-14.
- Nixon, Rob. *Slow Violence and the Environmentalism of the Poor*. (Cambridge: Harvard University Press 2011).
- Papillon, Martin. "Canadian Federalism and the Emerging Mosaic of Aboriginal Multilevel Governance." in *Canadian Federalism*, ed Herman Bakvis & Grace Skogstad. (Don Mills: Oxford University Press 2012).
- Perry, Imani. "Post-Intent Racism: A New Framework for an Old Problem." *National Black Law Journal*. 19.2 (2005-2006): 113-148.

Pulido, Laura. "Flint, Environmental Racism, and Racial Capitalism." *Capitalism Nature Socialism*. 27.3 (2016): 1-16.

Pulido, Laura. "Rethinking Environmental Racism: White Privilege and Urban Development in Southern California." *Annals of the Association of American Geographers*. 90.1 (2000): 12-40.

Statistics Canada. "Human Activity and the Environment 2016: Freshwater in Canada." *Statistics Canada*. March 21, 2017. Accessed March 5 2018.
<http://www.statcan.gc.ca/pub/16-201-x/16-201-x2017000-eng.htm>.

Walters, Dan, Nicholas Spence, Kayli Kuickman and Budhendra Singh. "Multi-Barrier Protection of Drinking Water Systems in Ontario: A Comparison of First Nation and Non-First Nation Communities." *International Indigenous Policy Journal*. 3.3 (2012): 1-23.

Workaman, Cassandra L. & Heather Ureksoy. "Water insecurity in a syndemic context: Understanding the psycho-emotional stress of water insecurity in Lesotho, Africa." *Social Science & Medicine*. 179 (2017): 52-60.