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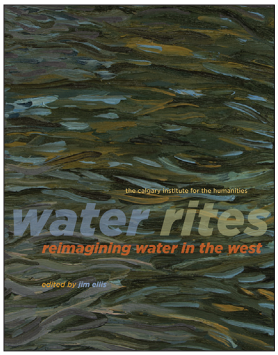

WATER RITES:
Reimagining Water in the West
Edited by Jim Ellis

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the calgary institute for the humanities
water rites
reimagining water in the west
edited by jim ellis

water rites

reimagining water in the west

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edited by ***jim ellis***

water rites

reimagining water in the west

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The Meeting of the Bow and High Rivers, N.W.T. by Thomas Bland Strange, c. 1882, hand-coloured engraving on paper, Glenbow Archives, 61.81.17, Calgary, AB.

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Next page: **Canoes in a Fog, Lake Superior, 1869** by Frances Ann Hopkins, 1869, oil on canvas, Glenbow Archives, 55.8.1, Calgary, AB.


FAH
1869

introduction

rethinking our relations to water

jim ellis

director, calgary institute for the humanities

The city of Calgary, like many sites of human habitation, is located on a body of water. Or in our case, two: for centuries, there have been settlements and human activity at the confluence of the Bow and the Elbow rivers, a place that the Blackfoot peoples called *Mohkínstsis*. Humans settle by water for numerous reasons: most immediately, because a source of clean drinking water is necessary for survival, but also because water allows for fishing, agriculture, industry, and frequently transportation. Water is a potent symbol in so many cultures and religions precisely because it is so foundational to life. Water connects everything on the blue planet: the human, the animal, and the material world. And in the face of global climate change, water is an increasingly scarce and precious resource.

Here in Western Canada, we live in a vast watershed that extends from the Rocky Mountains, passes over the prairies, and flows into James Bay, crossing all kinds of human-made boundaries. As David Laidlaw points out in his essay in this volume, water issues are particularly acute in the West, which is experiencing more regular cycles of droughts and floods; the forest fire season gets longer every year; the glaciers continue to recede at an alarming rate; and logging on the mountain slopes, along with the damage caused by recreational activities, decreases the ability of the watershed to retain water, resulting in greater flooding downstream. All of these water issues are connected, and point to our own connectedness: the flow of water connects human activity all along its course, affecting all life forms downstream — whether they be human, animal, or plant. Water visibly reminds us of our connections, as well as our responsibility, to those that share the same watershed.

On July 28, 2010, the United Nations "explicitly recognized the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realisation of all human rights" (see Appendix A). There have been notable failures in our country to provide access to this resource, particularly in our northern Indigenous communities.[1] On March 22, 2016 — World Water Day — the Canadian government committed to addressing the infrastructure problems that have plagued these communities; they have pledged, through Indigenous Services Canada, to end all water advisories for systems it finances by March 2021.[2] Addressing physical infrastructure is a key issue, but these past failures are linked to larger systemic problems identified in the final report of Canada's Truth and Reconciliation Commission (TRC).[3] Again, we can see some positive movement: after years of delay, the Canadian government has finally removed its objector status and adopted the UN Declaration on the Rights of Indigenous Peoples. In Appendix B, we reproduce some of the relevant articles of the declaration concerning water, the environment, land use, and development; among other things, the declaration upholds the rights of Indigenous communities to grant or withhold consent to development on their territories. The issue of free, prior, and informed consent is a thorny one for communities facing chronic economic hardships, as Michelle Daigle observes in her essay below. Resource extraction and industrial development can both contaminate and exhaust water supplies, and frequently our thinking is focused too narrowly on economic benefit, and is too shortsighted about ecosystem timelines.

Both the TRC on the one hand, and the environmental movement on the other, challenge us to consider not just the way we have managed and mismanaged our water, but how we have thought about it, and how we might balance competing claims on water in the future. How can we rethink our relation to water? While stressing the human right to water, do we need to think at the same time about our responsibility to water? Do non-human entities such as fish, plants, and water have rights? What might different spiritual or cultural traditions tell us about our duty to water? What might our duty to water tell us about our connection to each other?

Within Indigenous communities, bodies of water are often seen as beings with their own inherent rights and status. The writer and Sto:lo elder Lee Maracle writes: "We do not own the water, the water owns itself."[4] As Nancy Tousley mentions in her discussion of the artist Tanya Harnett, this way of thinking was tangibly recognized in a groundbreaking legal decision when, in March 2017, the New Zealand legislature granted the Whanganui River rights as a living entity. This decision came in response to a long campaign waged by the Maori community, who see the river — which they call Te Awa Tupua

— as a spiritual being. Just days after that decision, a court in India recognized the Ganges and the Yamuna River as living entities with the same rights as persons and in the following weeks, similar status was granted to Himalayan glaciers. What does it mean to grant a body of water rights? Or, to shift the question slightly: what does it mean to recognize the rights of water?

While we have not yet had a similar legal finding in Canada, on December 1, 2017 the Supreme Court did rule in favour of First Nations and environmental groups who were fighting the Yukon government's plan to allow more mining in the Peel watershed. The court's decision highlighted, among other things, the failure of the government to respect treaty obligations with the Tr'ondëk Hwëch'in, Na-Cho Nyak Dun, and the Vuntut Gwichen First Nations. This decision was counterbalanced not long afterwards, when on December 11, 2017, the new government of British Columbia decided to go ahead with the massive hydroelectric project known as the Site C dam, in spite of much resistance from Indigenous and environmental groups. Helen Knott, who writes below about her experience as an Indigenous activist, participated in protests against this project, which will flood the territory of the West Moberly and Prophet River First Nations in the Treaty 8 region. Clearly, Canada has some distance to travel in readjusting our thinking about water rights; addressing these very urgent water issues requires us to go beyond scientific data and economic projections to consider the multitude of voices and perspectives that reflect water's omnipresence in our lives, our thinking, and our imagination.

The following collection of essays, commentary, and artworks about both water rights and water rites has its origin in the Calgary Institute for the Humanities' Annual Community Seminar of 2017. The Calgary Institute for the Humanities is Canada's oldest humanities institute, founded at the University of Calgary in 1976 to support and promote the values of humanities research. Each year the advisory council of the CIH chooses a topic for discussion that is both timely and important for the larger communities that we serve; this was the second seminar in a planned trilogy on issues drawn from the environmental humanities. The seminar, "Water in the West: Rights of Water / Rights to Water," had three guest speakers — Michelle Daigle, David Laidlaw, and Adrian Parr – who, along with moderator Tasha Hubbard, explored these issues with a group of seventy members of the Calgary community.

The assembled participants included representation from, among others, Calgary's Aboriginal Urban Affairs Committee, City of Calgary Parks Department, the Watershed+ resident artist program of the city's water department, the Tsuu T'ina First Nation

Environmental research department, Bow Basin Watershed Management Plan, Alberta Ecotrust, Elbow River Watershed, Yellowstone to Yukon Conservation Initiative, Alberta First Nations Information Governance Centre, and the Alberta Wilderness Association. The day began with a blessing from Elder Wallace Alexson, followed by opening statements from our three guests that we have included in revised form in this book. Over lunch, different table groups discussed questions that were posed by the speakers, and these groups prepared responses that formed the basis of the afternoon's discussions. In addition to the talks by our three speakers, many of the other contributions to this book came from seminar participants.

The day also featured a screening of the film, *Gloire à l'eau* (1935/1950) by the Quebec amateur filmmaker Albert Tessier. This film begins with images of baptism, a water rite that marks the entry into a spiritual community. As Charles Tepperman notes in his discussion of the film, Tessier was both a priest and an early environmentalist, and his film explores some of the same aspects of water that this volume will explore: the sacred and spiritual significance of water; its necessity as a source of life and a provider of food; its use as a transportation route for people and goods; and its restorative role as a site of recreation and source of aesthetic inspiration and contemplation.

This collection echoes Tessier's film in its attempt to offer a similarly broad spectrum of perspectives on our relationship to water: from discussions of the most effective form of rights-based arguments; to the history of how water rights in Alberta, from contact onwards, were negotiated; to thinking about contemporary examples of how resource extraction or power generation impact Indigenous communities. Contributors discuss the activities of activists and environmentalists in protecting crucial watersheds and protesting harmful developments. And we include a series of contributions by and about artists, both historical and contemporary, who have engaged with water in different ways. Underlying much of this is a question of values, and the way that different cultures have entertained radically different approaches to certain concepts — such as land ownership — or entities — such as water.

Adrian Parr, a UNESCO Co-Chair of Water Access and Sustainability at the University of Cincinnati, questions whether a rights-based approach to water access is sufficient for political change. Looking closely at the water crisis in Flint, Michigan and moving on to consider the protests at Standing Rock, Parr draws attention to how access to water is often bound up with larger issues of class, race, and gender as well as income disparity. Ultimately, she calls for more attention to a common right to water and coalitional ap-

proaches to political action. David Laidlaw, a research associate at the Canadian Institute of Resources Law at the University of Calgary, offers a detailed legal history of Indigenous water rights in Alberta, particularly as they were established in the numbered treaties, and how these have been affected by subsequent legislation. He outlines the history of how water has been allocated by the province of Alberta, more recent attempts to deal with water scarcity, and the increasing challenges that the province will face in coming years due to climate change.

Like water, some of these essays move across traditional boundaries. The essays by Michelle Daigle and Helen Knott combine academic approaches with family history and personal reflections. Daigle, an assistant professor in the Department of Geography at the University of British Columbia, writes of her grandparents' experience in Treaty 9 territory (in the area known as the Ring of Fire), and the effects of resource extraction on First Nations communities. Daigle details the challenges that First Nations communities often confront when offered the difficult choice between much-needed economic development and possible environmental degradation and loss. Her essay addresses the need for a wider perspective that acknowledges how water crosses boundary lines and the kinds of relationships that water creates. Knott, a First Nations writer and activist, talks about her experience in organizing protests against the construction of the Site C hydroelectric dam in Northern British Columbia. Knott's essay crosses the boundary between academic and activist writing. It also provides a bridge to some of the contributions to this volume by community-based groups such as Yellowstone to Yukon Conservation Initiative, Alberta Ecotrust, and the Elbow River Watershed Protection group, who are involved more directly in the attempt to preserve and protect water sources and watersheds, and to educate those who swim (literally and metaphorically) in these water systems.

In attempting to shift our thinking about water, it is important to address not just how it figures in our daily lives, but how it lives in our imagination. To that end, this book contains art criticism by Nancy Tousley and Ciara McKeown, as well as artists' statements and portfolios of work by painter Leslie Sweder and photographer Warren Cariou. Tousley discusses the work of Tanya Harnett, whose "Scarred/Sacred Water" viscerally exposes the wounded waterscapes in northern First Nations communities. McKeown's essay on Watershed+ details an innovative approach to public art that embeds artists in Calgary's water department. Watershed+ is an ongoing program that fosters collaborations between artists, planners, and engineers, producing innovative art that deepens our understanding of our own immersion in the watershed.

In an ongoing series that spans several years of practice, Sweder paints the surface of the Bow River *en plein air*, near where she lives at the confluence of the Bow and the Elbow rivers. The project, *Notes on Current*, is simultaneously an artistic experiment and an act of loving attention to her surroundings. A parallel project not included here, *The Things We've Left Behind*, photographs the flotsam and jetsam that Sweder observes on the shore or in the water — such as an abandoned bicycle luxuriantly covered with algae. Cariou's photographic practice is more directly political, using bitumen gathered on the banks of the Athabasca to develop "petrographs" of the Alberta tar sands. The process of developing these photographs using bitumen is, says Cariou, highly toxic; this thoughtful use of naturally occurring bitumen to expose the toxic realities of bitumen extraction is, like Harnett's ritual practice, a performance — or indeed, a rite — that helps to reorient our thinking about our responsibility to water sources.

The artworks that we reproduce, both historical and contemporary, are important for showing how water has figured in our imagination, and how it has helped to shape the cultural imaginary, particularly in the West. We see water as a primary conduit of colonization in Frances Anne Hopkins' "Canoes in Fog, Lake Superior" (1869). Similarly, in the engravings executed by Thomas Strange for the nineteenth-century magazine *Canadian Illustrated News*, we see the Bow River centrally featured as a locus of activity and settlement. In his "Blackfoot Crossing" (1882), Strange puts a solitary First Nations figure in the foreground, and in the background we see both Indigenous encampments and the first signs of European settlement. In the painting "Morning, Lake Louise" (1889) by Frederic Marlett Bell-Smith, water is a spectacle in itself, an iconic image that can be used to attract others to the region, and a key part of how we imagine ourselves. Shelley Ouellet responds to this use of water as tourist spectacle in her monumental installation *Wish You Were Here* (2001). In an essay accompanying this exhibition, Amy Gogarty notes that Bell-Smith painted Lake Louise less than ten years after the first European sighting, and that almost immediately, "the Canadian Pacific Railway commandeered its spectacular beauty for commercial purposes, facilitating a steady stream of tourists well before the end of the [nineteenth] century."[5] For her installation, Ouellet fabricated huge glittering curtains (96 x 180″), using black, white, and clear plastic beads to reproduce three iconic Canadian waterscape images. These nineteenth-century paintings of Lake Louise, Niagara Falls, and the Saguenay River helped to frame Canada's self-identity as a land of spectacular, pristine, inexhaustible natural resources. The larger tradition of landscape painting from which they come invokes a romantic approach to nature, positioning the heroic individual against a hostile or threatening Nature that must be

tamed, subdued, or exploited. In response Ouellet employs a collaborative, community-based practice that challenges Western ideas of the solitary and heroic individual, whether artist or explorer.

Exploring the way that artists have responded to water and water issues is a crucial part of the response to the human right to water and the challenges of global climate change. Science can offer proof of climate change, the humanities can explore and expose its human dimensions, and art persuades us on a different — and arguably more fundamental — level, intervening in the imagination. All of these approaches are necessary and complementary. The range of voices and images in this collection together aim at shifting our understanding not just of the role water plays in our lives, and the consequences of our misuse of it, but more fundamentally of the way that water connects us all, on every level. We are all bodies of water.

notes

1. A Government of Canada Advisory bulletin notes that as of November 2017 there were ninety-five long-term advisories and forty-one short-term advisories in place in First Nations communities south of the 60th parallel. This did not include advisories in British Columbia, of which there were twenty-two. https://www.canada.ca/en/health-canada/topics/health-environment/water-quality-health/drinking-water/advisories-first-nations-south-60.html.

2. Matthew McClearn, "Is a Lack of Training Hindering Progress on Water Advisories?," *Globe & Mail*, January 30, 2018, A10–11.

3. *Make it Safe: Canada's Obligation to End the First Nations Water Crisis*. Human Rights Watch, June 2016, 4. This report offers a comprehensive introduction to the water access problems in Canada's Indigenous communities, along with a series of recommendations. https://www.hrw.org/report/2016/06/07/make-it-safe/canadas-obligation-end-first-nations-water-crisis.

4. Lee Maracle, "Water," in *Downstream: Reimagining Water*, eds. Dorothy Christian and Rita Wong (Waterloo: Wilfred Laurier University Press, 2017), 37.

5. Amy Gogarty, Essay accompanying the exhibition, Shelley Ouellet: *Wish You Were Here*, Nickle Arts Museum, February 8–March 30, 2002.