

BURDEN

OF PROOF

IN LATE 2011, NO LONGER ABLE TO PROVIDE FOR its inhabitants the basic necessities of life—clean water, adequate shelter, proper sanitation—the Attawapiskat native reserve in James Bay, Ontario, declared a state of emergency. The squalor and third-world poverty depicted in newswire photographs shocked the national and international communities and triggered intervention by the Red Cross, but Prime Minister Stephen Harper was less sympathetic. “This government has spent some ninety million dollars million since coming to office just on Attawapiskat,” he told the House of Commons. “That’s over fifty thousand dollars for every man, woman and child in the community.” That statement sent Sun Media pundit Ezra Levant, among other Canadians, into an outburst of righteous indignation. “What the hell are they doing with thirty-four million dollars a year?” he said on television, after conceding he hadn’t heard of Attawapiskat until a few days earlier. “We let them get away with corruption and waste that we would never let a non-Indian get away with.”

But Harper, Levant, and even *Globe and Mail* columnist Margaret Wente—who a couple of years earlier had described pre-contact indigenous culture as “neolithic” and therefore incapable of integration with the modern world—weren’t doing anything unusual or surprising by endorsing negative mythology about native Canadians. It had already existed for at least two hundred years and been manifested in government policies like the residential school system, which was designed to “get rid of the Indian problem,” as Deputy Minister of Indian Affairs Duncan Campbell Scott candidly acknowledged in the House of Commons in 1920, during an examination of Indian Act amendments. Then and now, part of what seems to be our guiding philosophy can be distilled into a single sentence: Canada’s indigenous people are a liability.

As the Attawapiskat crisis was unfolding, a thirty-four year old Métis woman living in Montreal was following it online. Chelsea Vowel read comment after comment filled with racist, knee-jerk responses. On huffingtonpost.ca: “They get lots of money, but much of it is simply stolen by the chiefs, and much of the rest goes to booze and big screen tvs etc instead of to looking after their children [sic]. They are addicted to welfare, and do nothing for themselves.” On cbc.ca: “It all comes down to two things 1) incompetence in managing tax dollars properly, 2) abuse of tax dollars for self serving purposes.” On the globeandmail.ca: “Time and time again, the natives destroy the houses through neglect and destruction during alcoholic binges.”

Vowel began supplying factual rebuttals to what she read. “Look at the financial statements for Attawapiskat,” she wrote in one characteristically analytical reply, attaching a hyperlink, “and show me where you think money is being wasted and/or stolen. Thanks.” After a couple of days of this, she found it difficult to keep up with the steady stream of willful ignorance. Instead of composing unique replies to individual commenters, she started to compile references for a blog post that would allow her or anyone else to challenge uninformed remarks with a single link. “Where do you even begin,” she wrote in that post, which was titled *Dealing with comments about Attawapiskat*, “when the people making these comments do not seem to understand even the bare minimum about the subject?”

But she did begin. Methodically and dispassionately, she dismantled Harper’s ninety million dollar claim. She referred to financial statements and gave primers on relevant sections of the Indian Act and the Constitution, which stipulate that funding for healthcare, education and social services—all part of the provincial budget off reserve—is a federal responsibility on reserve. She broke down the amount

What a native blogger found out about her country, and herself, in the wake of the Attawapiskat scandal

By CHRISTINE FISCHER GUY
Photograph by Marc Rimmer



far. Vowel was the first in her family to go to university, never mind pursue a second degree.

She went anyway, and there she met Shaun Emes, who became her friend. Both wanted to effect change. Emes, now a Crown Prosecutor in Edmonton, remembers citing Vowel's ability to parse arguments without batting an eyelash. "There was no fooling her." Once they finished law school, they remained friends, but no longer agreed that the change they wanted could originate from within the system. Emes stayed in and Vowel went the other way.

"What happens with some students is, there's a belief that if you get the law right, it's going to foster justice in the world," says Professor Val Napoleon, Law Foundation Professor of Aboriginal Justice and Governance at the University of Victoria. A disillusioned Chelsea Vowel was her student while Napoleon taught at the University of Alberta. "The law is two-faced, right? On the one hand, it's an instrument for people to use for equality and aboriginal rights, but at the same time it's seen as the instrument that dispossessed people of it in the first place."

Midway through her law degree, Vowel's common-law marriage fell apart. She finished her LL.B. while raising two young children on her own, and then considered their future. Edmonton didn't feel like home, and the Lac Ste Anne area didn't seem the right place to raise her girls. Once the site of a spiritual pilgrimage, the lake itself was by then so polluted by nearby industry it could no longer support the local fishing economy. "The ones that are there are mired in poverty, quite often dealing with serious addiction problems. They're struggling to hold on to something and it's not working. Me being out there is not going to revitalize it," she said. "I can't do it by myself with my kids. There's too much set up against me."

Persuaded by her fiancé, she moved to Montreal. Once there, she landed a job at a law firm that specialized in land claims and Aboriginal law. The work on a two-hundred-year-old land claim was initially exciting and professionally satisfying, and although she wasn't practicing as a full lawyer (she had yet to be called to the bar in Quebec), it was her "dream job." But when the case was settled out of

court with compensation instead of land, Vowel lost faith in the system. "That was a quarter of a century of one guy working on it really, really hard," she said, "and that's what they're coming out with. That's not reconciliation."

Working inside a system that would require her to deliver such news to her client wasn't something she could live with. She decided to return to teaching and found a position through First Peoples' House at McGill working with Inuit youth. The teen-aged girls in the program are under the protection of social services. Vowel is fond of them. A calm, regular classroom would be nice, she told me, but she likes the way this group keeps her on her toes (she's never sure how many will show up because of their many appointments, so she plans flexible micro-units). The stakes are high. "These aren't the at-risk kids, these are kids already at the edge. They're often self-harming and sometimes suicidal. They are youths who've been forced to cope with extremely difficult situations and who are struggling because of this. Sometimes keeping them in education is impossible. You're just trying to keep them alive, give them enough so that later on they can come back and become the people that they want to be. Helping keep them safe is my main goal. I can't stress how resilient they are in the face of what they've had to deal with."

Research has consistently shown that indigenous people have a shorter life span than non-natives, and the suicide rate in regions with high aboriginal populations like Attawapiskat is more than double that of areas with low aboriginal populations. The problems run generations deep. "If we don't have people working with them who actually care and love them and understand the limitations," Vowel said, "we're going to lose a lot more."

SITTING ACROSS FROM VOWEL ON THE BACK-yard patio of a Montreal café, one can glimpse the university-days leonine character her friend alluded to: her green-eyed gaze is steady, frank, subtly challenging. Her roller derby alter ego is Louise Riel, and the sport seems a good fit. "I am willing to talk to people about these things. I am willing to spend *a lot of time* doing it," she wrote, in *No offense but...* in January 2012. In addition to her lengthy posts, she takes time to engage with many of the

comments left there. "But I am not willing to have someone waste my energy when they don't actually care about the issue."

Opposing her on a courtroom floor would be a formidable challenge: her arguments are informed, watertight, and spoken in paragraphs. "One of the things I want people to understand is that colonialism still exists," she told me. "It's not something that happened hundreds of years ago. It's not just residential schools or the Sixties Scoop. We've got more kids in foster care than were ever in rez school. They couch it in liberal terms of equality and everybody is the same and they make it sound humanitarian. It's worse now because it's hidden... This is not just echoes of the past, this is today."

She tries to remain patient, but she wants people to catch up on First Nations issues, fast. The sense she has that things are becoming worse, legislatively speaking (as examples, she cites the massive cutbacks to native programs and renewed interest in assimilation via legislation like the First Nations Property Ownership Act), is only part of the reason.

"I feel like I'm on a clock," she told me, and added that it has been so since she was a child. "So when I realized I couldn't be a sniper because of my poor eyesight, I couldn't go join the revolution in Nicaragua or anything, I was crushed. Seriously. I decided that whatever I did with my life had to have meaning."

Being part of 'the seventh generation' (an indigenous concept described variously as an optimistic prophecy, a metaphor for farsighted living, or a generational responsibility, depending who you talk to) also has something to do with her angst. "It's supposed to be a thing of pride and acknowledgement of traditions," she said. "But for a lot of us, and I've talked to my peers about this, it feels like an awful lot of pressure sometimes. Seven generations past, there were all these restrictions and abuses, and now it's up to us to bring back the language, the traditions, to fix the communities, make them healthy again, bring back nationhood. How the hell do we do that, when our parents and grandparents don't speak the language?"

Difficult, yes, but it's a responsibility she accepts, even though the voice she's chosen to do the answering, *âpihtawikosisân*, does not evoke someone with a sense of ob-

ligation. "For me it's pretty joyful. I'm doing it in a way that I'm still healthy."

Justice Sinclair subscribes to and reads her blog regularly. "She's a bright, surprisingly upbeat person," the Justice told me. "She has a commitment to understanding things and is not afraid to confront racist thinking."

Fellow indigenous blogger Wayne K Spear, who reads and is read by Vowel, describes her posts as "briefing notes. She does something that's badly needed." Spear, who holds a Master's in English from Queen's University and has a book on the residential schools forthcoming from McGill-Queen's University Press, acknowledges the inherent challenge. "It's a constituency problem. All of the people that fall under the aboriginal umbrella are keenly aware of the fact that most Canadians bear a lot of misunderstandings. They've been poorly educated, even miseducated. Some people choose what Linda McQuaig called the right not to know: they just bury their heads."

Sometimes it's more than simply choosing not to know. During a bicycle ride with Vowel and her family along the Lachine Canal, municipal politics came up. The mayor of Toronto had recently been to court on charges of conflict of interest, to which he pleaded ignorance. "That's politics!" she snorted, and then grew thoughtful. "That sort of stuff happens all the time. But when it happens in the native community, the media jump all over it. It's depicted as racial weakness."

IN THE PERIOD BEFORE CANADA BECAME A confederation, when native and settler often stood shoulder to shoulder in battle, a symbolic representation of the existing peace and friendship emerged. Later beaded into wampum belts, and thought of by scholars as the philosophical foundation for all of the treaties, the simple 'two-row' design signified two vessels, a European boat and a native canoe, traveling side by side on a river. The notion was captured in an 1895 letter to the 'Honorable Government of Ottawa' from members of the Six Nations. "Brother, it is very extremely hard to cease of our original Treaty which is to be perpetuated as long as the sun shall give light and water runs and grass grows. So we cannot see why that we should be treated as minors... 1st the Government

has made an illustration that they shall abide in their vessel, 2nd that we Indians of the Iroquois also remain in our Birch Bark Canoe, 3rd that the Government shall not make compulsory laws for the Indians, but the treaties are to be unmolested forever."

But the original agreements did not remain unmolested forever. Amendments to the Indian Act, first established in 1876 and, in the words of John A. Macdonald in 1887, designed to "do away with the tribal system and assimilate the Indian people," began with the introduction of a 'Pass' system in the early eighteen-eighties, which required natives on reserves to obtain permission from government agents to leave the reserve. In 1884, new legislation prohibited ceremonies such as sun dances and the yearly potlatch, a traditional gathering held in the fall to redistribute wealth. The pattern continued with legislation for residential schools (1920), against raising funds to make land claims (1927), and the Sixties Scoop, which lasted from the mid-nineteen-sixties until the mid-nineteen-eighties and caused native children to be taken from their homes and placed in non-native families.

The path down the river, as history shows, was no longer parallel. During the talks leading to the patriation of the Constitution in 1982, native groups such as the National Indian Brotherhood (who later became the Assembly of First Nations) petitioned to be part of negotiations with the Crown. They were repeatedly rebuffed. Nevertheless, section 35 of the new Constitution Act recognized their aboriginal and treaty rights, and defined 'aboriginals' as North American Indian, Inuit and Métis for the first time in Canadian history.

Almost fifteen years later, the Supreme Court of Canada handed down a decision seen as a turning point in treaty negotiations. The 1997 decision, known as *Delgamuukw*, confirmed that aboriginal title—rights to the land itself, not only for hunting or fishing use—existed in British Columbia.

Cases like this, says Vowel, are "having small cumulative effects. But where the work needs to be done is in people's minds. You can't expect that a whole body of law is going to trickle down into people's consciousnesses and change how they think about each other." To wit: the federal government's decision to appoint a third-party

manager of Attawapiskat's band finances in the midst of the crisis. In the judicial review requested by the band, Attawapiskat prevailed; the judges could find no evidence of mismanagement or incorrect spending, but did cite ignorance of the community's needs. "The problem," wrote Judge Phelan, in August 2012, "does not lie at the feet of the political masters but in the hands of the bureaucracy." Vowel's post, *Attawapiskat: A study in the need to openly address misunderstandings*, examined the way "this kind of misunderstanding becomes reinforced in the public consciousness as an obvious truth. For me it merely highlights how important it is to keep chipping away at the lack of understanding between native and non-native in this country. Lives depend on us doing so."

ACCORDING TO THE 2006 CENSUS, 1.1 MILLION residents of Canada identified as having aboriginal identity, out of a total population of 31.2 million. Slightly less than two-thirds identified as First Nations, one-third as Métis, and just over eighty thousand as Inuit or a combination of these groups. Some live on reserves, many don't, some have an indigenous mother tongue, some don't speak a native language at all. First Nations people in Canada are not a homogenous group, which has historically been one of the stumbling blocks in negotiations with the federal government.

"Within the North American imagination," wrote Thomas King, in his 2003 Massey Lecture *The Truth about Stories: A Native Narrative*, "Native people have always been an exotic, erotic, terrifying presence. Much like the vast tracts of wilderness that early explorers and settlers faced. But most of all, Native people have been confusing. The panorama of cultures, the innumerable tribes, and the complex of languages made it impossible for North Americans to find what they most desired. A single Indian who could stand for the whole."

If you passed Chelsea Vowel on the street or spotted her in the schoolyard of her children's school, you might notice her beaded earrings or Cree-language t-shirt, but her indigenous identity is otherwise invisible. She wears her light brown hair an inch from her scalp with a fringe of blue-green bangs that match her eyes. The obstacles for indigenous

people, she has said, are so entrenched that they affect daily life. Why, then, doesn't she just 'pass'?

In fact, it might be her indigenous invisibility that spurs her on. Recently, she tweeted that one of her daughters reported having heard a so-called Métis story at school that featured monkeys, pythons and lions. When a friend expressed shock at the teacher's ignorance (the story and its fauna were more Kipling than indigenous Canadian), she replied, via Twitter, "Honestly I think we don't exist for these teachers because they don't learn about us in school. S'why I agitate."

There's a tattoo on the pale, freckled skin of Vowel's right shoulder blade, a sinuous, fringed curve that bisects parallel lines representing wings. It's a stylized raven, which in Vowel's culture invokes a wily, intelligent creature, a survivor. Her godfather, a Dene artist, once signed his name with this symbol. After she'd drawn it for years, he gave her permission to use it, and she had it inked into her skin. The time to 'pass' is over, but the struggle for recognition and identity isn't, and the solutions aren't simple.

"I have enormous respect for her," says Val Napoleon, whom Vowel refers to as mentor. "She creates space for complex conversations. The fatigue ... is what happens when you hear the same old, same old. It's also what happens if you're expecting easy answers. She insists on the fuller and deeper conversation."

Ápihtawikosisân now receives anywhere from six hundred to a thousand views a day. Rabble.ca describes her columns as among their most popular, though she doesn't consider it a stepping stone. Asked about political ambitions, she laughs. She has enlisted friends to talk her out of entering politics if she ever seriously considers it. "I think it would be soul crushing," she said to me. "You try your best in a bad system, but you don't achieve your goals unless they are petty and awful. The politics in the native community are so poisoned by colonialism that you've got people who've internalized colonial attitudes and are doing it to themselves and to others. It's so hard to fight that." Shaun Emes describes Vowel as "comfortable working outside the lines. She's going places lawyers can't go. She's going to be able to effect change."

Vowel told me she has her old law-school peers in mind when she writes as *ápihtawikosisân*, but she remains aware

she's addressing a largely hostile audience. In Alberta, her home province, the "hostility toward natives spills over into violence on a shockingly regular basis" and the verbal vitriol she's heard over the years whenever natives are discussed in the media is troubling. Ezra Levant, initially so harsh when the story first hit the national media, agreed to speak to this magazine about Attawapiskat. In reiterating arguments he has made in print and on television, Levant said that when the story broke he'd reviewed Attawapiskat's financial statements and consulted "a leading accountant with over 50 years of practice" who told Levant there were "many important questions raised by the financial documents." Attawapiskat, Levant claims, should be one of the richest towns in the north, but is one of the poorest, and the blame "can only fall on its political leaders." More to the point, Levant was asked to consider Vowel's post that addressed these matters. He declined, saying it was "too verbose," and that he "didn't have time to sift through her spin" or her "attempts to justify" what had transpired there.

Perhaps therein lies the problem. If, prior to merely repeating earlier judgments, he (and other members of the media) had taken the time to read the post in question and gain a deeper perspective—which is all Vowel asks of her readers—he would have found that she'd addressed balance sheets and band management, pointing out, for example, that "federal control of expenditures is exercised through a variety of very restrictive funding mechanisms, a major one of which is contribution agreements... Bands must submit regular and detailed reports to continue to receive funding." As an example, she quoted from the Health Canada Contribution Agreement, which delivers health services to First Nations and Inuit people. "Health Canada cannot issue a payment until you properly account for expenditures through a claim submission and progress report." She compared the salary of Attawapiskat's chief with that of other municipality leaders, linking to a list of more than one hundred Ontario public sector employees. She quoted from the Auditor General's report, which concluded that, "structural impediments severely limit the delivery of public services to First Nations communities and hinder

improvements in living conditions on reserves" and went on to list the complex reasons for this situation, which extend far beyond the balance sheet.

"I ask that you learn all of the histories," she wrote, in *Canada's closets packed with skeletons*, in April 2012. "Perhaps when we clean out all the skeletons, we can pack those closets with sweeter smelling things." It's not about laying blame, she says. It's about seeing what went wrong and trying not to repeat it.

The hate mail has made her seriously question why she started a blog and whether she ought to continue it, but she's dedicated her efforts to indigenous readers. "It may be that you are tired of hearing what happened," she wrote, in reply to a commenter on *Undermined at every turn: the lie of the failed native farm on the Prairies* in May 2012. "But learning what actually happened is what makes all the difference in changing the narrative from 'stupid, lazy, inferior' to 'strong, capable, equal.' That narrative, internally and on a national level, absolutely has to shift before we can heal the many wounds our communities have suffered."

The misery is real, she says, but outsiders don't see that there's hope and celebration, too. "We have high rates of suicide for a reason. But we would all be dead if that's all we had. Other native people see this and recognize it. We laugh about things, the jokes about rez cars and rez dogs, stuff like that. It's funny because it's what you do to survive. We know it's ridiculous! You're holding things together so it works a little longer, and it's awful. But you have to laugh at it!"

What she's working towards is nothing less than a regeneration of positive indigenous identity—from within. "I want to celebrate our strength. When I revisit old history, as I'm sometimes accused of, it's not to wallow in victimhood. It's to say, 'See? We survived even that, isn't that something? We are freaking amazing!'"

The re-education of a nation is no idle diversion. But she's not looking for hand-outs or waiting for someone else to do it. She wants it in the water. She's working the fringes. She's talking it up in the bleachers. She's beading pow-wow regalia for her daughters and writing songs to sing to them. Songs written and sung in the language of her ancestors. ■



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