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CONTEXTUAL, TRANSGENERATIONAL, SOCIOLOGICAL PERSPECTIVES ON THE MILK AND ST. MARY RIVERS' DIVISION AND USES OF WATER IN RELATION TO THE NATURE AND ROLES OF THE JOINT INTERNATIONAL COMMISSION

A **SUMMARY** STATEMENT PREPARED FOR THE LETHBRIDGE HEARINGS OF THE COMMISSION, JULY 29, 2004, LETHBRIDGE LODGE BY

B. Y. CARD

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Lieutentant, Canadian Army, Special Services--Physicist, Chemical Warfare--Particulates and Aerosols;
Border streams hydrometric surveys assistant to Engineer W.T.McFarlane, 1930s.)

OUTLINE:

1.Basic introductions: for values, norms, roles-statuses, facilities plus paradigms (See Seven Heuristic Figures attached)

2.Historical Contexts 1872-1909-1921

3. Historical, Transgenerational Contexts1914-1950--Experiential insights plus Thomas Griffith Taylor, Geographer (Map attached, 1947-2045 A.D.)

4. Sociological Insights and Actions added in1950s continuing to 2004

5. Closing perspectives and challenges--Toward constructive situational intelligence extending from our two rivers and the Commission in dynamic present and future contexts.

(If possible, this summary will be reinforced by a table display of books and other items in the Lodge's Aspen Hall.)

File ijctalk4

A July 29/04 Summary Statement.

■ OUR OPINION

L. Herald July 29/04 A6

Lessons from a lowly ditch

The next time you're driving Highway 4 at Milk River, look to the west for a piece of Canadian history.

Like a scar on the prairie, there snakes more than 20 kilometres of ditch which predates the creation of the province of Alberta.

It may not look like much, just a large ditch overgrown with grass. That shabby exterior belies its place in history.

The aptly named Spite Ditch was constructed under orders of the Canadian North West Irrigation Co., run by the Galt family, to divert Milk River water north into the Saskatchewan River Basin.

In the book Ten Years of Trek, Lethbridge teacher/historian Bruce Haig explains the ditch was prompted by the U.S. government's plans to divert the St. Mary into the Milk River, to provide irrigation water to the eastern part of the state. When the U.S. refused to negotiate creation of an international commission to regulate water use along the border, the concept of the spite ditch was born. It proved Canada could move the water, leaving eastern Montana high and dry. It forced the U.S. to the table. The International Joint Commission and the Boundary Water Treaty were born, presiding over the division of all waters between the two nations.

With the commission in place, negotiations began on the specifics of water apportionment and the detailed agreement was signed in 1921, treating the St. Mary and Milk rivers as one, and giving Americans and Canadians a right to a certain share of the flow. Now, Montanans are lobbying for the treaty to be renegotiated to rectify what it calls disproportionate allotments of water to the Canadian side.

As one state official said Monday as the joint commission kicked off a series of four hearings on the issue, "We just want our fair share. The U.S. clearly was outnegotiated in 1921..." The water hearings conclude in Lethbridge tonight.

The story of the Spite Ditch may be one of the great triumphs of Canadian history. A young upstart nation forced its larger, older neighbour to the south to the table to negotiate a deal — a fair one at that — and one that stood the test of time.

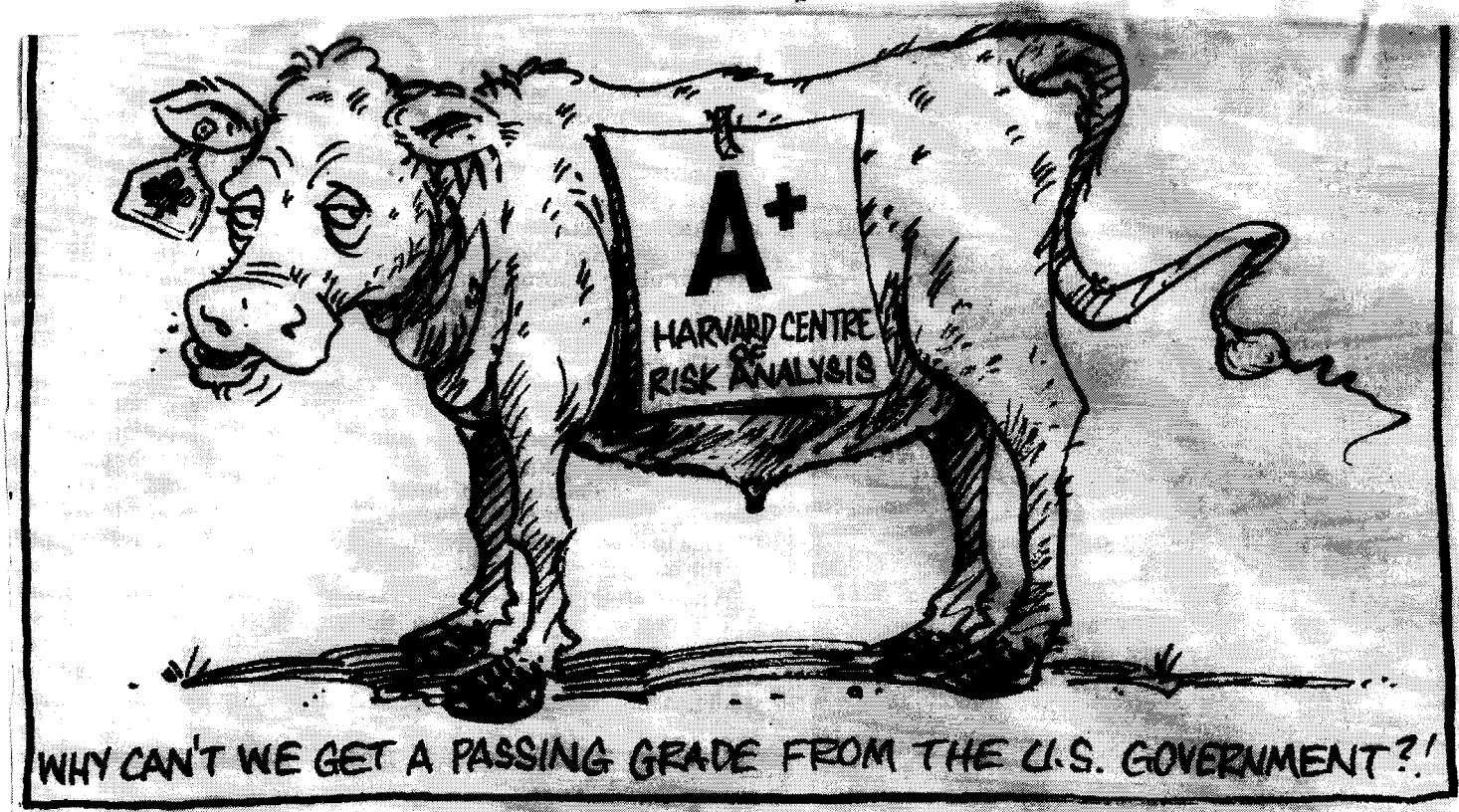
That the deal may need to be reassessed after all this time, given unforeseen changes to climate, river flows, irrigation demands, failing infrastructure on the U.S. side to divert its rightful amount of water and claims by natives to the water, doesn't nullify the significance of the deal or the role of the ditch in making it happen.

One wonders what happened to that Canadian spirit which in the face of diversity built the Spite Ditch to force diplomatic action from the Americans. In the face of the BSE crisis and a number of other trade disputes including softwood lumber and Canadian grains, perhaps Canada needs a modern version of the Spite Ditch to force equity to U.S.-Canada relations.

And maybe if as many Canadians knew the story of the Spite Ditch as know the legend of the Avro Arrow, a made-in-Canada project killed in an apparent act of capitulation to American interests leaving generations to wonder what might have been, we'd likely all be better for it.

Close

July/04 Contexts



Montana governor seeking environmental assessment

L.H. Jul 27/04 A3

VANCOUVER (CP) — The governor of Montana, unhappy with the B.C. government's response to her concerns about coalbed methane drilling in southeastern B.C., has asked Ottawa for an environmental assessment.

An auction of drilling leases by the B.C. government began July 8 and will end Aug. 25 when leases are awarded. The leases are on B.C.-U.S. border.

In a July 26 letter to the federal Environment and Foreign Affairs departments, Gov. Judy Martz asked that the auction be deferred until an environmental assessment of the situation can be performed to the satisfaction of both countries.

"Our concern is the ground-breaking activities and wastewater discharge is likely to commence before an environmental baseline is established and before a comprehensive assessment is completed," Martz wrote.

She asked that the assessment be performed by a joint review panel including technical experts and resource specialists.

July 27/04 B5

Soft wheat opportunities focus of Thursday event

A Canada western soft white spring wheat customer connection day will be held Thursday in Lethbridge.

The day will include an overview of CWB pricing options, a presentation from a soft white spring wheat customer, a market outlook and a tour of the Lethbridge Research Station.

To register, contact the CWB's western regional office in Airdrie by e-mail, **karen_carfantan@cwb.ca** or by phone, or by calling 1-403-912-4180.

Andy Kovacs of Lethbridge, executive director of the Alberta Soft Wheat Producers Commission, said interested persons can register on site at Ericksen's Family Restaurant in Lethbridge at 9 a.m. for the morning session dedicated to wheat board information.

Vic Schapansky, a former Lethbridge-area business representative who has moved to Saskatoon, will present board pricing options starting at 9:30 a.m.

Vic Bell of Armstrong, B.C., a buyer for Rogers Foods, will tell how soft wheat fits in with his firm's flour milling operations.

July 26/04

Wheat board back at WTO table

OPINION

Ric SWIHART

Same old, same old.

The potential fate of the Canadian Wheat Board is back on the agenda at the World Trade Organization, which met last week in Switzerland.

exceeded the final returns from the sale of wheat and barley.

In those years, the federal government picked up the slack rather than have the farmers make a refund in what obviously was a bad dollar year. Normally, the initial payment is based on 70 per cent of expected annual returns for each grade of the two

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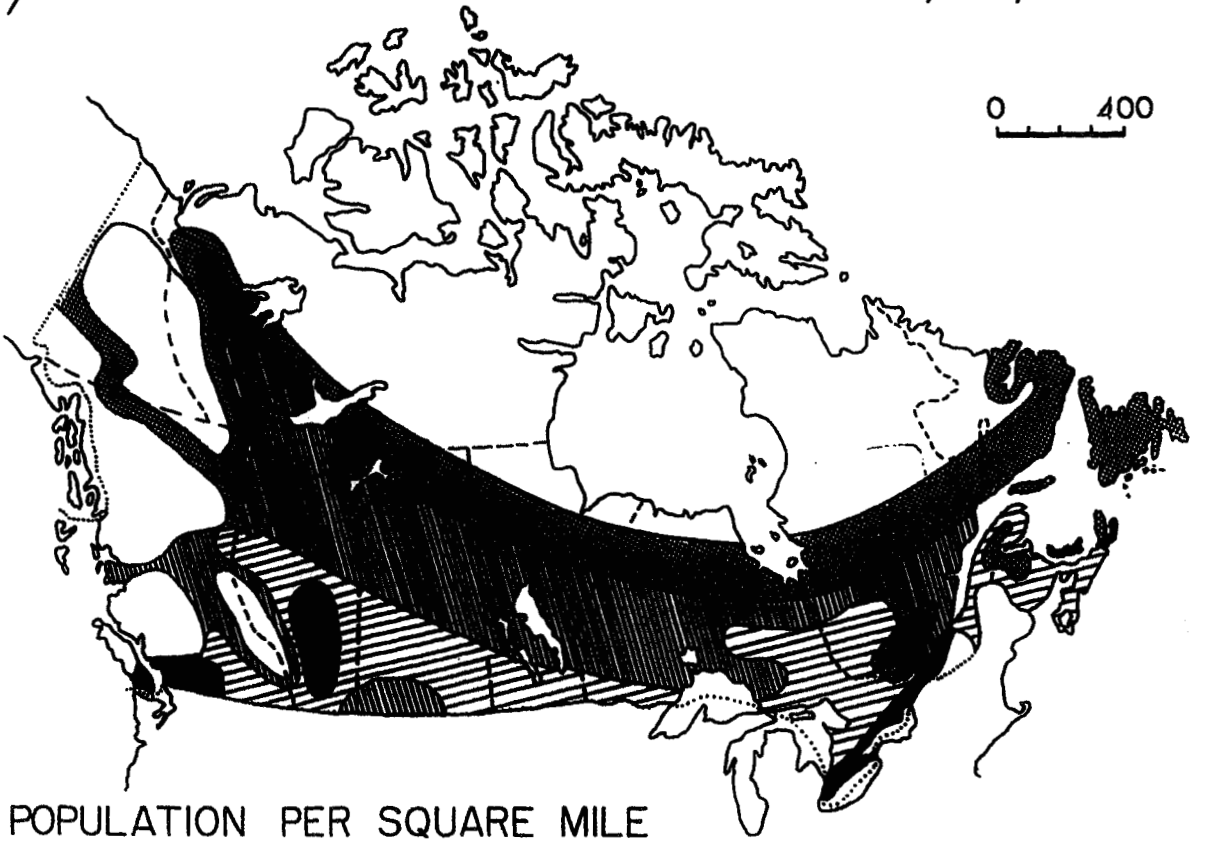
POTENTIAL HABITABILITY OF CANADA 2045 A.D.

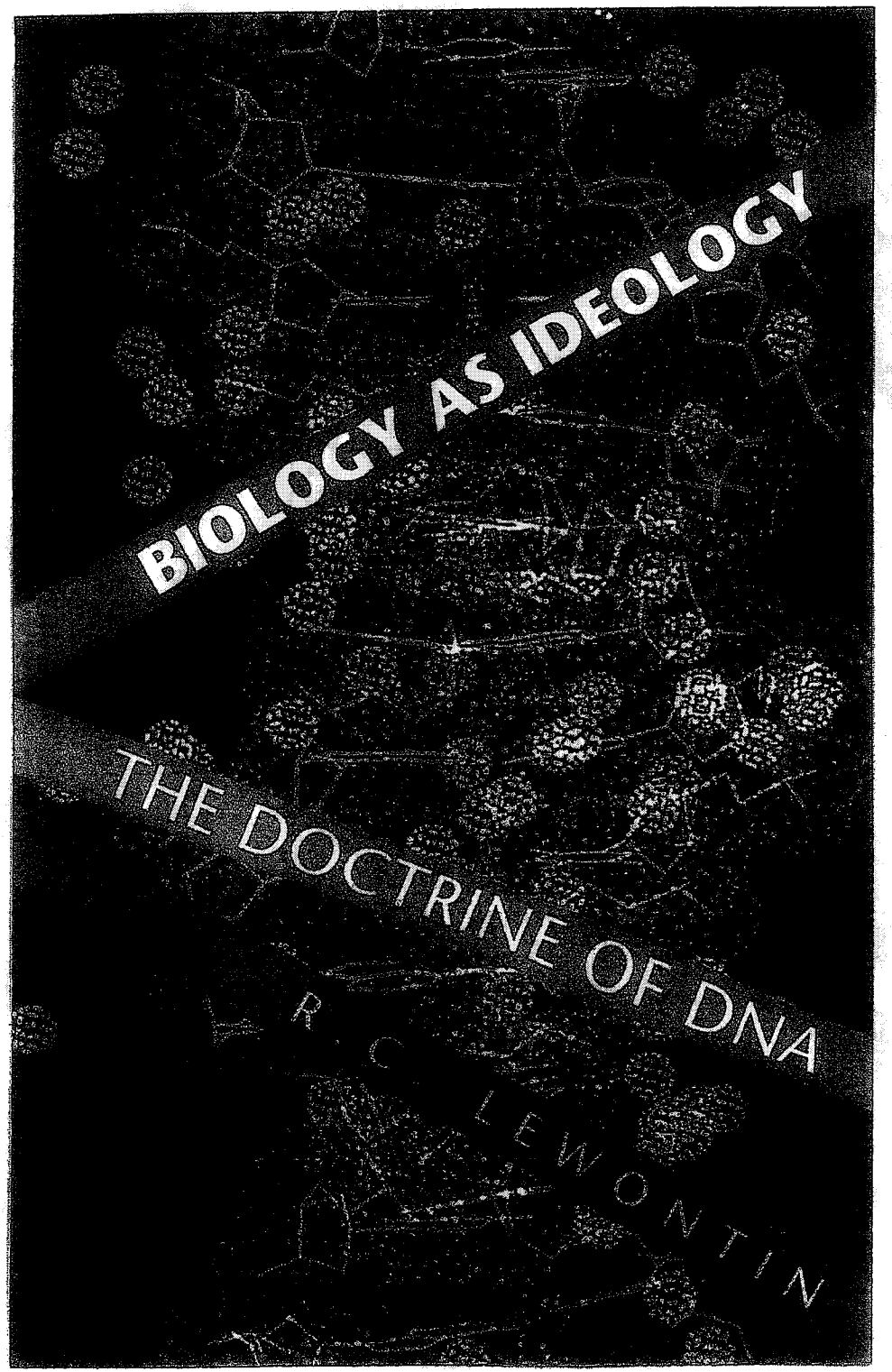
TOTAL POPULATION / EUROPEAN STANDARD OF LIVING 100,000,000 / NORTH AMERICAN STANDARD OF LIVING 50,000,000



POPULATION PER SQUARE MILE

- 1 OR LESS
- 5
- 16
- 18 TO 40
- 40

ADAPTED FROM GRIFFITH TAYLOR - CANADA: METHUEN: FIRST EDITION: 1947



CBC MASSEY LECTURES SERIES

R. C. Lewontin is a prominent scientist — a geneticist who teaches at Harvard University — yet he believes that we have placed science on a pedestal, treating it solely as an objective body of knowledge that transcends all other ways of knowing and all other endeavors.

"Science is a social institution," he writes in this collection of essays, which began their life as CBC Radio's Massey Lectures Series for 1990. "Scientists do not begin life as scientists, after all, but as social beings immersed in a family, a state, a productive structure, and they view nature through a lens that has been molded by their social experience. . . . Science, like the Church before it, is a supremely social institution, reflecting and reinforcing the dominant values and views of society at each historical epoch."

In *Biology as Ideology*, Lewontin examines the false paths down which modern scientific ideology has led us. By admitting science's limitations, he helps us rediscover the richness of nature — and appreciate the real value of science.

R. C. LEWONTIN, a leading geneticist, is the author of *The Genetic Basis of Evolutionary Change* and co-author of *Not in Our Genes* and *The Dialectical Biologist*. He is also a frequent contributor to *The New York Review of Books*. Professor Lewontin holds the prestigious Alexander Agassiz chair in zoology at Harvard University.

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SEVEN HEURISTIC FIGURES - A CHALLENGE TO THINK

Dr. B.Y. Card PHD

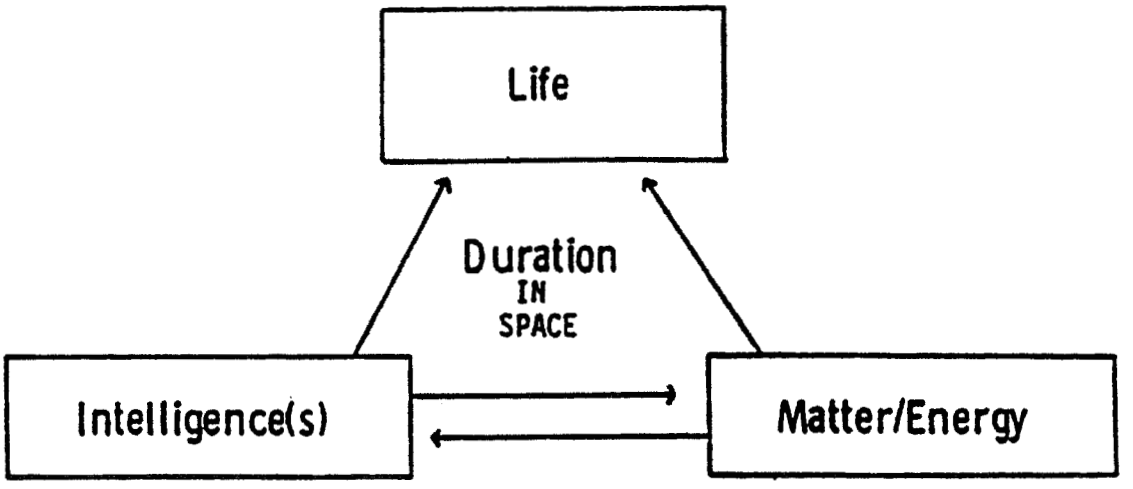

FIGURE 1. PRE-LIFE SPACE OF A LIVING COMPARATIVE, REFLEXIVE, TRANSFORMING _____
(Read from bottom to top)

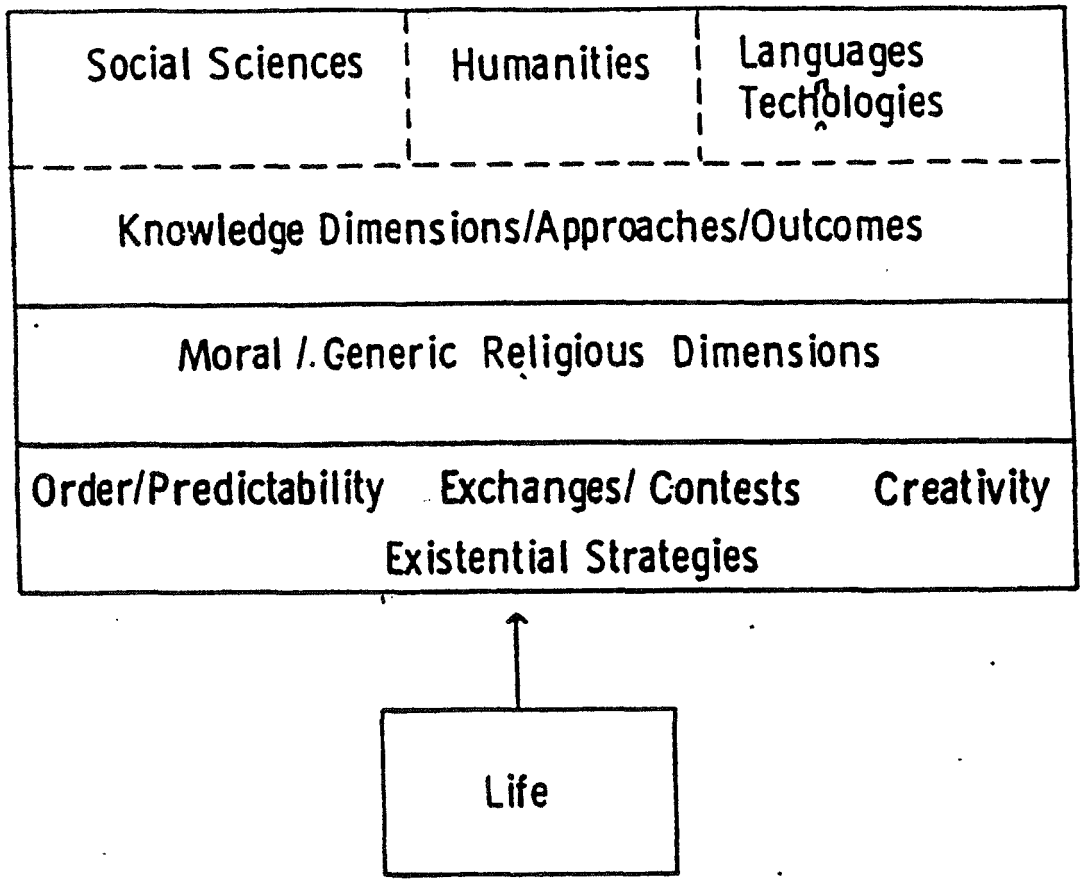

FIGURE 2. MULTI-DIMENSIONAL FOUNDATIONS FOR A LIVING, COMPARATIVE, REFLEXIVE, TRANSFORMING

(Read from bottom to top)

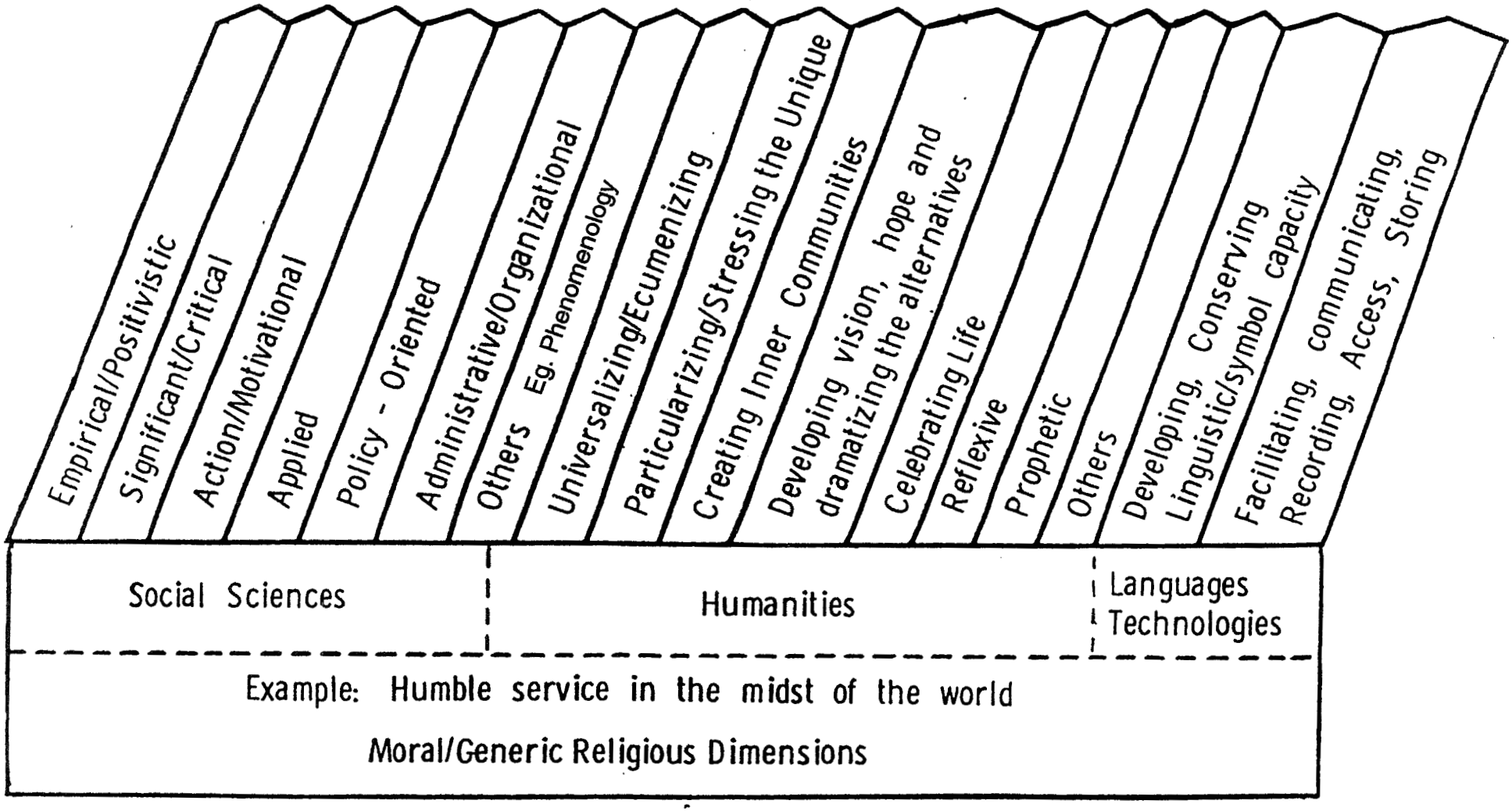

FIGURE 3. KNOWLEDGE(S) FOR A LIVING, COMPARATIVE, REFLEXIVE, TRANSFORMING _____

_____

(Read from bottom to top)

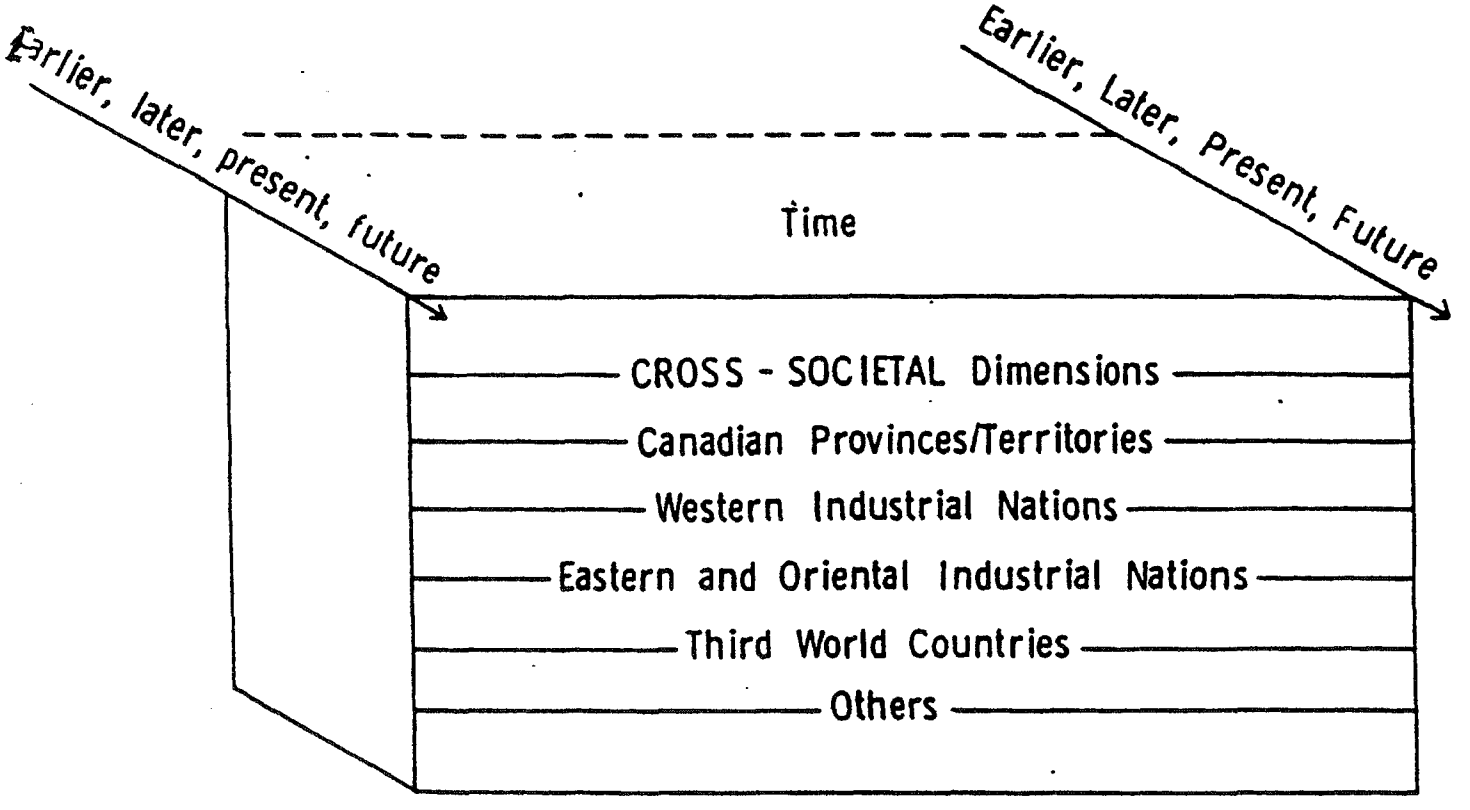

FIGURE 4. TIMES (MONO- AND POLYCHRONOUS)AND SOCIETIES AS HEURISTIC DIMENSIONS IN A LIVING, COMPARATIVE, REFLEXIVE, TRANSFORMING

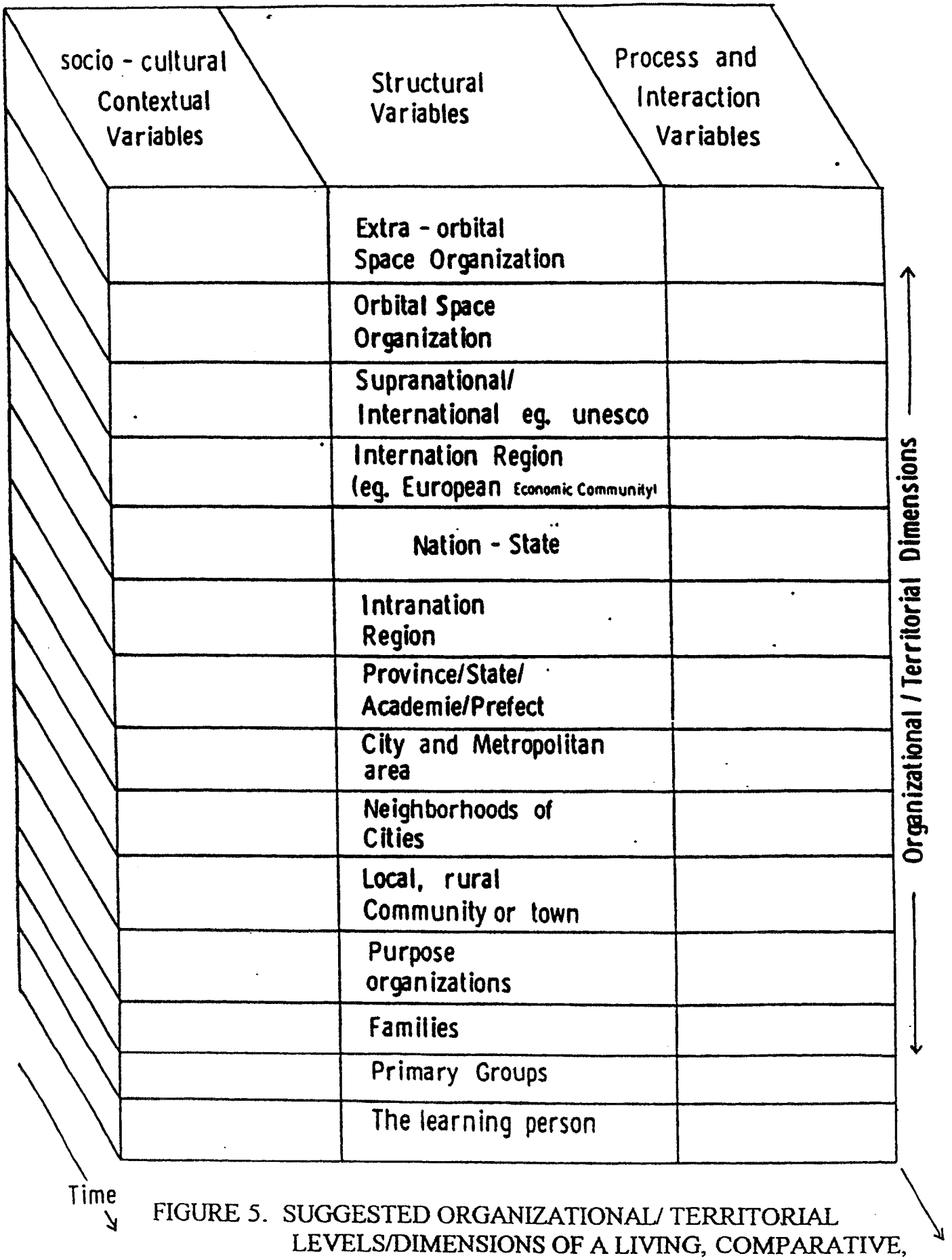

FIGURE 5. SUGGESTED ORGANIZATIONAL/ TERRITORIAL LEVELS/DIMENSIONS OF A LIVING, COMPARATIVE, REFLEXIVE, TRANSFORMING

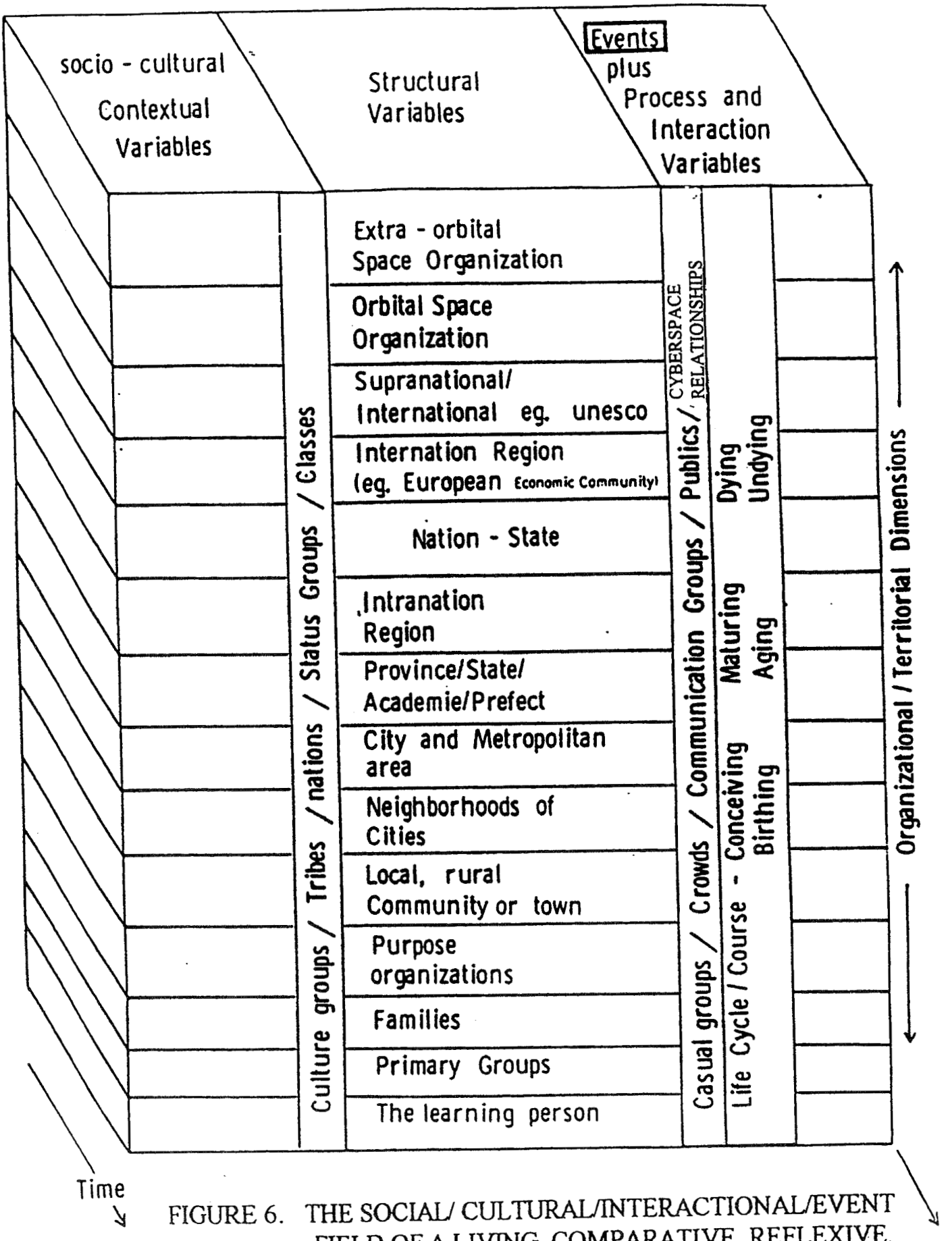

FIGURE 6. THE SOCIAL/ CULTURAL/INTERACTIONAL/EVENT FIELD OF A LIVING, COMPARATIVE, REFLEXIVE, TRANSFORMING

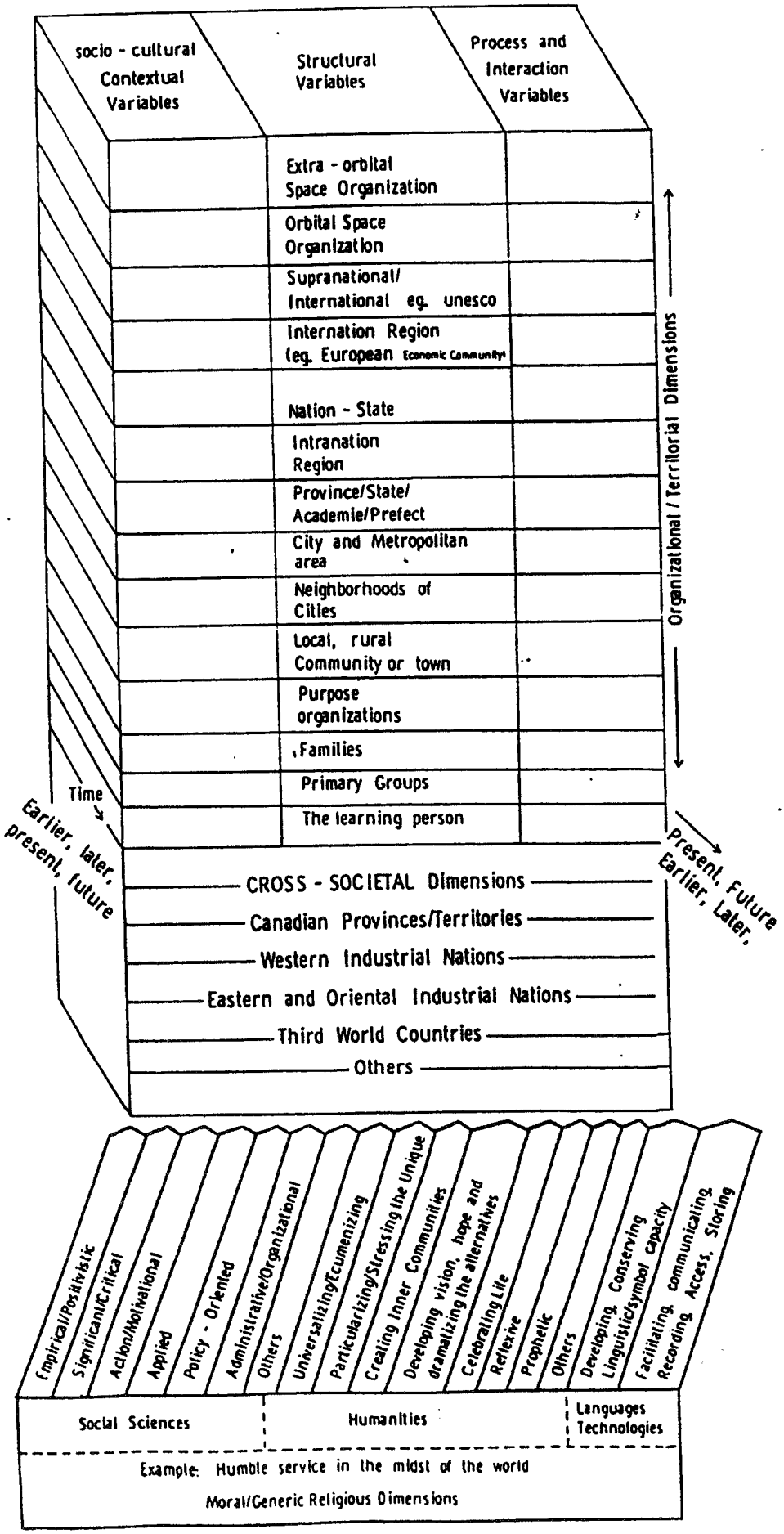

FIGURE 7 (*REVIEW*) KNOWLEDGES FOR A LIVING, COMPARATIVE, REFLEXIVE, TRANSFORMING

Canadian Review of Sociology and Anthropology 37.3 August 2000

Book Reviews/Comptes rendus

TAIAIAKE ALFRED, *Peace, Power, Righteousness: An Indigenous Manifesto*. Don Mills, Ontario: Oxford University Press, 1999.

As the British Columbia Treaty Process is now well under way (51 First Nations are currently engaged in one stage of treaty negotiations), those attuned to the mainstream media are likely familiar with some of the arguments put forth by supporters and detractors of the process. The proponents include those directly involved in negotiations, namely both government and band representatives. Typically, these individuals trumpet the benefits of increased "certainty" (in terms of economics and ownership) for the province and gains in sovereignty and money/resources for First Nations. However, media coverage has been given only to a limited range of arguments condemning the process. Specifically, news followers in British Columbia have only heard the ahistorical, populist, and oftentimes racist criticisms issued by the likes of (provincial opposition leader) Gordon Campbell, Melvin Smith and various members of the Reform Party. Given this selective coverage, many would be surprised to discover that opposition to the treaty process exists within First Nations communities. While the aforementioned subscribe to the "white founding myth" (Tennant, 1990) that settlers discovered in westernmost Canada a wild hinterland populated only by savages, indigenous persons opposed to the treaty process debate the need for First Nations to negotiate with an occupier state that defines the process according to its own terms and cultural traditions.

Although his subject matter stretches well beyond the limits of the treaty debate, Taiaiake Alfred, in *Peace, Power, Righteousness: An Indigenous Manifesto,* offers a powerful voice of native opposition to the treaty process. According to Alfred, there is much in the treaties offered by the British Columbian and Canadian governments of which indigenous persons should be wary. First and foremost, he argues, the modern treaties are nothing more than "an advanced form of control, manipulation, and assimilation" (119). That is, they are based upon the faulty presupposition that Canada possesses lands that were never surrendered to it by indigenous persons. This suggestion, contends Alfred, merely reinforces the racist rationalization used by earlier generations to dispossess

aboriginal peoples of their lands, assuming they were too uncivilized and "no better that the beasts of the field" (Premier Smithe quoted in P. Tennant's *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849–1889,* 1990: 58). Furthermore, Alfred claims that the bottom-line position set forth by the Canadian government for treaty negotiations clearly demonstrates their disingenuousness. To put it simply, the government has placed economic certainty above the goal of achieving rightful resolutions to past injustices (124–25).

Perceptively, Alfred also questions the intentions of the Canadian government in their sudden turnaround and willingness to negotiate treaties. For him, this change is not likely the result of an epiphany of justice on the part of government leaders or a result of pressures placed upon the governments by the courts. Rather it is an effect of treaties being expedient to the interests of government. He suggests that the government is "letting go of the costly and cumbersome minor features of the colonial relationship and further entrenching in law and practice the real basis of control" (xiii). Alfred's insight highlights the neoliberal operation of the modern state in the global economy. He might have done well to add that sovereignty no longer presents the threat to business that it once did, since the creation of weaker substates within a larger state in no way impedes the flow of international capital. Instead, the localization that results from struggles for sovereignty offers the promise of forming smaller, weaker states that can effectively police local populations and guarantee order, yet which are less able to resist the demands of international capital and therefore less likely to threaten the conduct of business (see Bauman, *Globalization: The Human Consequences,* 1998: 68).

But Alfred has other concerns with the quest for sovereignty. For him, this term is not synonymous with "nationhood," a term of greater import to indigenous communities because it better reflects their need for a self-determination that allows them to chart their own course in a manner unique to their principles and cultural beliefs. In contrast, sovereignty is a borrowed concept, the acceptance of which implies a legitimation of Western concepts of "power" and the "state" (56). Native self-government, in this model, becomes a local replication of white government. That is, it would consist of a system in which some indigenous persons wield power over others in a manner consistent with the way whites have traditionally wielded power over "Indians." This political mimicry strays from traditional indigenous philosophies and values, according to Alfred, which in times past guided leaders to work to create harmony amongst community members and their surroundings rather than using coercive power to impose order on the people.

Alfred admonishes native leaders who have allowed themselves to be co-opted by the government for placing their own self-interests ahead of the traditional teachings and for forgetting the legitimacy and righteousness of aboriginal nationhood. They have become focussed solely on

the acquisition and maintenance of power, forgetting that "[o]ne of the fundamental characteristics in the traditional culture of native leadership is the demand for mutual respect between leaders and the community" (91). This means placing the rest of the community before oneself and being accountable and responsible to those whom one has been chosen to lead. One could aptly describe Alfred's sense of leadership using the Gramscian concept of the "organic intellectual"; what Alfred (143) envisions are native intellectuals who are firmly rooted in their traditional cultures and capable of communicating and preserving these values and beliefs without compromise.

Because he intends to achieve more than just a critique of treaty making and co-opted native leaders, this connection to cultural traditions is really the crux of the matter for Alfred. These issues are addressed in a broader framework, a framework that can serve as a "manifesto" for the future. Alfred beckons indigenous people, "[d]on't preserve tradition, live it!" (145). For him, indigenous traditions are not merely artifacts sponsoring remembrance of cultures past; they are instead a store of essential and vital teachings that are timeless in their relevance. Alfred deftly places these traditions in conversation with issues confronting aboriginal peoples (as well as with the thought of European scholars such as Foucault). Never are the teachings to be taken as dogma that can be thoughtlessly called upon to guide cultural traditionalists in their actions. Rather, the teachings require that native people participate in them and think about them in order to discern what they have to say about contemporary problems.

This is one of the most valuable aspects of Alfred's book. Instead of citing Marx or Weber, or any other member of the Western academic canon, he turns to the font of wisdom residing in traditional aboriginal teachings. He uses the knowledge passed down from elders as the basis on which to build necessary and challenging arguments. This said, his dismissal of treaty negotiations tends to hypostatize the potential pitfalls of assimilation and co-option into seemingly necessary outcomes, thus ignoring that treaty making may be a pragmatic act of survival used by a First Nation as a stepping stone toward greater self-determination. The extent to which a particular First Nation becomes co-opted and assimilated through the process depends to some extent upon the agreement it reaches with the government negotiators. Nonetheless, despite this overstatement, Alfred contributes a welcome voice in a debate that too often disregards native arguments against the treaty process.

Andrew Woolford *University of British Columbia*