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SO I CAN HOLD MY HEAD HIGH
History And Representations Of The Oka Crisis

by
PETER WILLIAMSON, B.A.HONS.

A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfilment of
the requirements for the degree of

Master of Arts

Department of Sociology and Anthropology

Carleton University
Ottawa, Ontario

c Peter Williamson, 1997

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ABSTRACT

This thesis studies the history behind and the representations of the Oka crisis involving the Mohawk nation and various agencies of government in Canada. The thesis proposes the crisis is best understood in terms of the government of Canada acting to suppress the nationalist expression of the Mohawk people. During the past twenty years, a series of histories written from a Mohawk perspective have become available. A historical study derived from Mohawk and other sources details a relationship of continual conflict between Natives and Euro-Canadian authorities in which Native nationalist expression has been consistently suppressed. Journal articles written between 1990 and 1995 and the hearings before the House Standing Committee on Aboriginal Affairs have used as a guide to the representations of the Oka crisis. The government attempted to locate its representations of the crisis around the issue of supposed Mohawk criminality. In doing so, it disguised the part that the social structuring of Native-non-Native relations played in the conflict.

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To my beloved wife Teresa without whom I could not have finished this project. She assisted me throughout the duration of the project offering continual support and valuable advice.

To the many Kanienkahaka who made a stand that summer and shared their experiences, I thank you and respect what you have done. It is a rare and unusual pleasure to meet people so committed and so brave.

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INTRODUCTION

In the summer of 1990, Kanehsatake, a Mohawk community on the northern edge of territory claimed by the Mohawk people and the nearby town of Oka, Quebec, was the scene of a very long armed stand off. What happened at Oka poses serious problems for any Canadian interested in these events arising from a simple civil injunction and raises important issues for anthropology.

The Canadian government and the Quebec government combined spent over 150,000,000 dollars to take down Mohawk barricades. The issue revolved around the recognition of Mohawk sovereignty and the legal ownership of a small parcel of land (Baril,1990:2; York and Pindera,1991:404-405). The Surete de Quebec (SQ) attacked an evidently unarmed barricade on July 11, 1990. In hindsight, their conduct was reckless given the death of one of their own and the threat to the lives of the Mohawk who were present. The crisis spread when the nearby Mohawk community of Kahnawake blockaded the Mercier bridge. This paralysed traffic flow from the Montreal south shore. The SQ proceeded to lay siege to both Mohawk communities. An attempt was made to use starvation was used as a tactic to break the Mohawk (Baril,1990:2; York and Pindera,1991:19-41).

In time, the federal government responded moving 3,700 soldiers. More than 1000 vehicles including APCs, tanks,

helicopter gun ships and artillery stood by (York and Pindera,1991:298-299; H.S.C.A.A.,1991,Vol.59:1). With such killing technology available, this country may have been one command, one accident or one misunderstanding short of replaying the 1889 conflict at Wounded Knee. There were frequent accusations that Canada was guilty of human rights violations. These were documented by or reported on by the International Federation for Human Rights, the United Church of Canada (Sinclair,1990a,b,c) and the Quebec Human Rights Commission (*Le Choc collectif: Rapport de la commission des droits de la personne du Quebec*, Montreal: Commission des droits de la personne du Quebec,1991).

On September 26 the armed aspect of the standoff at Kanehsatake came to a close yet both communities continued to be subject to regular shows of police force and intimidation (York and Pindera,1991:429-433). Informants at Kanehsatake have itemized these measures as including: multiple car patrols of Kanehsatake by the SQ out of keeping with previous police behaviour and the hiring of "goons" by the Canadian government apparently via the band council to manage local opinion (York and Pindera,1991:432). These charges undermine the belief that the crisis ended on September 26. The barricades were down, traffic could flow freely and golfers could once more play nine holes at Le Club de Golf d'Oka. Problems apparently remained. Foremost among them, title to The Pines remained in the hands of the Town of Oka (York and

Pindera, 1991:438) .

In the months following, the House Standing Committee on Aboriginal Affairs held hearings to determine what happened that summer. Through all the volumes of evidence and testimony, one question stands out:

By virtue of what connivance did the mayor and council of such a small village as Oka come to wield so much political power that they were able to arrange the massive raid of July 11, 1990, all because of a civil injunction? (H.S.C.A.A., 1991 Vol.51:13)

It is not wholly plausible the mayor and council of Oka could wield such power. As will be shown that larger forces were at work that reacted to the Mohawk people as though direly threatened by them.

Noam Chomsky is a renowned critic of neo-colonial American foreign policy. One thing he often speaks of is the threat of "a good example." In Chomsky's view, huge areas of the world are variously dominated by the United States for the benefit of its domestic economic interests. Should a Nicaragua or a Grenada begin to behave more in the interests of its people rather than serving American economic interests, it may become necessary to punish them for their intransigence. This becomes necessary because they threaten to become "a good example." Ironically, punishment becomes more necessary the less significant the nation is to American business interests, There's a reason for that. The weaker and poorer a country is, the more dangerous it is as an example. If a tiny, poor country like Grenada can succeed in bringing about a better life for its people, some other place that has more resources will ask, "why not us?" (Chomsky, 1993:23)

The thesis intends to show the following: it will be demonstrated that the Canadian government responded to the Mohawk as though they posed the threat of a good example. There were two Mohawk communities involved. It will be shown that the driving force of the politics and history of Kanehsatake appears to be an insistence that title to the area of the former Seigneurie of the Lake of Two Mountains and specifically an area called The Pines belongs to the Mohawk. It will be shown the issue or event which made the Kanehsatake Mohawk threatening was the failure of the Mohawk to yield peacefully to the Quebec Provincial police (SQ) on July 11, 1990 when the police arrived presumably to dismantle Mohawk barricades. Far worse, by arming those barricades, the Mohawk communicated a willingness to pursue armed confrontation to secure their claimed land rights.

It will be shown that the driving force to the history and politics of Kahnawake appears to be the pursuit and development of nationalist politics of self-determination. It will be shown the issue or event which made the Kahnawake Mohawk threatening was the increasingly successful practice of politics of self-determination. The decision to block the Mercier bridge to assist a neighbouring Mohawk nation territory is, I believe, an extension of these politics.

It will be shown that in its long history of colonizing the land, the Canadian nation has attempted to establish a formalized set of relations with Natives. Achievement of this

goal has been pursued via the various pieces of Indian Act legislation and the Treaty System. In practice, it will be shown, this has meant continued efforts by government to block both recognition of a distinct Native claim to land title and the pursuit by Natives of policies of self-determination. The goal of federal government policy has been to transform Natives into individual citizens of the Canadian nation rather than recognizing them as members of nations within the Canadian nation. This would then ensure there was no competing Native claim to land title held by Canada in right of the Crown.

It will be shown, the government of Canada responded to the threat posed by the Mohawk during the summer of 1990 in two ways. In terms of public action, first the police and then the Army were called in to put an end to armed Mohawk barricades at Kanehsatake and at Kahnawake. In terms of public statement, the government insisted the issue of armed Mohawk barricades was one of law and order and in keeping with that position, the Mohawk Warriors were represented as being essentially criminal in nature.

METHODOLOGY

The question now arises as to how it is to be demonstrated that the Mohawk posed the "threat of a good example."

The first chapter of the thesis is a historical study. In the introduction it was suggested the federal government has attempted to establish a formalized set of relations between Native people and the Canadian state. Part IV of the Royal Proclamation of 1763 (By the King, A Proclamation, (October 7, 1763), R.S.C., 1985, App. II, No. 1) concerned the relationship of the British Crown with "...the several Nations or Tribes of Indians..." in the territories newly acquired from France following the Seven Years War. Anything else which the Royal Proclamation may have guaranteed Natives in Canada, it appears to have established a relationship between collectives: Native nation or tribe in relation to the British Crown and its subjects.

The 1876 Indian Act (S.C., 1876, c. 18) appears to establish a somewhat different relationship. The Act (S.C., 1876, c. 18, s. 3, ss. 3) contains a lengthy definition of the term "Indian." "Indians" under the power of the Act are guaranteed certain prerogatives and benefits. They occupy a special legal status wherein they are not fully citizens, though the Act (S.C., 1876, c. 18, s. 86-94) indicated individual "Indians" could be enfranchised and so become more like

citizens of Canada. In particular, section 88 specifies an enfranchised "Indian" would no longer be considered "Indian" within the meaning of the laws relating to "Indians." Under the Act (S.C., 1876, c. 18), "Indians" are still recognized in a very limited sense to be members of collectives distinct from the Canadian collective: they are recognized to be members of "bands" (S.C., 1876, c. 18, s. 3, ss. 1). However, like "Indian," the term "band" is a creation of the federal legislature and had legal meaning only in relation to the term "reserve." There was no guarantee that a "band" corresponded to a distinct "Indian" nation or tribe.

In short, where the Royal Proclamation appeared to establish a relationship between collectives, the 1876 Indian Act established a different relationship. In the case of the Indian Act, the collective is Canada and "Indians" are special individuals whose unique qualities are apparently creations of the Canadian legislature. The inclusion of sections 86 to 94 appear to indicate the goal of the Indian Act legislation was to transform individuals with unique legal status into individual Canadian citizens. Therefore, it may be presumed that one of the main goals of formalized relations with Native nations established by the federal government has been to secure a transformation from Native nations to individual citizens of the Canadian nation.

The study of this evolving relationship implies a historic examination. In terms of the historic examination,

there are a number of different views on the historic construction of Native-European relations in Canada. Miller (*Skyscrapers Hide the Heavens: A History of Native-White Relations in Canada*, 1991, University of Toronto Press: Toronto), Wright (*Stolen Continents: The "New World" Through Indian Eyes*, 1992, Penguin Books: Toronto) and Dickason (*Canada's First Nations: A History of Founding Peoples from Earliest Times*, 1992, University of Oklahoma Press: Norman, Ok.) agree Native-European relations passed through distinct developmental periods. While there is some disagreement as to the nature of the early periods of contact, their views coalesce around the idea Natives have in recent decades have evolved a new militancy to challenge Canada's Indian policy. Any framework for understanding so complicated an affair as the interaction of two highly varied cultural groups who are themselves highly varied culturally and through a period of centuries is bound to be guilty of oversimplifying the matter. However, an understanding of phases of development provides a useful framework for charting the development and formalization of Native-non-Native relations through time. The perspectives of Miller, Wright and Dickason have been drawn upon to establish a framework for studying the development of Native-non-Native relations. The challenge is to present both Natives and Europeans as active players pursuing their own interests.

It has been suggested that in terms of legislation from

the 1763 Royal Proclamation to the 1876 Indian Act, governing authorities in Canada sought the transformation of all Native people from nations to citizens. However, the Mohawk have apparently been quite consistent in desiring relations with Canada on the basis of collectivity to collectivity or nation to nation. During the Oka crisis, two communities were involved, with many Mohawk demanding recognition of their community's claim to land or even their community's claim to nation status and therefore insisted on nation to nation negotiations to bring the crisis to an end (Goodleaf, 1995; H.S.C.A.A., 1991, Vol. 46:32-67; H.S.C.A.A., 1991, Vol. 51; Obomsawin, 1993; MacLeod and Zannis, 1993; York and Pindera, 1992). It is desirable to have sources which recognize that the Mohawk had initiatives of their own, such as land title recognition or the pursuit of policies of self-determination, which were not simply responses or reactions to non-Native initiatives. Even in studies sympathetic to the Native position, such as Miller (1991:ix-x) who recognizes that Natives were not passive victims of fate, Natives can often appear to be responding to a European agenda rather than having agendas of their own. It will be shown that while Natives, including the Mohawk, had to accommodate themselves to the rising Euro-Canadian powers, they have sought to establish this accommodation on their own terms. During the crisis of 1990 at Oka, the Kanehsatake Mohawk wanted recognition of their claim to title. These demands were not

a response to a proposed golf course expansion. Mohawk belief in their lawful title to the land in question was pre-existent. Without sources drawn from the community experiences at Kanehsatake and Kahnawake, their actions could appear somewhat baseless if not criminal in this instance.

A number of sources have been drawn upon to present the Mohawk view of the history leading to the Oka crisis from the communities of Kahnawake and Kahnésatake. It appears Mohawk nationalism was a powerful motive force in developments in the Mohawk world, particularly at Kahnawake, leading to and shaping the crisis. Works by Blanchard (*Seven Generations: A History of the Kanienkahaka*, 1980, Kahnawake Survival School: Kahnawake), Louis Karoniaktajeh Hall (*Rebuilding the Iroquois Confederacy*, n.d., Kahnawake and the annotations for *Constitution of the Iroquois: 1916 Compilation*, 1989: Kahnawake), and Goodleaf (*Entering the War Zone: A Mohawk Perspective on Resisting Invasions*, 1995, Theytus Books: Penticton, B.C.) have been drawn upon to shape an understanding of the Mohawk nationalism at Kahnawake. Goodleaf and Hall are both members of the Mohawk nation Kahnawake territory. Blanchard worked for the Kahnawake Survival School. His work was published both through and for that institution as an intended textbook.

Blanchard (1980) sees the Mohawk as a people with dignity, stamina and resilience who "...always come back fighting and ready for more." (Blanchard, 1980:ix) His book

Seven Generations: A History of the Kanienkahaka attempts to represent the Mohawk point of view of history. In dedicating the work to the founding generation of the Kahnawake Survival School, Blanchard (1980:xi) states, "They are the future, and they are preparing themselves to survive in the white man's world, but to do so as a Mohawk."

This work "reclaims" the events and interpretation of history; it is a positive and powerful assertion of the Mohawk people's right to tell their own history in their own terms. One thing that stands out as interesting is the adoption of the conventional western historical form. While there are references to myth, these are pieced together to form a chronological, linear map of the progress of a people. Arguably, Blanchard's first act of nationalism is the appropriation of a western convention in writing which is re-worked into a forum for the Mohawk.

It is unfortunate that at the time of my research I was unaware that Blanchard's text *Seven Generations* had become controversial in Kahnawake due to a number of apparent textual inaccuracies. I have attempted to ensure that information drawn from Blanchard was backed by other sources. Gerald Alfred's *Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism* (1995, University of Toronto Press: Toronto) is considered a superior source although I was unable to locate it at the time.

Karoniaktajeh's (Louis Hall) work *Rebuilding the Iroquois*

Confederacy argues for the reassertion of Iroquois nationhood. This is to be achieved through a visionary reconstruction of an Iroquois Confederacy (Kanonsonnionwe) which is to include all Native nations. The model for this reconstruction is to be in accord with the Gayanerekowa (Great Law of Peace) as inspired by the law giver Deganawida. Karoniaktajeh's work is a fundamentalist assertion of the value of the Gayanerekowa.

It contains a critical appraisal of Five Nations history. He argues Deganiwida intended the Confederacy to include all Native nations. However, elitism of Confederacy chiefs alienated many nations who were then used against the Iroquois by various colonial overlords. He sees this elitist problem as still existing to this day among the member chiefs at the Onondoga Grand Council.

His argument rejects the Handsome Lake Code as a violation of the Gayanerekowa's provisions. Being strongly influenced by Quaker values, the Handsome Lake Code implicitly represents an outside authority. Wampums 25 and 58 clearly reject the legitimacy of any outside authority. In spirit, the Code's pacifism violates the militant survivalism of the Gayanerekowa. Many of these points are reiterated in his annotations to the Gayanerekowa (*Constitution of the Iroquois: 1916 Compilation*).

Goodleaf's work *Entering the War Zone* views Mohawk history through the perspective of resistance to colonial policies of the Euro-Canadians. In her many faceted

introductory discussion of what constitutes Mohawk nationalism, Goodleaf discusses the Guswantah, which is known in English as the Two Row Wampum Treaty or the Covenant Chain. The Two Row Wampum Treaty is a mutual non-interference agreement. Goodleaf claims the Two Row Wampum could serve as the future model for Native-non-Native relations as, indeed, it was meant to in the past.

The works by Blanchard, Hall and Goodleaf are very sensitive to the Mohawk people and their historic experience with colonisers. They have the advantage of having been written from the perspective of people living within the community. When these three works are combined, some common elements emerge to yield a Mohawk nationalist thought. All three share a nationalism committed to self-determination as defined in the Gayanerekowa. The Gayanerekowa does not allow for the recognition of any outside authority. Therefore, this is not a Native nationalism that will operate within the jurisdiction of the Canadian Constitution or Criminal Code. This is a form of Native exceptionalism that is uncompromising where the demand for the recognition of independence is concerned.

On one hand, represented by Karoniaktajeh, it is a nationalism of confrontation. On the other hand, represented by Goodleaf, the willingness to confront is tempered by an equal willingness to co-exist. For Goodleaf, the future Mohawk nation is envisioned as existing in a world shared with

Euro-Canadians. The policy of mutual non-interference adopted in the Two Row Wampum Treaty is the key to this future.

Some question may arise as to how representative this particular nationalist spirit would be for the Mohawk people as a whole. As in all communities, there are certainly numerous divisions in the Mohawk community regarding the direction of their common future. The works by Blanchard and Hall reflect the experience of Mohawk people at Kahnawake in particular. I was unable to locate a similar work reflecting the experience of the Mohawk people of Kanehsatake. The work by Goodleaf like that of York and Pindera (*People of the Pines: The Warriors and the Legacy of Oka*, 1992, Little, Brown and Co.: Toronto) was written in the aftermath of the Oka crisis and so reflects on the experience of both Kanehsatake and Kahnawake. However, it is difficult to suggest how well Goodleaf's nationalist position, or the nationalism of Hall and Blanchard, reflect the attitudes of Mohawks at Kanehsatake.

York and Pindera (1992:417-418) have indicated the communities expressed different levels of support for the barricades. It is clear for example that some Mohawk stayed behind the barricades at Kanehsatake in 1990 because they felt a responsibility to their community and could not abandon it in its hour of need (H.S.C.A.A., 1991, Vol. 46:32-67). Their commitment to barricades was probably soft compared to their hard commitment to elders in need of care, food in need of

distribution. The authorities of Canada and Quebec chose to besiege and isolate the Mohawk communities. It is this choice of a policy of confrontation that created an atmosphere in which soft supporters came to be seen from the outside as hardline militants.

Nevertheless, the Mohawk nationalism written of by Blanchard, Karoniaktajeh and Goodleaf seems to represent both the barricades as symbols of resistance and the spirit of those who peopled the barricades. Mohawk informants were aware that there was going to be a confrontation long in advance of the July 11 raid by the Surete de Quebec. Knowing this, they were still prepared for confrontation for the sake of their beliefs. I believe the issue for the Mohawk was not one of breaking Canadian law. The issue was more a case of respecting the spirit of Mohawk law which is protective where Mother Earth and national territory are concerned.

One serious lack in historical information is an up to date conventional historical source on the community at Kanehsatake. The land title battle at Kanehsatake has been extensively covered (Laurin,1991; LePage,1991; MacLaine and Baxendale,1990; Obomsawin,1993; Trudel,1991). I have used York and Pindera's *People of the Pines* as my major source to reflect on Kanehsatake's unique experience as members of the Mohawk nation struggling for land title recognition since the author's seem to be sensitive to differences between Kanehsatake and Kahnawake. The majority of developments

reflected upon in the historical study occurred in the modern era from the nineteenth century on. Pre-nineteenth century history is focused around some significant nationalist developments such as the Iroquois Confederacy, the Gayanerekowa, the Two Row Wampum Treaty and the Handsome Lake Code. As the treatment of this period was never intended to be anything other than brief, I did not consult some of the well known primary source material for the period such as the voluminous *Jesuit Relations*.

The historical examination will attempt to show that the driving force of the politics and history of Kanehsatake appear to be an insistence that title to the area of the former Seigneury of the Lake of Two Mountains and specifically an area called The Pines belongs to the Mohawk. It will be shown the issue or event which made the Kanehsatake Mohawk threatening was the failure of the Mohawk to yield peacefully to the Quebec Provincial police (SQ) on July 11, 1990 when the police arrived presumably to dismantle Mohawk barricades. Far worse, by arming those barricades, the Mohawk communicated a willingness to pursue armed confrontation to secure their claimed land rights.

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It will be shown that in its long history of colonizing the land, the Canadian nation has attempted to establish a formalized set of relations with Natives. Achievement of this goal has been pursued via the various pieces of Indian Act legislation and the Treaty System. In practice, it will be shown, this has meant continued efforts by government to block both recognition of a distinct Native claim to land title and the pursuit by Natives of policies of self-determination. The goal of federal government policy has been to transform Natives into individual citizens of the Canadian nation rather than recognizing them as members of nations within the Canadian nation. This would then ensure there was no competing Native claim to land title held by Canada in right of the Crown.

The second chapter examines the manner in which various segments of societies involved responded to and made sense of the crisis. In some respects, how people chose to represent an event has more to do with the process of "history in the making" than the actual events as they may have occurred. It is easy to assume that "history" is something which exists as immutable "fact" to be discovered in a book. It is easy to forget such "facts" are, however, always controversial, fought over, discussed, debated, analyzed, dissected, biased, edited.

For this chapter, I gathered every article or book I was aware of and could get my hands on that attempted to explain what happened at Oka. Certain considerations of access tended to limit the items which could be considered. For example, although it contained an article on the Oka crisis the magazine *Fifth Column*, a part of the anarchist press, was excluded from consideration because there is not one library in all of Canada which subscribes (although *Soldier of Fortune* magazine, not a part of the anarchist press, is available through the National Library of Canada). The House Standing Committee on Aboriginal Affairs held valuable and extensive hearings whose object was to make sense of the crisis. The Standing Committee was able to hear from and receive submissions from a wide variety of concerned citizens (H.S.C.A.A., 1991, Vol. 59:35-41).

The articles and books on Oka were subjected to a two part thematic analysis. The first concern was understanding what each item was trying to communicate about the meaning of the crisis. The crisis was very much about "sidedness." There really were not any representations which were "neutral" statements. Representations were either supportive of the Mohawk or of the Government. (Relative degrees of supportiveness, assigning articles to hardline or soft support categories, was not something which I attempted to get into because I was not able to get all articles pertinent to the Oka crisis). Therefore, the next concern was to identify

whether the theme communicated was sympathetic to either the Mohawk or to the government's position. The bulk of Oka interpretive material was published by 1992. It appears the interpretations of the Oka crisis tended to revolve, not too surprisingly, around the issue of responsibility.

It will be shown the government insisted the issue of armed Mohawk barricades was one of law and order and in keeping with that position, the Mohawk Warriors were represented as being essentially criminal in nature. The interpretation they offer appears to be authoritarian and ahistoric. This position provoked counter-points. The basic counter-positions were expressions of sympathy and/or criticism of the government's handling of the crisis. In their elaboration, these counter-positions tended to remain locked in the parameters created by the government's having situated the issue around Mohawk criminality.

The media press was treated a little differently. For the most part, newsprint and magazine journalism's mandate tends to be restricted to descriptive reporting of events within a present tense time framework. Newsprint journalism tends to minimize its potential analytical role. Presumably this position enhances its claim to objectivity in reporting. Nonetheless, the print media played a vital role throughout the crisis popularizing the conflict. In fact, the only access Canadians had to the crisis was, in the main, media coverage. Therefore, the hidden biases of print media and

some mention of its role, if any, in promoting a particular outlook would be of value in any examination of interpretational conflict. To that end, a limited sample examination of print media was undertaken and is included in the thesis in the appendix.

The final chapter is a compilation of interviews recorded at Kanehsatake in the summer of 1996. In 1990, the crisis began with the Longhouse People of the Pines, and so it is appropriate to end with them. The interviews aimed at the study of what the experience of being under siege at Kanehsatake was like. Through reading of life histories, community history is reflected in the personal history of respondents. In some small way, personal stories may return to this historic "event" an appreciation of the humanity and experience which always underlies events.

As originally conceived, this essay was to feature interviews with both Mohawk and members of the Army. The aim was to hear the story up close and personal from those who had been there on the lines. I did not want a spokesperson, I did not want officials, I did not want band councillors or Department of Indian Affairs personnel. Instead, I wanted to hear from people who had been right there and could communicate a more direct experience than officials normally could. At the time, I was employed in the moving industry. Since this routinely involved moving active personnel in the Department of National Defence of various ranks and from all

service branches, I felt uniquely placed to develop informal contacts. Though I did not meet any Army personnel who had actually been at Oka, four different persons knew people who had been there whom they thought might be willing to talk. Unfortunately, I did not hear back from any of the four and at the time I did not feel comfortable with forcing the issue so I was not too persistent. There was, at that time, a tremendous amount of uncertainty surrounding the Somalia inquiries. I came to feel that active Army personnel would not really desire to participate. A colleague suggested I contact *Esprit du Corps* magazine since the publication is designed for the veteran community rather than active personnel. I reached the editor who told me they knew of someone who might be a willing participant. However, on three separate occasions I attempted to re-contact the editor but was unsuccessful. Establishing a contact with the Mohawk was a little easier. My thesis advisor arranged a meeting with one person and we were able through that contact to visit Kahnawake and tour the main areas of the confrontation. Later in the year, with one phone call I was able to establish a very receptive contact at Kanehsatake who suggested I attend the summer Spiritual gathering.

In the summer of 1996, I went to Kanehsatake to attend the Sixth Annual Kanehsatake Spiritual Gathering Traditional Pow Wow. The Spiritual Gathering is an annual affair organized by the Longhouse. People gather to remember and to

give thanks. They give thanks for having survived and for all the help they received during those frightening times. I had earlier made contact with a person at the Longhouse in Kanehsatake. They advised that attending the Spiritual gathering would be a good way of meeting people who had participated in the summer action. It was described as public gathering with a comfortable atmosphere in which all were welcome and I was assured there would be people there who would be willing to talk.

I arrived at Kanehsatake with my wife and we spent two days there. I arranged interviews by asking people if they wished to talk. Most were willing to share but some refused. In this manner I secured interviews with a number of people ranging in age from their twenties to elders and with both men and women. I met with people associated with the Longhouse, the people who first began to organize protests against the development of The Pines. While more details would be desirable, a promise of confidentiality binds me to silence beyond these superficial points. All informants signed disclosures and these remain in my possession. All questions and responses were duly tape recorded and interviewees signed the disclosure before the start of the interview. The interviews were conducted in a meeting hall a short distance from the pow wow grounds. I tried to keep the interviews as conversational as I could and made an effort to ensure that each respondent had a chance to add anything they felt was

important and had not been covered.

Upon transcribing the recordings, I was faced with a large piece of information pertaining to politics, the practical aspects of life under siege and condensed histories of Mohawk-Euro-Canadian relations. A decision had to be made as to how it was to be incorporated in the text. I was mindful of a couple of things. Firstly, current anthropology has been in state of ferment and upheaval in attempting to respond to the "post modern" challenge. Concerns have been raised regarding adequate representation of the subject group which has led to a desire for "multi-vocality" in ethnographic texts (Coombe, 1991:11-115; Marcus and Fischer, 1986:1-16; Sass, 1987:50-51). I understand this concern to be an attempt to provide a distinct Native voice as an aspect of textual representation. For this reason, I chose to present the interview material as a block rather than inserting it piecemeal into the text. Some of the block was edited to remove duplicated information. Certain technical difficulties related to poor recording quality made complete transcription of the tapes impossible. The interview material was treated as a representation of the Oka crisis six years later.

CHAPTER I

HISTORICAL EXAMINATION

In this section, an historical examination is undertaken tracing the evolution of events from the founding of the Iroquois Confederacy to the summer of 1990. Throughout, two mutually existing tendencies are observable. The first is the progress and growth of the Mohawk as a distinct nation. The second documents the growth of Canada's Indian policy, an increasingly organized system of Indian administration.

A. THE CONFEDERACY AND THE GAYANEREKOWA

The Confederacy was founded in the context of terrible clan wars among the eventual Five Nations. The histories tell of a time when bitter blood feuds were so prevalent that all social unity was breaking down. However, before this occurred Tekanawita (Deganiwida), the Peace Giver, introduced a code of constitutional law which replaced the tradition of blood feuds (Blanchard, 1980:54). According to Dickason (1992:72) the founding of the Confederacy can be dated to 1451 by an eclipse visible in Iroquoia. The Confederacy rapidly progressed through a number of political developments. The first phase was a transfer of aggression, particularly by the Seneca and Mohawk, to nations outside the borders of the Five Nations.

The Confederacy next became embroiled in what are "...conventionally called the Beaver Wars..." (Jennings, 1984:8) as, for example, the wars with the Huron fought for control of the beaver trade. The internal cohesion and functioning of the Confederacy was often less than ideal. According to Jennings (1984:8) it took generations, probably not before the time of the English conquest of New Netherlands in 1664, for the Five Nations to work out the diplomatic complexities of the Confederacy sufficiently to stop fighting among each other.

"I am Deganiwida. With the statesmen of the League of Five Nations, I plant the Tree of Great Peace..." (Karoniaktajeh, 1989:1). With these words, the law giver Deganiwida opened the Gayanerekowa (Kaianerekowa), the Great Law of Peace. This constitution of the Iroquois is composed of 117 wampums. Personalities as diverse as Benjamin Franklin to Karl Marx are said to have been influenced by it (Wright, 1992:114-116).

The Great Law is known to exist in a number of different versions. The most circulated version at Kahnawake is the Arthur C. Parker's 1916 translation that has been annotated by Karoniaktajeh. According to York and Pindera (1992:256), this version is followed by half the Longhouse people at Akwesasne as well as significant numbers of traditionalists at Kanehsatake and Six Nations.

Arthur Parker's translation is based largely on the work

of an Onondaga of Six Nations named Dayodakane, or Seth Newhouse (1842-1921). In the 1880s, traditional Iroquois institutions at Six Nations were coming under increasing attack "...by the progressive elements on the reserve, by the missionaries, and by the representatives of the Dominion government." (Fenton,1968:39) Newhouse began recording the memories of Iroquois elders regarding the Confederacy. He codified the laws and customs communicated to him and attempted to have the Council of Chiefs at Six Nations accept his draft manuscript. The Council of Chiefs not only rejected Newhouse's construction of Confederacy law, they appointed a committee of themselves chaired by Chief John A. Gibson to assemble a substitute version which they completed and approved in 1900 (Fenton,1968:39).

Despite rejection by the Council of Chiefs, Parker worked with Newhouse on his manuscript of codified Iroquois law which was published in 1916. Parker's *The Constitution of the Five Nations* was not well received in scholarly circles. The Gibson version was seen as a more authentic rendering of ancient Iroquois tradition (Fenton,1968:40-46). Whether scholars were impressed by it or not, the Gayanerekowa as communicated by Parker and Karoniaktajeh remains a crucial insight into modern Mohawk nationalism.

The Parker/Karoniaktajeh Gayanerekowa is divided into a number of constitutional sections. The first concerns the conduct of councils. The second concerns the conduct of

Chiefs or Rotiyaner who are the members of the council and legislators of the Confederacy. Wampum 17 introduces the Clan Mothers or Otiyaner who could both select and depose the Chiefs (Karoniaktajeh,1989:5; 12-14). The titles of Chieftainship are held by Clan Mothers who could be deposed if they refused to bestow a Chieftainship title (Karoniaktajeh,1989:5; 13). Otiyaner and Rotiyaner were the positions of supreme authority as constituted by the Gayanerekowa, yet significantly, neither authority was absolute. Wampum 93, for example, states that any matter that affects the entire people shall be decided by referendum (Karoniaktajeh,1989:23).

The Gayanerekowa contains effective checks and balances and is oriented to create an atmosphere of consensual decision making or as the Iroquois phrase it: "being of one mind." The decision making system of the Gayanerekowa is better described as "horizontal" rather than "hierarchical." (Horn,1991:39; Nemiroff,1991:19)

Wampums 25 and 58 are vital in the understanding of Mohawk nationalism. These two concern the conduct of Chiefs and other persons who submit to an outside authority or nation. Such persons are said to have "alienated themselves." These wampums have been used in nationalist argument to point out the illegitimacy of both band councils and the Handsome Lake Code (Karoniaktajeh,n.d.:9-11; 1989:7;14-15).

Though often referred to as the Great Law of Peace,

wampum 80 of the Gayanerekowa provides that any nation which refuses to join the Great Peace may be compelled to do so through conquest (Karoniaktajeh, 1989:21).

B. POST-CONTACT HISTORY (1535-1608)

Cartier visited Stadacona at the mouth of the St. Lawrence river in 1535. He ventured upriver for a brief visit to Hochelaga (at the present site of Montreal) before spending the winter of 1535-36 at Stadacona (Blanchard, 1980:110). Cartier and his Frenchmen repaid the hospitality of his Iroquoian hosts (who had saved the French from scurvy) by kidnapping a number of Donnaconans and setting sail for France; they were never to be seen again (Blanchard, 1980:110).

Cartier inadvertently helped create one of the New World's enduring mysteries: the fate of the St. Lawrence Iroquoians. Sometime between Cartier's 1535 visit and Champlain's re-establishment of a French presence in the valley at Quebec in 1608, the so-called St. Lawrence Iroquoians vanished.

Scholars have speculated endlessly as to their fate. There does not appear to be evidence to support the contention they were annihilated by attacking Iroquois of the Five Nations. However, there is agreement that the St. Lawrence Iroquoians, as evidenced by material culture, were distinct from other Iroquoian people, including the Mohawk

(Trigger, 1985:144-148; Pendergast, 1993:9-10; 27-29).

There are more complications to the story. The 1975 comprehensive claim launched by the Mohawk of Akwesasne, Kahnawake and Kanehsatake covered an area which is in large part claimed by a third party, the Huron-Wendat nation (H.S.C.A.A., 1991, Vol. 59:8). According to Sioui (1994:82-97) the Wendat were the mysterious St. Lawrence Iroquoians. They were dispersed not by war with the Iroquois Confederacy but rather by disease brought by Cartier and other Europeans. The remainder of the Wendat sought refuge among the Huron until driven from Huronia by the Iroquois Confederacy. The descendants of the St. Lawrence Iroquoians are the Huron-Wendat of Lorette, Quebec. Drawing upon archaeological findings, linguistic evidence and evidence from the oral traditions of the Wendat, Montagnais, Algonkin and Abenaki, Sioui (1994:82-97) appears to present a strong case.

The extent of Mohawk territory has become an issue of some contention. In terms of establishing a Mohawk national land base, the identity of the St. Lawrence Iroquoians becomes important in preserving or undermining the claim to northern Kanienkeh.

The Second Algonquin War

When Champlain first encountered the Mohawk in 1609, he did so in the context of a battle. This fight was part of the

2nd Algonquin War which had been going on since the late sixteenth century (Blanchard,1980:114). The St. Lawrence valley is traditionally considered as part of Mohawk territory. The war with the north shore Algonquin people placed them in an awkward position defensively. Lacking the protective barrier (Lake Ontario) of other Five Nations Iroquois, the Mohawk withdrew from northern Kanienkeh. According to Blanchard (1980:114), this explains the disappearance of the mysterious St. Lawrence Iroquoians. Interestingly, the latest archaeological evidence of historic settlement patterns is consistent with an interpretation of a people gradually abandoning settlements (Pendergast,1993:27-29). However, whether the abandonments were caused by invaders or disease remains uncertain (Pendergast,1993).

C. NOUVELLE FRANCE AND THE CONFEDERACY (1609 - 1760)

The relationship between the Confederacy and Nouvelle France was, in the main, characterized by hostility. This was particularly the case from 1609 to the Peace of 1701. From the Iroquois perspective, the wars were fought to maintain Iroquois rights of trade and travel on the St. Lawrence. French interest was economically motivated to secure control of the fur trade (Blanchard,1980:137; Dickason,1992:130-132; York and Pinder,1991:156).

For periods, sometimes years at a time, the Iroquois were able to economically strangle Nouvelle France. For their part, the French could raid Iroquois territory almost with impunity. The many wars were inconclusive with both sides finally agreeing to peace in 1701. (Blanchard,1980:143-150; Dickason,1992:149-152; York and Pindera,1991:156).

Throughout this nearly century of conflict, two very relevant developments occurred. The first was the 1645 Two Row Wampum Treaty with the Dutch. The second was the resettlement of northern Kanienkeh.

The Two Row Wampum Treaty

Early in the seventeenth century, the Iroquois became aware that the relationship between themselves and the European people was in need of regulation. The Iroquois ideal of what this relationship ought to entail was expressed in the Two Row Wampum Treaty agreed to by the Dutch and the Iroquois in 1645. That ideal was the principle of mutual non-interference and the Treaty relationship was one of accommodation and cooperation between peoples of different ethnicity, culture, social and political structure (Blanchard,1980:120-5; Jennings,1984:375; York and Pindera,1991:151).

The symbolism of the treaty is of a sailing vessel and a canoe travelling side by side. The Iroquois would travel in

their canoes, the Dutch would be in their sailing vessels. The Iroquois would not board the sailing vessel and instruct the Dutch on how to steer a straight course; neither would the Dutch instruct the Iroquois how to paddle. In this way, each promised to respect the other's boundaries. (Blanchard,1980:120-5; Castellano,1991:705; Goodleaf,1995:9; Horn,1991:40).

The Two Row Wampum Treaty formed the basis of Iroquois external relations with the European powers. The Dutch were the first signatory, but in time both the French and the English would enter into this relationship (in English sources, this Treaty is often referred to as the Covenant Chain). The work by Jennings (*The Ambiguous Iroquois Empire*) chronicles in considerable detail the historic functioning of the Covenant Chain relationship between England and the Confederacy observing that both parties brought their own goals to the relationship. The English created a myth of an Iroquois Empire which they used as a means to lay claim to the Ohio valley country occupied and claimed by France (Jennings,1984:10-11). The Iroquois managed to accommodate themselves to the rising power of the Europeans through skilful diplomatic manoeuvring which placed them in the position of intermediary between the English and Native nations of the north-east woodlands (Jennings,1984:7-9; 370-372). Karoniaktajeh (n.d.:32-33) has pointed out that having signed treaties with the Iroquois, the various European people

recognized the Iroquois as a nation.

Historically the Two Row Wampum Treaty was an institution for eliminating violence and reducing conflict between Natives and non-Natives (Jennings,1984:368). In the aftermath of the Oka crisis, the Treaty was championed by Native commentators both in its peace preserving aspect and as a future model of Native-non-Native relations based on mutual non-interference (Castellano,1991:705; Goodleaf;1995:9; Horn;1991:40).

The Return To Northern Kanienkeh

The resettlement of northern Kanienkeh is contentious. In the traditional Mohawk view, following the Peace accords of 1667, a settlement was re-established in northern Kanienkeh as early as that year at Kentake in the Montreal region (Blanchard,1980:152-160). The people of Kentake were the ancestors of the people of Kahnawake and Kanehsatake.

In what is probably the traditional European view, it is the Europeans who were active in these developments. "...the Five Nations suffered mass defections as a result of the Jesuit missionary efforts. During the 1690s, for example, fully two-thirds of the Mohawks decamped for the two French missions around Montreal." (Dickason,1992:156) In this version, traditionalist Iroquois drove out the Jesuits who, in turn, encouraged their converts to follow. According to Dickason (1992:156), this group became known as a "sixth

nation" long before the arrival of the Tuscarora in 1722.

The French Attitude Regarding Native Title

The fall of Montreal brought an end to the French colonial regime. Among its legacies, the French pioneered the reserve system with its attendant attitude toward Native land title. The first "reserve" in Canada, that of Sillery had been established near Quebec City in 1637 for Huron people. Places such as Sillery were not thought to be compensation for lost lands, rather, the French king set aside land which was considered French territory to be used by Natives under certain conditions (Frideres, 1988:19-20).

For the most part, the French obtained peacefully what they understood to be surrenders of Native title from the local populations. The French regime did not recognize Native title; missionaries were granted lands "for the benefit of Amerindians" but title was vested in France (Dickason, 1992:233-234; Frideres, 1988:19-20).

D. POST-CONQUEST (1760 - 1820)

Native people's relations with the British tended, in the case of most Native groups, to be more strained. The French, at least till the eighteenth century, had been most interested in the fur trade's profits. The British, on the other hand,

were more concerned with colonization of the land for agricultural settlement. Starting with the United Empire Loyalists, successive waves of immigrants arrived to become permanent occupants of Native land (Frideres,1988:21).

In the case of conquered Quebec, the British operated under the assumption the French had extinguished Native title. Native land title and Natives themselves stood in the way of development of the land. As a result, in 1755 the British appointed the first Indian Agents, formalizing Canada's policy of treating Natives as wards of the state (Frideres,1988:21)

One important exception to the British attitude was the Gage Concession 1761. The Jesuits argued that as the Seigneurs of Caughnawaga (Kahnawake), they had the right to dispose of the land as they saw fit. The Mohawk challenged this right before General Thomas Gage, military governor of Montreal from 1760-1763. Gage saw to it the Jesuits were deprived of all interest in Caughnawaga. The territory was vested in the Crown for the use of the Natives (Blanchard,1980:247-254; Dickason,1992:233-234).

The White Tree Of Peace Has Been Uprooted

Despite the decision of the Grand Council to remain neutral during the American War of Independence (1775-1783), Thayendanegea (Joseph Brant) encouraged many to side with the British (Blanchard,1980:261; Wright,1992:138). The

Confederacy was split; the Oneidas and Tuscaroras favoured the Americans, the Mohawk and Cayuga sided with the British while the Onondoga and Seneca were divided. As for the Confederacy, "...the White Tree of Peace had been uprooted." (Dickason, 1992:186)

The war experience was terrible. The Americans invaded and devastated Iroquoia in 1779. While Brant and his followers rolled up the American frontier from 1780, it was all for nothing. In the Treaty of Paris 1783, the British made no provision whatsoever for their Native allies. Iroquoia was abandoned to the new American republic (Blanchard, 1980:261-263; Wright, 1992:138-140).

Two significant developments occurred in the immediate post-war period. In the new Grand River territory, a parallel Confederacy developed and by the turn of the eighteenth century the revelations of Handsome Lake were to sweep the Six Nations (Wright, 1992:233;315). These developments signify the increasing internalization of division within the Iroquois Confederacy.

Brant and a thousand followers moved north to the Grand River country where the British had negotiated Haldimand's Grant with the Missisauga people. Other Iroquois refugees were relocated at the Tyindinaga territory on the Bay of Quinte near Kingston (Wright, 1992:224;314-315; York and Pindera, 1991:156-157). This geographical positioning, when considered alongside the already existing Mohawk settlements

south of Montreal, reveals the creation of a Native buffer state by the British.

While the British may not have appreciated Native title, they appreciated their value as a defence against the American threat. In the meantime, a parallel Confederacy developed in Grand River after Brant failed to persuade the remaining Iroquois in upper New York state to migrate north to Grand River. Its relationship to the Onondoga Grand Council has always been uncertain but the leadership duality has remained since Brant's time (Wright,1992:313-319; York and Pindera,1991:157).

The Handsome Lake Code

Another more critical development in between wars was the Handsome Lake Code. Handsome Lake's place in the framework of Mohawk nationalism is contentious. In 1799, during a time of tremendous demoralization, the Seneca prophet Ganiodaio (Handsome Lake) received visions instructing him how the Iroquois people ought to conduct themselves in their changed circumstances (Wright,1992:233-234).

The resulting code was one part Great Law and one part Quaker Christianity (York and Pindera,1991:255). It is ethically strict and is renowned for its pacifism. For admirers, Handsome Lake's revelations "...sought a middle path, a way to reconcile the gods of Europe and America. It

was to be so successful that it both subsumed the ancient religion and halted the spread of Christianity to this day." (Wright, 1992:233; Johansen, 1993:114) The Handsome Lake Code represents a clever compromise between the need to preserve the cultural distinctness of a minority while appeasing the ascendant European order.

The Code, however, has not been able to restore the unity of the Confederacy. In some respects it has aggravated the unity issue. A new measure of religious division had been added to a scattered community, spread between two countries and politically divided among traditionalists and those who accepted the new order (Dickason, 1992:355; Trudel, 1991:4).

While his Code swept the Iroquois nations, Handsome Lake never travelled to the Mohawk territories of Canada and his message appears to have never spread to the people of Kahnawake. However, the Mohawk nation as a whole remains divided in terms of its following of the Handsome Lake Code. While the Code fails to have a strong following at Kahnawake, it remains quite popular at Akwesasne where followers of the Code gained control of the Longhouse after 1986 (York and Pindera, 1991:255-256). For traditionalists, the Code is a violation of the Gayanerekowa and Two Row Wampum Treaty.

For the Code's strongest critics, its pacifism presents a practical problem. Assimilation is another word for extinction where national cultures are concerned. In this view, the dominant society wages a terrible, ongoing

psychological war against Natives. The mind is the battle field and the end result is the demoralization of a people. The casualties in this war are the drunks, the suicides and the addicts. In this regard, pacifism is simply delusional. If they are to survive the assimilation pressures of the dominant society, a people need activism and determination to resist, not passivity (Karoniaktajeh, n.d.:4-15;35-41).

The Twilight Of Independence

By the 1800s, the British encouraged Native favour through gift distribution. It was apparent at the time that Natives comprised one of the few capable defensive forces in Canada (Dickason, 1992:217; Wright, 1992:315). When the War of 1812 started, the policy of the Onondoga Grand Council was neutrality. However, Grand River Iroquois actively participated. Late in the war, American authorities had convinced Iroquois groups in New York State to join their struggle. At the battle of Chippewa (1814) Iroquois nations of the Confederacy fought one another resulting in more than 100 deaths. Both Confederacy Councils at Onondoga and Grand River hurriedly dispatched delegations to negotiate a more inclusive policy of neutrality, ending Iroquois participation (Dickason, 1992:217-223). These developments indicate fractures in the Confederacy; however, it was still able to act independently in terms of self-preservation.

The end of the 1812 War was also the end of an era. For so long as colonial wars had been going on, Natives had been able to exchange their war service for a certain degree of autonomy. Colonial authorities needed their services. With American aggression blunted, Natives began increasingly to slip into a position of irrelevance. In 1830, this change in status was symbolically cemented by the transfer of Indian administration from the military to the civilian arm (Dickason, 1992:224; Miller, 1991:80-82).

E. CHANGE TO CIVILIAN ADMINISTRATION (1820 TO THE PRESENT)

Increasingly, former allies were viewed as problems. Native populations were in decline. Bureaucrats had begun to understand that the hunting and gathering lifestyles were no longer feasible. "For their own good," Natives would have to take up agriculture. The precondition to this was "civilizing" the Natives (Frideres, 1988:25-26). The civilizing enterprise presented quite a number of practical difficulties in terms of integrating or controlling the members of a very alien culture.

These developments were part of a larger phenomenon throughout the British Empire, regarding what was to be done about indigines of the various colonies. This was the subject of many Empire reports, the most important Canadian version being the Bagot Commission 1842-44.

Among its recommendations were the following: 1) centralized control of Britain's North American possessions, 2) reaffirmation of the Royal Proclamation's provisions that Natives had possessory rights to the land and were entitled to compensation in the event of surrenders, 3) reserves ought to be surveyed and the boundaries publicly announced, 4) Natives ought to be taught European techniques of land management and then provided with the necessities to effect lifestyle changes to replace gift distributions, 5) Native groups should be allowed to purchase land among themselves in the hopes this would encourage the adoption of European freehold land title practices, 6) banks should be established on reserves and more schools were to be provided. Essentially, the Bagot Commission recommendations anticipated a day in which Natives would be assimilated as citizens while "protecting" natives from corrupting elements among the European colonizers (Blanchard, 1980:360-361; Dickason, 1992:249). By this time, Natives, having evolved from "useful" to "problematic" in European eyes, were no longer in any position to seriously influence colonial actions. The strategy of the Commission report was to enact wholesale cultural change among native nations.

The Development Of Canadian Indian Administration

An Act for the Better Protection of the Lands and Property of Indians in Lower Canada (S.Prov.C.,1850,c.42) followed the report in 1850. Its intent was to "protect" the Native wards of the state from encroaching European society. Aboriginal lands were protected from taxation and seizure due to non-payment of debt. Additional, provisions were added for the payment of damages for land surrenders when incurred through public works (ie. railway construction).

The next year, 57,500 hectares were set aside in Lower Canada for Natives (An Act to Authorize the Setting Apart of Lands for the Use of Certain Indian Tribes in Lower Canada,S.Prov.C.,1851,c.105). With so much property at stake, it became necessary for the first time to legally define "Indian." The above mentioned 1850 Protection Act for Lower Canada became the first piece of legislation to do so (Dickason,1992:250). Considered too inclusive, the definition was amended the next year in An Act to Repeal in Part and Amend an Act Intituled, An Act for the Better Protection of the Lands and Property of Indians in Lower Canada (S.Prov.C.,1851,c.59).

In 1857, An Act to Encourage the Gradual Civilization of the Indian Tribes of the Canadas (S.Prov.C.,1857,c.26) was passed, John A. MacDonald being one of its designers. The legislation explicitly stated the government's position

regarding the role of natives in the future Canada:"...Indians must be assimilated in order to survive." (Frideres,1988:27)

The 1857 legislation provided for the enfranchisement of Natives. Among its eligibility requirements were a) the candidate must be male and over 21, b) must be somewhat educated (literate in French or English) and of good moral character and c) would receive enfranchisement after a three year probationary period. Under similar demands, most enfranchised non-Natives would have failed to qualify. The Act was somewhat unsuccessful; by 1867, exactly one person had been so enfranchised. A constant feature of the "civilizing" legislation passed through this period was the complete lack of Native input (Dickason,1992:251; Blanchard,1980:361).

The 1867 British North America Act (The Constitution Act 1867 (U.K.),30 and 31 Victoria,c.6) section 91(24) made "Indians and land reserved for Indians" a federal responsibility. The BNA made Natives legally distinct, wards of the Crown (Dickason,1992:257).

An Act for the Gradual Enfranchisement of Indians (S.C.,1869,c.6) was passed in 1869. It was designed to break down traditional forms of government on the grounds they were irresponsible. Elected band councils would achieve democratic responsibility. However, most "bands" simply refused to apply for authority to hold elections (Dickason,1992:259-260).

In 1876, the Canadian Indian Act (S.C.,1876,c.18) was passed. Rather than breaking new ground, or consulting with

Natives, the Act consolidated all previously existing legislation into a nation-wide framework which has remained fundamentally intact to this day. Among the various changes enacted: a) protection of reserve land was stiffened; b) enfranchisement criteria were expanded to include those who possessed a university degree qualifying them to be a doctor, lawyer, minister or teacher; c) the elected council was selected as the appropriate form of reservation government; d) the legal definition of "Indian" was once more amended.

New definitions appeared for the first time: "Band" was defined as a group for whom Crown lands had been set aside. A member of a band is someone whose name appears on the band list. A "Reserve" was land, title for which was vested in the Crown, set aside for the use of the band (Dickason, 1992:284-285). The Indian "problem" was being assimilated by the legal terminology of Canada.

According to Blanchard (1980:362) the Mohawk perspective views the purpose of the Indian Act as follows: a) to weaken traditional governance, b) to remove women of the nations from positions of power, c) to give Natives Canadian citizenship and d) in so doing, remove all claims of Native people from lands in Canada.

The legislature apparently viewed Natives as a distinct group which needed to be dealt with in a specific fashion determined by the need to civilize (Wright, 1992:316). The military extermination option being pursued in the United

States was considered uneconomical so the Indian Act was an alternative method of structuring that relationship. A less benign understanding of the Indian Act sees Anglo-Canadian intent as threefold: a) to undermine traditional religion, leadership and culture; b) sever relations among Native groups; c) to ensure that authority for all important decisions was removed from the control and influence of Natives (Frideres, 1988:25; Wright, 1992:316).

The Treaty System evolved as the other half of Canadian Indian administration (albeit British Columbia is not covered by Treaties). By Confederation, there were 123 Treaties and land surrenders that had been negotiated by the British. Canada had promised the British they would, upon Confederation, honour the provisions of the 1763 Royal Proclamation (By the King, A proclamation, (October 7, 1763), R.S.C., 1985, App. II, No. 1) and so by 1975, there were over 500 such Treaties. Indian title, though undefined, was considered only to be usufructuary, meaning land use for hunting, fishing and basic survival rights. Their rights were not considered sovereign nor ownership in fee simple (Dickason, 1992:273-275; LaForme, 1991:255).

Of the 500 Treaties, those negotiated prior to 1850 are generally thought of as Treaties of "peace and friendship." Those negotiated after 1850 are generally referred to as "land cessions" and were regarded by the government as once-and-for-all extinguishment of Native land rights. Reserves exist

within this framework as necessary until such time as Natives are assimilated. For Natives, however, Treaties were arrangements of co-occupation and co-existence. They were a means by which they would be able to adapt to the demands of the contemporary world within the safety of their own traditions. In other words, the government viewed Treaties as granting rights to be enjoyed at the pleasure of the Crown while for Natives Treaties safeguarded rights (Dickason, 1992:273-275; LaForme, 1991:255-256).

The fundamental purpose of Canadian Indian administration is to assimilate Native populations. The early nineteenth century origins of the desire to formalize administration of Natives were in some respects benignly motivated to "save" a people from the spectre of extinction; incidental to assimilation, the competing claim of a distinct people to land title would vanish. Perhaps such an "incidental" feature should not be considered accidental or unintended.

Along with the Treaties, the Indian Act has created an administrative structure for which Dickason (1992:286) uses the term "total institution," to describe a system that touches on almost all aspects of the lives of status Indians. This "total institution" sought nothing less than the cultural amendment of Native life. Originally, this goal was pursued through encouragement. As authorities encountered resistance to these policies, and particularly following the 1885 North-west Rebellion, measures became more forcible.

F. RESISTANCE (1820 - 1950s)

The development of Canadian Indian policy, particularly after 1820, displayed the willingness of government to interfere in the internal affairs of Native nations. This was in flagrant violation of the principles of the Two Row Wampum Treaty.

From the perspective of the federal government, Kahnawake is regarded as an Indian reserve falling under the jurisdiction of the Indian Act. However, York and Pindera (1991:115) state "...its residents have always refused to call it a reserve. To them, it is Mohawk territory, belonging to the Mohawk nation." Blanchard (1980:361-362) makes the claim that the Act is considered to have no force of law in Mohawk territory. However, it should be noted that Kahnawake does have a functioning band council operating under the jurisdiction of the Indian Act. Furthermore, band councils do not necessarily operate at cross purposes with Mohawk goals of self-determination. At Kahnawake, it is the position of the band council to help the people divest themselves from the Indian Act in order to return to traditional structures of governance (MacLeod and Zannis, 1993; York and Pindera, 1991:140-142; 430-432). Amendments to the Indian Act in 1879 (An Act to Amend the Indian Act, S.C., 1879, c.34) and 1884 (An Act to Further Amend the Indian Act, 1880, S.C., 1884, c.27) were designed specifically to make

Canadian citizens of the more "acculturated" Native nations of Ontario and Quebec. After 1884, the government moved to impose its will (Blanchard,1980:361-362; York and Pindera,1991:158) .

The establishment of elected band councils was by no means an easy or straightforward process. The system of elections mandated by the Indian Act were alien to Iroquois tradition and petitions were sent to Ottawa from Grand River, Tyendinaga, Kahnéhsatake, Kahnawake and Akwesasne in protest (York and Pindera,1991:158-159) The above 1879 and 1884 amendments to the Act confirmed and strengthened the Superintendent General's power. He could impose elected councils whether the Native group wanted one or not; furthermore, his powers to remove elected councillors at his discretion were enhanced.

Moving systematically from smaller to larger communities, the Department of Indian Affairs compelled the adoption of elected band councils. Tyendinaga was the first (1888-1889) despite much protest from the Mohawk insisting the Two Row Wampum be respected (Blanchard,1980:363-366; Wright,1992:318; York and Pindera,1991:159) .

Resistance to Ottawa, however, was by no means always united. The Akwesasne experience is instructive. An internal struggle was developing pitting those who favoured traditional leaders against those who favoured the elective system. In 1889, the elective system was formally imposed. For the next

five years, elections were duly held and chiefs were elected. These same elected chiefs were in turn deposed amid accusations of rigging of elections, buying votes with liquor and accusations of funds misappropriation. The community had enough; in 1894, pointing out the elective system was causing disharmony and obviously prone to corruption, it petitioned for the return of traditional governance. The government declined to consider the proposal (Blanchard,1980:360-374; Wright,1992:318-319; York and Pindera,1991:160).

Through the next few years, the Mohawk removed Indian agents attempting to conduct elections at Akwesasne. In 1899, Col. Sherwood of the RCMP laid a trap to arrest the traditional chiefs (for good measure he shot a man to death). The chiefs were arrested, detained for a year, put on trial (the community was obliged to pay for the prosecution) and released with a strong warning. In the meantime, a small group had been gathered and spirited away to Cornwall, there band council elections were held (Blanchard,1980:360-374; Dickason,1992:321; Wright,1992:318-319; York and Pindera,1991:160).

Developments At Six Nations

By 1924, the Canadian government was rather unhappy with the progress of its policies regarding Natives at the Grand River Six Nations territory (Blanchard,1980:400). The Six

Nations people were especially resistant to assimilation, particularly the imposition of elected band councils. They had a long history of arguing for their own autonomy. This was based on having been sovereign allies of Great Britain during the American Revolution.

The community was not united in its resistance. Three groups had emerged to divide the community: a) the "dehorners" tended to be young Christian Natives. They petitioned Ottawa, in 1907, for the imposition of elections at Six Nations; b) the traditionalists, led by Chief Deskaheh, were advocates of uncompromising sovereignty in relations with Canada; c) a middle path also emerged, which advocated as much co-operation as possible with the Department (Blanchard, 1980:400; Dickason, 1992:356).

Eventually, the traditionalists emerged as the most influential. The seriousness of the "dehorner" challenge prompted a renewed traditionalist campaign for sovereignty following the First world War. Essentially, the traditionalists sought the status of a self-governing British protectorate. The Canadian government had amended the Indian Act in 1906 (An Act Respecting Indians, R.S.C., 1906, c.81) to unilaterally abolish traditional governments. In 1920, the Iroquois sought a ruling on their political status from the Supreme Court. The Privy Council blocked these moves. The Iroquois next approached the governor general. Failing to attain satisfaction they petitioned Great Britain which ruled

the matter belonged to Canada's exclusive jurisdiction. In 1922, there was an armed confrontation with the RCMP and shots were exchanged (Blanchard,1980:401; Wright,1992:320;322) .

Deskaheh prepared to take the case of the Iroquois before the world community. With the assistance of the Netherlands, the Iroquois petition was received by the secretary general of the recently formed League of Nations. A copy was forwarded to Canada. In the same position that would be taken in 1990 with regard to Oka, Canada argued this was an internal affair and, furthermore, claimed the idea the Iroquois formed a self-governing entity was absurd. Deskaheh continued to effectively lobby for international support. Britain was compelled to come to Canada's defence. The British argued the petition constituted an unacceptable form of meddling in affairs which were now the exclusive jurisdiction of the British Empire. The case was dropped and Deskaheh's 1924 personal appeal to King George V brought no result (Blanchard,1980:402-404; Wright,1992:322-324; York and Pindera,1991:162-163) .

In October 1924, the RCMP in violation of the Two Row Wampum Treaty, invaded the Six Nations territory and stole many of the wampums used for reciting the Great Law. The invaders announced elections for a new band council chaired by a gun toting Indian Affairs employee. The elective system's debut attracted the participation of 27 out of Six Nations 4,500 residents (Wright,1992:325) . Six Nation's Iroquois felt

these impositions violated the terms of Haldimand's Grant and the Simcoe Deed which formed the legal basis of Six Nations territory. Duncan Campbell Scott, department head of Indian Affairs from 1913 to 1932, in this instant argued these documents were subject to British law. Said law was protective and civilizing where Indians were concerned; therefore, the imposition was legal (Blanchard,1980:402-405; Dickason,1992:357-358; Wright,1992:324-325).

Deskaheh died June of 1925 in exile. In 1927, the Indian Act (An Act to Amend the Indian Act,R.S.C.,1927,c.98) was amended to make it illegal for anyone to raise money for Native claims. By this time, the government's position was evident. Natives would chose to become Canadian citizens or force would be used to compel them (Blanchard,1980:406; Dickason,1992:358; Wright,1992:326-327). Throughout this period, traditionalists at Six Nations made use of every legal avenue available to them to press their claim of self-determination. The federal government acted to thwart Native self-determination.

Mohawks And The Sulpician Order

Through all these developments, a remarkable battle west of Montreal at the Lake of Two Mountains was entering its third century of duration. The problem began in 1717, with a grant by Louis XV, King of France to the Sulpician order. By

this date, the Seminary of St. Sulpice had vast and tremendously valuable land holdings totalling some 250,191 acres consisting of the island of Montreal and many islands in the vicinity in addition to the Seminary of the Lake of Two Mountains (Myers, 1914:17-19). The grant to the Sulpicians of lands around Lake of Two Mountains was specifically on condition it be used as a mission to the Natives. Should the Natives abandon the mission, then the land would revert to the Crown. The nature of the grant left open the question whether or not the Seminary of St. Sulpice was sole title holder. However, the Mohawk had already reestablished a presence in northern Kanienkeh some fifty years previously. The lands around Lake of Two Mountains were considered a part of northern Kanienkeh (Blanchard, 1980:429; Laurin, 1991:87; Obomsawin, 1993; Pindera, 1991:34).

In 1721, 900 Natives took up residence at the Seigneury of the Lake under the auspices of the Seminary of St. Sulpice. The Mohawk went to court in 1781 to challenge the Seminary's title and prove their title on the basis of the Two Dog Wampum. Their petition was rejected. The uncompromising assertion of Mohawk title rights at Kanehsatake and complaints by Canadiennes regarding the abusive feudal rights enjoyed by the Seminary aroused such concern the legislature of Lower Canada issued a special statute (An Act Concerning the Seminary of St. Sulpice, C.S.L.C., 1861, c.27) in 1841 confirming the Seminary's title to its various holdings

(Dickason,1992:343-344; Laurin,1991:88; Myers,1914:107-108; Obomsawin,1993; York and Pindera,1991:84-87). It is noteworthy that in their report to the British government investigating the Seminary's claim to title, all three Lower Canada Commissioners, Lord Gosford, Charles Edward Grey and George Gipps were agreed that after the British conquest, the Seminary had no valid standing nor valid claim to title. Such rights were wholly dependent upon the pleasure of the Crown yet they nevertheless recommended the Seminary be granted title to all its holdings including the Lake of Two Mountains (*Imperial Blue Books on Affairs Relating to Canada*, Vol.A,1837:145-146 in Myers,1914:107). The resulting 1841 statute transformed the Seminary into a corporation granting it tax free title to all its land holdings while gradually dismantling the Seminary's feudal rights thus addressing some of the grievances of Canadiennes on the island of Montreal. It is worth noting that the Commissioners for Lower Canada investigating the Seminary's title claims established the Seminary's 1836 income to be \$33,500 along with another \$170,000 debt due to it. There were twenty members of the Sulpician order at that time (Myers,1914:107-108). Writing at the beginning of the twentieth century, Myers (1914:17) notes "The Seminary of St. Sulpice, the landed estate of which in Montreal is of enormous present value, reaching tens of millions of dollars, is now one of the largest holders of stocks and bonds in Canada." This gives a small indication of

the vast amounts of capital that could be had through usurping Native title.

For its part, since the Natives were abandoning Catholicism for Methodism, the Sulpicians began applying themselves increasingly to raising capital and somewhat less to missionary work. The Sulpicians forbade the Mohawk from cutting wood, growing crops or otherwise developing the land. They even tried to collect rents. They used this economic pressure to force the Natives to leave and when successful sold the abandoned land to Canadiennes (Laurin,1991:88; Obomsawin,1993; York and Pindera,1991:94).

In 1853-1854, the Department of Indian Affairs tried to ease tensions by setting aside lands elsewhere. Most of the Mohawk rejected this move. Led by Chief Joseph Onaskenarat, in 1868, the Kanehsatake people petitioned Ottawa seeking title to the land. He and two other chiefs were jailed for their trouble. An 1869 order-in-council, once again, confirmed the Seminary's title. That same year a majority of Kanehsatake Mohawks converted to Methodism. This prompted a massive land sale by the Sulpicians (Laurin,1991:88-90; Obomsawin,1993; York and Pindera,1991:91-94).

After 1870, the conflict over title took a new twist. The Kanehsatake Mohawk were now protestant, and their case attracted the outraged attention of other protestants, who naturally, tended to be English rather than French speaking. Fellow protestants would lend their support to the Kanehsatake

Mohawks many times in the coming years (Laurin,1991:90; York and Pindera,1991:94-96). According to Philpot (1991), the English-Canadian political elite used the 1990 instalment of the Oka/Kanehsatake crisis as an opportunity to bash Quebec. This theory has its origins in these 1870s developments.

In 1875 the local Methodist Church ministering to the Natives was torn down on orders of the Sulpicians. Two years later, following a police raid in the dead of night the Catholic Church mysteriously burned down. The Mohawk denied any responsibility, however, 14 were arrested for arson. Five trials followed, four without obtaining a unanimous verdict. The fifth, before an all-protestant jury, resulted in a unanimous verdict for acquittal. An 1878 inquiry into the affair again confirmed the Seminary's title (Laurin,1991:90; Pindera,1991:34; York and Pindera,1991:94-96).

The Department of Indian Affairs arranged for the Seminary to purchase lands in Gibson, Ontario. Few among the Mohawk agreed to leave. As in the prior attempt by the Department to relocate the Kanehsatake people no one bothered to consult the people. In 1883, yet another inquiry rejected Native claims. It was suggested, they were owed some compensation, for lands they were led to believe were set aside for them. In 1912, the Laurier government financed both plaintiffs and respondents in a test case fought all the way to the Privy Council (Corinthe et al. v. The Seminary of St. Sulpice of Montreal, (1912), 5 D.L.R.263, (IMP)). Their

Lordships decided in favour of the Seminary on the basis of the 1841 special statute ruling the individual claim of the Natives did not exist. However, their Lordships further held that a charitable trust for the Natives could be enforced. Nothing resulted from their suggestions in that regard (Laurin,1991:91-92; York and Pindera,1991:102).

By the middle of the Depression, the Seminary found itself in a severe financial crisis. Despite its promise to the Department of Indian Affairs not to interfere with land the Mohawk were using or inhabiting, the Seminary sold most of its lands to a Belgian real estate firm in 1936. A saw mill operation followed and parcels were sold off for agricultural development. The Mohawks strongly protested the sale of the land obliging the Department of Indian Affairs to purchase the remaining lands from the Seminary in 1945 (Laurin,1991:92; Lepage,1991:99-100; York and Pindera,1991:102-103).

Far from ending the problem (again, no one consulted the Natives), they continued to pursue their claim. In the late 1950s, the town of Oka built one of the world's most infamous nine-hole golf courses on disputed land. Thus setting the scene for the latest chapter in the story of confrontation (Lepage,1991:101; York and Pindera,1991:103-106).

In 1975, along with Akwesasne and Kahnawake, the people of Kanehsatake launched a comprehensive claim to territories in south-western Quebec. The claim was rejected by the federal government on the basis the Mohawks could not

demonstrate existing aboriginal title based on occupancy since time immemorial. Any such claim, it was further argued, was extinguished by the authorities of first the French and then British Crowns (H.S.C.A.A., 1991, Vol. 59:8-9; York and Pindera, 1991:106).

In 1977, the people of Kanehsatake submitted a brief to the federal government arguing the Sulpician land grant was intended for the benefit of the Native people, therefore, the Seminary had no right to sell land without consultation with the Native residents. This argument fell under the specific claims policy whose aim is to satisfy grievances arising from allegations of mismanagement of Native lands. The federal government rejected this view in 1986 arguing that all specific claims regarding the Seminary lands were disposed of in the 1912 Privy Council decision, *Corinthe v. Seminary of St. Sulpice* (Lepage, 1991:101-102; H.S.C.A.A., 1991, Vol. 59:9).

In 1985, Kanehsatake lands totalled 2046 acres spread in a non-contiguous fashion of alternating Kanehsatake Crown land and Town of Oka land. Following the rejection of the specific claim, the federal government pursued an "interim measures" policy to purchase land for a unified land base. A proposed framework agreement was rejected by the community in 1989 as inadequate (the proposal was for the acquisition of 80 hectares over 25 years). There were no purchases made up until the conflict in 1990, at which point the federal government swiftly purchased 40 hectares of land for \$5.28

million during the conflict (H.S.C.A.A., 1991, Vol. 59:10; 18; York and Pindera, 1992:219). Lepage (1991:108) has remarked in his essay on the genesis of the conflict that "...it became evident around 1984 that the federal government was not disposed to open discussions about the historic claims on the seigneurie of the Lake." It is in this context, Lepage urges (1991:108), that the policy of "interim measures" must be viewed.

On a different note, it must be borne in mind when reading this brief outline of the dispute, that it passes over something very important. The fact is, many people who were involved in the 1990 resistance had parents, grandparents or great-grandparents who had fought for these same Pines. There were literally traditions of resistance that ran in families.

Many biographies of people who were involved in 1990 read like more personalized versions of the history of resistance just recited. Joe David of Kanehsatake, was raised on stories of his grandmother, who had fought with loggers for the sake of The Pines. She was beaten and later charged with assault by police. When Joe fought for The Pines, that memory helped him to be strong (Pindera, 1991:32-37).

Kahnawake And The St. Lawrence Seaway

During the 1950s, the people of Kahnawake took the government of Canada to court to dispute the government's proposed land expropriations for the St. Lawrence Seaway project. In the end the land was expropriated. In all, 526 hectares (3 miles of river front) was lost and the compensation was very poor (Blanchard, 1980:450-452; Wright, 1992:327).

Wright (1992:329) has suggested that "From the theft of the river and the poisoning of the land, militant Mohawk nationalism was born." In any event, the Seaway came as a terrible blow for a people famed for their river expertise. Internally, resistance to the government expropriations had been poorly co-ordinated. The band council alternately protested and encouraged government moves. In later years, the St. Lawrence Seaway experience would represent a low point for Kahnawake. It was also a rallying point. For most of the twentieth century, the spirit of Mohawk nationalism had been suppressed, an underground phenomenon. The seaway expropriation helped revive the nationalist movement and rebuild the Longhouse following. The bitterness of the experience helped forge the community into what York and Pindera (1991:115) have phrased "... unquestionably the most rebellious native community in Canada." The people of Kahnawake promised themselves there would be no more St.

Lawrence Seaways (Blanchard,1980:450-460; Charney,1990:14; Dickason,1992:358; Wright,1992:327; York and Pindera,1991:121-122) .

G. THE NEW MILITANCY (LATE 1960s TO THE PRESENT)

One year after its 1968 election victory, the Trudeau government introduced its first "just society" measure-the White Paper on Indian Policy (*Statement of the Government of Canada on Indian Policy 1969*, 1969,Ministry of Indian Affairs and Northern Development,Ottawa; Hansard,Vol.X 1969:10581-10582; De Brou and Waiser,1992:532) . The White Paper took aim at the legal status of Natives:

The Government believes its policies must lead to the full, free and non-discriminatory participation of the Indian people in Canadian society. Such a goal...requires that the Indian people's role of dependence be replaced by a role of equal status, opportunity and responsibility, a role they can share with all other Canadians...

The policies proposed recognize the simple reality that the separate legal status of Indians and the policies which have flowed from it have kept the Indian people apart from and behind other Canadians...

The treatment resulting from their different status has often been worse, sometimes equal and occasionally better than that accorded to their fellow citizens. What matters is that it has been different. (De Brou and Waiser,1992:532)

The Papers stated goal was no less than the complete abolition of the existing framework of Indian administration including separate references to Indians contained within constitutional documents. It included a promise to transfer title of Indian lands to Natives. Native people would take

their place alongside other Canadians and not as members of a special group (De Brou and Waiser, 1992:432; Dickason, 1992:384-386; Miller, 1991:228-230).

Opposition to the White Paper was overwhelming. Formerly disparate Native groups found common ground. They opposed a policy which was viewed as an attempt to abolish Native rights and to divest Natives of their remaining lands. The Trudeau government withdrew the paper but not before Native activism and distrust of the government had been excited to new levels (De Brou and Waiser, 1992:432; Dickason, 1992:384-386; Miller, 1991:241-247).

The belief in the need to assimilate Natives in Canada remains a persistent intellectual trend. In Tugwell and Thompson's (1991) analysis of the Oka confrontation, the Mohawk are viewed as a kind of problem group of citizens, the product of what they understand to be Indian policy's hopelessly contradicted goals of paternalism and assimilation. By way of a solution, they endorse the goals of the Trudeau government's White Paper ending protection in order to integrate Natives as fully equal citizens (Tugwell and Thompson, 1991:7).

In the Calder decision (Calder et al. v. Attorney-General of British Columbia, S.C.C., [1973] 34 D.L.R. (3d) 145) it was ruled in the dissenting opinion that

...aboriginal title does not depend on treaty, executive order or legislative enactment but flows from the fact that the owners of the interest have from time immemorial occupied the areas in question and have established a pre-existing right of

possession. In the absence of an indication that the sovereign intends to extinguish that right the aboriginal title continues.

Shortly after the decision, the Trudeau government hurt by the failure of the White Paper announced it would negotiate outstanding Native land claims. This was a significant development given that until the 1973 decision, the federal government refused to even recognize the concept of aboriginal title. Ottawa agreed to recognize two kinds of claims: comprehensive claims may be filed by Natives who never signed a treaty to surrender land rights and specific claims may be filed where a government has violated a treaty (De Brou and Waiser, 1992:571; Wright, 1992:275).

The federal claims process has generated much frustration. When the new land claims policy was created in 1973, it was largely imposed by Ottawa without significant consultation with Native people. Under the policy the federal government is both judge and jury of Native land claims. Should the Native claim proceed to court, the same federal government is the adversary. Throughout the 1970s and 1980s the government's position was to negotiate no more than six comprehensive claims per year. In 1985, it was estimated that at that rate, it would require one hundred years to settle the current backlog of comprehensive claims; forty years would be required to dispense with the outstanding specific claims assuming no new claims were filed. Many claims, despite any other moral validity are rejected for technical reasons. The

biggest hurdle designed into the federal land claims process appears to be the obligation for the Native group to prove occupancy since time immemorial. If the area claimed was once occupied by a different yet related nation, as the government argued in the case of the Kanehsatake Mohawk, the claim is rejected. Even if the same Native nation has occupied the same area, finding absolute proof is no easy task (York and Pindera, 1992:276-277).

The militancy of Natives was further enhanced by the failure of the First Ministers Conference on Native self-government. The conferences had sought but failed to entrench the concept of Native self-government in the Constitution. Native leaders increasingly scorned the political process as it became apparent many of Canada's top political leaders were not prepared to accept the principle of Native self-government. By 1987, a national meeting of Native leaders endorsed the concept of direct action to defend Native land rights and sovereignty. By 1990, barricades and occupations were becoming common in Native communities across the land (York and Pindera, 1992:279-280).

Kahnawake And Economic Independence

Kahnawake's pursuit of independent development has had a particularly powerful expression in its economics. Through the eighteenth and nineteenth centuries, the Mohawk of

Kahnawake engaged in the contraband fur trade between Albany and Montreal. The lucrative trade helped Kahnawake avoid the economic decline of Iroquois communities to the south. Many of the men found employment far from home as canoeists and boat pilots in the Canadian economy's western fur trade or in the timber-rafting industry. Many entered the entertainment and tourist industries selling souvenirs and becoming "Sioux" for travelling "Wild West" shows (Blanchard, 1980:284-292; Charney, 1990:20; York and Pindera, 1991:121; 157).

It was the high steel industry in which the Mohawk made their greatest impression. They were noted for their fearlessness and their proficiency in this dangerous occupation. New York City provided so much employment that a Mohawk community grew up in the Gowanus district of Brooklyn. The business provided a good living and Kahnawake became one of the wealthiest Native communities in Canada with up to 70% employed in high steel by the 1980s (Blanchard, 1980:384-392; Wright, 1992:329; York and Pindera, 1992:138).

It was also potentially disastrous. In 1907, the incomplete southern span of the Quebec City bridge collapsed into the St. Lawrence. 96 workers died, among them 33 from Kahnawake. In the aftermath, the women of Kahnawake gathered together and made the men promise not to work on the same site as a group ever again (Blanchard, 1980:392-393; Charney, 1990:20; York and Pindera, 1992:139).

There were a variety of psychological tolls. The trade

was dangerous and debilitating injuries were not uncommon. The men became tired of being away from their families and out of touch with their community. Organized resistance to encroachment upon Kahnawake land was impaired by the absence of so many men who were often not home long enough to become fully involved. By the twentieth century, Montreal surrounded Kahnawake whose original 17,800 hectares had been reduced to 5,260 (Blanchard, 1980:393-395; Charney, 1990:20; York and Pindera, 1992:120).

Further Developments Of Self-Determination

The decade of the 1960s saw pressure for self-determination being focused on issues of religious choice, education, policing and leading eventually to the revival of the Warrior's Society. In Kanehsatake, centuries of confrontation had forced the Longhouse underground. In 1964, it re-emerged. The community built a new Longhouse and held condolence ceremonies for newly selected chiefs and clan mothers (York and Pindera, 1991:108-109).

Control of education became a key issue in the late 1960s around which Natives across the country rallied. At Kahnawake, separation of schools on religious lines came to an end in 1967. The Longhouse had started the Indian Way School in 1969. In 1970, Kahnawake students attending high school in Chateauguay, walked out in protest over the lack of Mohawk

education. In response to Quebec Bill 101, Mohawk students walked out of high school in Chateauguay on September 8, 1978. Three days later, the Kahnawake Survival School opened. It continues to serve the community to this day. At Kanehsatake, the community established a primary school (Blanchard,1980:465-476; York and Pindera,1991:108-109; 117-118).

Control over policing at Kahnawake became an important issue as relations with the Surete de Quebec deteriorated. In response, the community established its own police force in 1969 - The Peacekeepers. In 1979 after the SQ shot and killed David Cross a resident, leaders of the community advised the SQ against entering Kahnawake. In this manner, the Peacekeepers eventually became Kahnawake's official law enforcement agency (Blanchard,1980:475; Charney,1990:15-16; York and Pindera,1992:123-125). For some nationalists, the Peacekeepers are ideologically unacceptable. Given they operate under the jurisdiction of Canadian law, the Peacekeepers are alienated according to the Gayanerekowa and, therefore, cannot represent Mohawk law nor can they be considered members of the nation (Karoniaktajeh,n.d.(b):35).

In 1972, the Rotiskenrahkete or Warrior's Society was established. It has been described as the defence arm of the Longhouse, though it is not universally accepted as such. (Blanchard,1980:465; Charney,1990:16; Wright,1992:329).

In 1974, Kahnawake Warriors departed to upstate New York

with the express intent of repossessing a portion of southern Kanienkeh. The project was not intended as a protest. It was a genuine attempt to recreate the way of the traditional Mohawk nation. The goals were to achieve self-sufficiency and, eventually, recognition as a sovereign people. Assessments of the project's success aside, it stands out as a landmark. It is the only case in which Native people have reoccupied traditional land. As a symbol, the Kanienkeh community is beyond parallel (Blanchard,1980:467-472; Campbell,1985; Karoniaktajeh,n.d.:34; Wright,1992:329; York and Pindera,1992:177-180).

Following the shooting of David Cross in 1979, an informal understanding existed between the provincial police and Kahnawake whereby the police would avoid entering Kahnawake. Nonetheless, no formal agreement enforced this understanding and fear of a future SQ raid on Kahnawake territory remained. This concern was intensified after a brutal SQ raid on Natives of the Micmac nation who were salmon fishing at Restigouche in 1981. Fearing a similar attack on their community, the band council at Kahnawake in cooperation with the Longhouse devised a secret plan for community defence. The council spent approximately \$10,000 to arm an internal security force organized in secret cells (York and Pindera,1992:125-126). "Every major group in the community - the Longhouse, the Warrrior Society, the elected council, the Peacekeepers, and the private business sector - had

representatives in the defence network." (York and Pindera,1992:126)

Throughout the 1970s, the community at Kahnawake was split between band council supporters and followers of the Longhouse (York and Pindera,1992:126). In the later 1970s community meetings of Kahnawake's factions were held to debate the political future of the community. At a large meeting in the summer of 1979 a consensus emerged to move toward traditional government. The decision has been repeatedly endorsed by the people and the band council has been working toward an unofficial merger with the Longhouse. York and Pindera (1992:127) note "Within the next six years, the council hopes to have a new government in place, free from outside control and based on traditional concepts of Mohawk government."

In Kahnawake, the band council and the Longhouse were increasingly able to work together to pursue self-determination. The political situation in Kanehsatake was not as harmonious. Kanehsatake was brought under the Indian Act's elective system in 1899 in accord with a decision of the federal government. As the Standing Committee on Aboriginal Affairs (H.S.C.A.A.,1991,Vol.59:3) noted, "There is no indication that this was taken as a matter of an expressed choice of the people concerned."

Being a minority, the Longhouse was not as influential at Kanehsatake as it was at Kahnawake. Nonetheless, in the later

1960s followers of the band council lobbied for a form of government which more closely resembled traditional governance. At a meeting in 1969, members of the community adopted a system in which the Bear, Turtle and Wolf clans each chose three clan mothers who, in turn, appointed three chiefs for life for each of the three clans. The new council called itself the Six Nations Traditional Hereditary Chiefs of the Iroquois Confederacy. The new body appealed to the Department of Indian Affairs for recognition backing their appeal with a petition apparently signed by a majority of the resident adult population (158 out of 292) in 1969 (H.S.C.A.A., 1991, Vol. 59:3-4; York and Pindera, 1992:109-110).

The new council was meant to be a grassroots democracy relying on advice from the clans. However, many people at Kanehsatake had lost their clans through intermarriage with non-Natives and so had no voice. Further complications emerged in terms of recognition. The Longhouse followers rejected the new council as an administrative arm of a foreign government while the federal government recognized the council under the Indian Act's provisions for "custom" band government. A rival group called the Kanesatakeron Indian League for Democracy challenged the legitimacy of the new council asserting it did not have majority support within the community. It backed its claims with a petition signed by 121 of the 158 people who had signed the 1969 petition. A 1973 survey by the Department of Indian Affairs ascertained the

council did have majority support though the majority was slim (H.S.C.A.A.,1991,Vol.59:4; York and Pindera,1992:110-111) .

In 1977, the Kanesatakeron Indian League for Democracy filed a suit against the band council. At the same time, a group of chiefs who had been ousted by the clan mothers refused to step down. By 1977, there were two sets of chiefs, two sets of clan mothers and a rival group seeking a return to the elective band councils of the past (York and Pindera,1992:111) .

In 1983, a federal court upheld the "custom" band system. This failed to satisfy the concerns of the Kanesatakeron Indian League which was joined by another group, called the Group for Change, in its calls for a return the elective system. In the mid 1980s, Bill C-31 returned Indian status to those who had lost it through marriage. The band list at Kanehsatake nearly doubled in size with the addition of hundreds of status Mohawks, many of whom had lost touch with their culture (York and Pindera,1991:111) .

In the three years leading up to the crisis, the clan mothers ousted selected chiefs on six different occasions, culminating in January 1990, with the removal of Grand Chief Clarence Simon. Simon was replaced by George Martin, "...an inarticulate man in a community of skilled orators, who had no political experience." (York and Pindera,1991:112) The appointment of Martin simply made no sense to many people and cemented their opposition to the band council. Furthermore,

Simon refused to accept the decision of the clan mothers and through the winter and spring of 1990 two sets of chiefs and two sets of clan mothers competed for control of the band council (H.S.C.A.A., 1991, Vol. 59:13-14;18; York and Pindera, 1992:112). However, it should be noted that all other divisions aside, the one issue around which most people at Kanehsatake were united was the land which they had claimed for centuries (York and Pindera, 1992:112).

The contrasting experiences at Kahnawake and at Kanehsatake illustrate the ambiguous position occupied by band councils in the pursuit of the goal of self-determination by Native people. At Kahnawake, the band council both in terms of public pronouncement and public action worked and continues to work toward the goal of Mohawk self-determination; at Kanehsatake, issues of self-determination were not as coherently pursued by a band council plagued by jurisdictional disputes and problems of legitimacy. Nonetheless, by the 1980s the Mohawk, particularly at Kahnawake, had to a substantial degree won a cultural war. They had successfully repossessed control over education and local policing. They had revived traditional religion and became the first Native group to recover lost territory. Going into the 1980s, this success instilled confidence that bred larger visions.

Cigarettes, Bingo And Nationalism

The cigarette trade, dealing in duty free product, and the bingo industry evolved first at Akwesasne stimulated by reservation funding cuts and open encouragement by the Reagan Administration (Wright,1992:329). Its growth was startling. At Kahnawake in 1986, there were four outlets. By 1989, there were thirty-five, employing more than two hundred people and pumping millions of dollars into the local economy (Charney,1990:18; York and Pindera,1992:129-131).

The new-found money was used to help finance a national revival. Small loans became available for business and the most ambitious plan was the construction of a new bingo hall. The profits were projected to be sufficient to eventually replace government funds Kahnawake was receiving as welfare payments and various subsidies. Further, it could help build the economic basis from which men in high steel could obtain employment near to home (Charney,1990:18,20; MacLeod and Zannis,1993; York and Pindera,1992:129-131; 184).

The Mohawks felt they had the right to transport cigarettes across the border by virtue of the 1793 Jay Treaty which guaranteed Mohawks the right to carry personal goods across the international border. The Canadian government disputed the validity of the Jay Treaty, further arguing the tax free cigarettes could not be purchased by Natives to be re-sold to non-Natives (York and Pindera,1992:130). There is

certainly no doubt various Canadian governments lost tax revenue. In June 1988, two hundred RCMP, complete with bullet-proof vests and armed with machine guns, attacked Kahnawake, swiftly arresting 17 people. Within an hour, the Warrior Society blocked off the Mercier bridge for 27 hours. The Warriors lifted the blockade after provincial and federal officials agreed to negotiations regarding the cigarette issue (Charney, 1990:14; Dickason, 1992:359; York and Pindera, 1992:186-187).

In the meantime, the issue of casino gambling was exciting extremes of opinion at Akwesasne where the cigarette trade first flourished. The Longhouse was split into two distinct camps. Many Longhouse elders and followers of the Handsome Lake Code became uneasy and troubled by the predatory aspects of industries which preyed on human weakness. Others argued the benefits of the lucrative gambling industry far outweighed its problems. Anti and pro-gambling factions emerged. The anti-gambling faction barricaded a number of Akwesasne's highways to discourage casino patrons in March 1990. Violence erupted over the next several weeks culminating in an all night gun fight during which 3,000 rounds were fired and which claimed the lives of two Mohawks, Matthew Pike and Harold Edwards, on May 1, 1990. Within hours of the shootings, hundreds of New York state troopers and Canadian police officers took control of the reserve. The police were reinforced by elements of the Canadian Armed

Forces including armoured vehicles and tactical helicopter support. These developments made smuggling cigarettes to Kahnawake almost impossible. As a result, the cigarette trade collapsed at Kahnawake by the summer (Keene, 1990:2-4; Wright, 1992:330-331; York and Pindera, 1992:131; 188; 263-265).

The Threat Of A Good Example

This historic overview demonstrates the continued resistance to colonial policies by the Mohawk, who have never surrendered their sense of self-determination. In the post-White Paper world, Mohawk nationalism reached the level in which thought was translating itself into practical action.

By 1990, a traditionalist nationalism had inspired the Kanienkeh project in upstate New York: the dream of repossessing traditional territory became reality. Education was rapidly being repatriated. Economically, the nation was pursuing self-sufficiency by almost any means necessary; bingo and cigarettes may have been touchy issues with the Canadian Criminal Code but Deganiwida left it to his people to decide such issues. By 1990, the Mohawks were determining what the nature of their prerogatives and rights were and, even more significantly, acting upon them with more impunity than any other Native nation in Canada. In other words, they were behaving increasingly as though national self-determination was an already accomplished fact.

Most crucially, not only were they talking sovereignty and practising it in a number of ways, they were enjoying a significant measure of success. By 1988, it had become possible to envision the day when Kahnawake would no longer need any government funding. Additionally, the band council at Kahnawake was working toward its own absorption by the traditional longhouse.

Title Fight At Kanehsatake

Canada's Indian policy has persistently attempted to impose the rules by which Native-White relations should be conducted. It is an unequal relationship. The social structure implied by Indian policy has always been unilaterally decided and enforced.

Recourse to violent enforcement of Indian policy expectations has been judicious but not unprecedented. On several occasions such as the Sherwood raid on Akwesasne, the 1924 raid on Six Nations, the 1877 police raid on Kanehsatake, 1988 at Kahnawake and 1990 at Raquette point illustrate the Canadian government's tendency to make use of violence to enforce Indian policy expectations (Charney, 1990:14; York and Pindera, 1992:82-83; 180-182; 186-187; Wright, 1992:339).

The confrontation between Canada and the Mohawk nation in the summer of 1990 was preceded by more than 250 years of land dispute between Euro-Canadian authorities and Native people.

While the Oka crisis was a title fight, more was at stake than "land" in the narrow property ownership or resource sense. For the Mohawk land is profoundly linked to the community and issues of self-determination.

For York and Pindera (1992) and Tobias (1976:13) any challenge to the current system of land title represents a potentially very disruptive social action which puts in question the validity of the paternalistic domination of the Indian Act and Canadian policy toward Native people. The events of the summer represented one of the latest chapters in this long history of dispute over jurisdiction of the land. The catalyst was the planned expansion of the nine-hole Oka golf course into land claimed by the Mohawk. After failing to persuade the town to abandon these plans, the Mohawk of Kanehsatake erected a barricade on one of the course access roads in March 1990 (Lepage, 1991:103-105; York and Pindera, 1992:42-53).

The town sought and obtained injunctions against the barricade. The Surete du Quebec was called in to enforce the injunction and take down the barricade. After a bungling assault on July 11 resulting in the death of Corporal Marcel Lemay, the S.Q. and the Mohawk settled into an armed standoff. Within minutes of the raid, the community of Kahnawake in support of Kanehsatake had occupied and closed down the Mercier bridge. Rush hour traffic from Montreal's south shore to the island came to a stand still. Both communities were

surrounded and under siege (Lepage,1991:105-107; York and Pindera,1992:54-81) .

In August, the Canadian Army replaced the S.Q. On August 27, Premier Robert Bourassa cut off negotiations and ordered the army to move in on Kahnawake. One lane of the Mercier bridge was opened so children, the sick and the elderly could leave Kahnawake. The car convoy was attacked by an angry mob from neighbouring communities while police watched. Joseph Armstrong, an elderly Mohawk died during the shameful incident. The Mercier bridge was soon re-opened. However, it would be another month before the people of Kanehsatake called it a day. On September 26, 1990, after 78 days of armed standoff, the Mohawk of Kanehsatake called an end to this latest round in their long history of land dispute with the Canadian government. Throughout the dispute, support for the Warriors and the standoff remained high (Wright,1992:340; York and Pindera,1992:288-318; 347-371; 417-418) .

The Mohawks posed a serious political problem for Ottawa. By arming barricades to pursue title claims, the Mohawks had challenged the status quo which required Natives to patiently await Ottawa's decision regarding a land claim. Not only did the Mohawks dramatize the frustration of Natives people, they attracted tremendous public sympathy across the country. The federal government not only failed to persuade the moderate Native leadership to condemn the Mohawk stand (and thus split the Native movement into factions), Oka spawned the greatest

display of Native solidarity in recent history (York and Pindera, 1992:272-273; 269-287).

While Kahnawake was successfully developing its autonomy it was the people of Kanehsatake who collided head on with Canadian Indian policy at the root of its existence. Prior to the Oka crisis, I do not believe the federal government took the people at Kanehsatake very seriously. If they did, I do not believe they would have made Kanehsatake wait nine years for a rejection of their specific claim and then make what has to have been seen as insultingly low offer (80 hectares acquired in 25 years time found in H.S.C.A.A., 1991, Vol.59:18) through its "interim" measures policy. That the it was the community at Kanehsatake that led the challenge must have come as a somewhat of a surprise to the federal government. The people at Kanehsatake challenged the legitimacy of the Canadian expropriation of land title more seriously than has probably ever been the case. They countered the dominant society, in part, by challenging its monopoly on violence. Curiously, the reaction of the federal government legitimated the arming of the barricades. For centuries, the Kanehsatake Mohawk had fruitlessly pursued peaceful and the legitimate avenues to satisfy their claim of title rights. By arming the barricades, they pushed the government to hurriedly purchase 40 hectares. Oka's reluctant town council had to be threatened with expropriation to accept its \$3.84 million portion of the \$5.28 million purchase price (York and

Pindera, 1992:219). In choosing to surround and confront rather than negotiate with Kanehsatake, the government provided an education on the political realities of Native-non-Native relations in Canada. The voices of the moderate Native leadership in the country must have lost influence relative to more confrontational voices.

CHAPTER II

REPRESENTATIONS OF CRISIS

This chapter examines the some different representations of the meaning of the crisis. It is argued that most representations of the crisis were "located" around the issue of Mohawk criminal responsibility. The government's position was to present a "criminal" interpretation of the events by adopting an authoritarian and ahistoric position. Responsibility could, alternatively, have been located around Canada's Indian policy which denies Native land title. Critical responses, though denying Mohawk criminality, often failed to coherently "relocate" the issue of responsibility.

A. REPRESENTATION OF THE MINISTRY OF JUSTICE

The House Standing Committee on Aboriginal Affairs held open hearings into the events at Kanehsatake and Kahnawake from January 31 to March 26 (H.S.C.A.A., 1991, Vol. 59:35-40). On the last day of January 1991, the Honourable Kim Campbell, Minister of Justice and Attorney General of Canada, presented her testimony before the Standing Committee (H.S.C.A.A., 1991, Vol. 46). As a top member of the Privy Council, and as time would show, the heir apparent to Prime Minister Mulroney, the Minister of Justice could reasonably be

thought to have reflected the views of the highest legislative powers in the land.

The Minister of Justice took the opportunity to develop two mutually re-enforcing stories: the Warrior myth and the Rule of Law myth.

The Warrior myth was reflected in the following statement:

Last summer a group of discontented members of the Mohawk community erected barricades hampering the freedom of movement of residents of Oka and the Montreal south shore. They took up arms to enforce those barricades, an action which resulted in the death of a young policeman, and in damage and violence within the community. Ultimately, members of that group of Warriors and their supporters barricaded themselves into a detoxification centre at Oka, and engaged in an armed standoff with the Canadian Forces.

The way of the Warriors-the taking of arms, and the rejection of the application of the rule of law-is not the way of Canada's aboriginal peoples ...When certain individuals took up arms and used them against others and against duly constituted authority, the main issue for the federal government in responding to these actions was the rule of law...

The land issue at Oka is a long standing grievance. Members of the community at Kanasatake were not the ones to take up arms. Violence is not the way of Indians in Canada. Those who did take up arms put at risk those things which the rule of law protects: the safety of the community, fairness, and due process. They hurt progress toward the settlement of grievances because negotiations cannot and, in Canada, do not take place at the barrel of a gun. (H.S.C.A.A., 1991 Vol.46:7)

In the presentation, the members of the Warrior Society are singled out as an aberration. The Warriors are "un-Indian" so to speak in the sense that violence "...is not the way of Indians in Canada." The Warriors are presented as being virtually equivalent to violence itself. In the presentation, the magnitude of the Warrior threat is made most

real not by any word or deed of Natives but rather by the extreme situation itself - an armed standoff.

A significant component of the Warrior myth is the apparent inclusion of an appeal to moderate elements in the Native world given "violence is not the way of Indians in Canada." Kanehsatake is clearly considered to be moderate since "members of the community at Kanasatake were not the ones to take up arms." There is within the presentation a certain attempt to foster division in the Native world between so-called moderates and presumably violent "radicals." Fundamentally, the Justice Minister's presentation attempts to marginalize confrontational tactics such as the arming of barricades as a response to land grievances.

Among the more important effects the Warrior myth has is to shield the Indian Act and Canada's Indian policy from scrutiny and any association with responsibility. A "plausible denial" is constructed to divert attention from social structure and process. Instead, attention and blame are directed to a militant minority. Oka becomes the crisis of citizenship of a few "bad apples." Land claims and Native sovereignty are not the issue.

The Minister continued by developing a Rule of Law myth which is found hand in hand with the Warrior myth:

The notion of the rule of law is the cornerstone of our values: it provides the rules of the game by which we reconcile our differences. The rule of law binds governments as well as individuals. It is a call to an adherence to a reasoned and balanced process of law-making in accordance with our Constitution. The rule of law provides that decisions be

made by the fair and uniform application of known principles and laws.

Fundamental to the principle of the rule of law and to the process also is the rejection of the arbitrary use of force, the rejection of violence. (H.S.C.A.A., 1991 Vol.46:8)

In a representation which appeals as much to sophistication as the Warrior thesis appeals to simplicity, Canada's notion of law is praised and elevated to the position of supreme and exclusive arbiter. One is reminded of Suleri's remarks about the colonizer's imaginative constructions wherein "...rapaciousness can worship its own misdeeds." (Suleri, 1992:4) Put another way, there is one true law of the land.

The Rule of Law myth is developed to reject Native sovereignty claims:

Certain Mohawk representatives take the position that the Mohawk nations are sovereign entities and that the territories which they control are independent nation states within the boundaries of Canada, that Mohawk governments are sovereign in the true international law sense...

We do not accept, either as a matter of law or as a matter of policy, the proposition that aboriginal communities form enclaves immune from the operation of the Constitution and the laws that are fundamental to the preservation of public order and safety...

To allow the creation of innumerable sovereign states within the boundaries of Canada, whose laws would bear no relation to those of the surrounding federal and provincial jurisdictions would seriously undermine the legal, social and political fabric of this country. (H.S.C.A.A. vol.46:9)

The Warrior myth and the Rule of Law myth are intimately connected. The Warrior myth explicitly indicates Warriors are a problem in that they do not respect the rule of law: "The way of the warriors - the taking of arms, and the rejection of the application of the rule of law..." Concern for the rule

of law lends the appearance of legitimate concern for order and it further reinforces the Warrior myth. The two myths simplify the Oka crisis into a straightforward proposition wherein order expressed as the rule of law conflicts with the chaos represented by the Warriors. It is the tactic of armed confrontation which the Warriors were willing to use which makes them bad. During the presentation of the Rule of Law myth Native sovereignty, like the Warrior Society, is rejected as inherently dangerous to the social fabric.

The Rule of Law myth can be viewed as a disguise for a governmental power ethic that is, at times, quite bluntly stated. For example, in rejecting the Native sovereignty position, there is no negotiation, no meeting of minds or debate, it is "We do not accept..." Contrarily, it supports arrangements whereby Natives govern themselves but such arrangements are acceptable only within the context of the Canadian Constitution (H.S.C.A.A. 1991 Vol.46:10). Natives are free to be self-determining as long as they do so like other Canadians.

In another instance, the Minister lectures one of the Committee members on the need to "...distinguish between legitimate grievances and concerns and those that are very clearly challenges to the legitimate exercise of lawful authority." (H.S.C.A.A. 1991 Vol.46:23) During the crisis, the issue was in many respects one of who specifically had right to dispose of a piece of land which raised larger issues

of systems of land title. There is a distinct Native claim to lands in Canada for which the government of Canada has substituted its own land title regime claiming that Native title rights are by and large extinguished or existing only at the pleasure of the Crown. In keeping with this, the law and order myth states unequivocally that authority to dispose of a piece of land at Kanehsatake resided in structures of administration of land title created by the Canadian government.

B. LITERATURE SUPPORTING THE JUSTICE MINISTRY

Events at Kanienkeh in March and Akwesasne in May attracted a lot of attention to the Mohawk world. By the time of the Oka crisis, there were already a number of works in progress focusing this attention on the Warrior Society. The Warrior Society evolved at Kahnawake in 1972 in the context of a resurgent Native people. (Blanchard, 1980:465; Charney, 1990:16; Wright, 1992:329) Often controversial, the Society attracted more scrutiny than any other organization involved in the crisis.

Bacher (1990) explains that behind all the violent developments in Mohawk territory of Akwesasne lies the story of the growth of the Warriors. When traditional economy failed at Kanienkeh, for example, a reliance on bingos was born. The Warriors grew into the role of hired muscle for the

bingo operators, cynically equating bingo with the interests of the nation. The accounts of Hornung (1991) and Johansen (1993) of events at Akwesasne essentially concur (although Hornung is sympathetic to the Warriors).

Champagne (1990) links the Warrior Society at Akwesasne to powerful outside money interests, as well as smuggling and development plans for a deep water port at Akwesasne. For Philpot (1991:68-94), the Warriors as a general rule are criminals linked to casino dollars and smuggling. Moreover, he notes their leading philosopher, Louis Karoniaktajeh Hall, is a homophobic thug, influenced by Nazis. Overall, the Warriors are portrayed as a kind of bingo and cigarettes mobsters.

The work by Tugwell and Thompson (1991) of the Mackenzie Institute has already been noted for its adoption of an argument for assimilation. In their view, the Warriors are criminals who stepped into the policing vacuum created, in the end, by Canada's refusal to properly assimilate. During the Minister of Justice's presentation, one of the Standing Committee members observed:

Immediately the government got hold of itself around this issue it started calling it a criminal issue. It did not want it to be discussed as an aboriginal rights issue or a land claims issue; it only wanted it to be considered as a criminal issue. As I read through this little booklet, the government's party line is almost enumerated, word for word, in the Mackenzie Institute's booklet (H.S.C.A.A. 1991 Vol 49:152).

The accusation that the Mackenzie Institute was responsible for drafting the government's response to the

crisis was denied.

This material is all thoroughly located around the idea of Mohawk criminality.

C. MEDIA REPRESENTATIONS

Media, both television and print journalism, is probably one of the most important structures of opinion formation in Canada (Skea, 1993-1994:15; 29). As such, an assessment of their representations and reactions to the events of the Oka standoff become critical.

Canada's mainstream media reacted to the events of the standoff by expressing professional concerns regarding the use of censorship and journalistic performance in terms of biases reflected in coverage. On the twenty-first of February 1991, the Canadian Association of Journalists presented their evidence before the House Standing Committee on Aboriginal Affairs (H.S.C.A.A., 1991, Vol. 49). The standoff was characterized as follows:

...as far as we are concerned both the Oka crisis and the Gulf War were and are in many respects media wars. They are wars that were fought not only with real guns, but with a barrage of high-powered public relations campaigns from both sides. Journalists were caught in the middle. Canadian journalists protested against censorship during the Oka crisis because we could not do our job properly. More important the public suffered. (H.S.C.A.A. 1991 Vol 49:127)

The suggestion that the Mohawk would have the money or professional apparatus to launch a high-powered public relations campaign on an implicitly equal level with the Armed

Forces is a little suspect. On the whole, their presentation was troubling. On the one hand, they describe the Canadian media as "...not subject to any kind of control." On the other: "The media are manipulated on a daily basis in our society. Indeed, that is the very way in which we define the term media." Fortunately, they observe, journalists are aware of this manipulation and are, presumably, above being manipulated (H.S.C.A.A. 1991 Vol 49:144).

The major concern of the Association of Journalists was the repeated incidents of censorship. In their testimony, they provide details of numerous incidents of Army, and some Mohawk, censorship practices. Army practices ranged from disinformation, to threats, to racial and sexual harassment. For its part, the Army claimed journalists, particularly on the inside, were suffering from "Stockholm syndrome." (H.S.C.A.A. 1991 Vol 49: 128-129; 130-134)

Apparently, international press colleagues were appalled by the blunt Army practices of censorship. The Association raised an excellent point in light of this: most disturbing and troubling of all was the silence of Canada's political leaders while the Army flouted freedom of expression and the public's right to know. For its part, the Army came to the conclusion that, given it to do all over again, they should have censored more comprehensively and earlier in the crisis (H.S.C.A.A. 1991 Vol 49:131; 134).

At one point during their presentation before the

Standing Committee, the Association of Journalists assessed media coverage in terms of "some was good and some was bad." However, they went on to identify two areas where the media had failed Native people. Firstly, the media failed to convey the history behind the Oka crisis. Secondly, the media frequently failed to critically analyze Army claims; the Army exaggerated Warrior firepower and yet, in the absence of proof, these exaggerations were published (H.S.C.A.A. 1991 Vol 49:128; 146). Presumably, these are areas which go beyond the limits of prejudices of individual journalists into institutional based tendencies to misrepresent whether intended or not.

In the aftermath of the standoff, there followed quite a debate. Both within and from without the profession, journalists came under critical attack for their treatment of the crisis. On the one hand, journalists were criticized for being insensitive in their coverage of the Mohawk perspective and/or of having been duped into Mohawk-bashing, particularly by the Army (Perigoe, 1990:10-12; Boswell, 1991:16-17; Cocking, 1991:18-19; York and Pindera, 1991:374-375; Jacobsen, 1994:30-31). To a certain degree, the professional debate expressed awareness of an institutional limitation: whether because of a lack of Native reporters or a Native affairs department, media tended to be insensitive to Native issues except where conflict was part of the issue. Therefore, the history behind a dispute such as Oka would go

largely unreported, or buried as background detail.

On the other hand, journalists were criticized for having lost their objectivity and having been manipulated by the Mohawk. Accusations of journalists falling prey to "Stockholm syndrome" were not uncommon (Pare, 1990:2; Aubin, 1990:10; Norris, 1990:12-13; Heinrich, 1990:14; Malling, 1991:16-17; Tugwell and Thompson, 1991:28). One writer went so far as to suggest not only were the media manipulated by the Natives, they were also manipulated by the English-Canadian political class into using the crisis as an opportunity to bash Quebec (Philpot, 1991). With journalists smearing other journalists with "Stockholm syndrome," Army accusations to that effect became all the more credible.

Significantly, the debate among media professionals remained at all times superficial. Though there was admission of a lack of Native coverage in general, there was no substantial follow up to the question of institutional tendencies to misrepresent performed by journalists. Rather, substantial investigation was lost in a flurry of accusation, counter-accusation.

Lorinc (1991:5-6) and MacLaine (1991:32-33) made note of the government's use of censorship as an aspect of its response to the Kanehsatake confrontation. The study by Grenier (1994) of the *Montreal Gazette* indicated coverage of Native issues was quite limited until "...the prospect of armed physical confrontation was firmly established..." by the

SQ raid of July 11 (Grenier,1994:329). Grenier (1994:332) indicates the power of advertising dollars for eliminating harmful portrayals of particular groups is well understood. That the Mohawk remained framed in the context of conflict is part and parcel of the "...discrimination, mistreatment, stereotyping...that Native Indians have experienced at the hands of most Canadian institutions..." (Grenier,1994:334) Skea (1993-1994) examined the newspaper industry comparing coverage in major dailies across the country. Skea (Skea,1993-1994:28) discovered "...framing of news events does occur..." meaning coverage of the same event occurred within a limited number of "accepted mainstream" frames of thematic portrayal. Coverage varied significantly from daily to daily. Furthermore, a public relations campaign by government along "...with the newspaper industry's employment of hegemonic ideology resulted in the Canadian newspaper industry's essentially negative portrayal of the Oka crisis." (Skea,1993-1994:29)

The appendix at the end details a content analysis which was undertaken to assess media performance. The findings of the analysis were based on a limited sample and so are by no means conclusive. Nevertheless, they revealed that the media, though superficially even-handed, tended to portray the Mohawk with words which constructed an image of violence in relative contrast to the police. It has already been noted the media played a role in preparing the way for the Ministry of

Justice's representations. Essentially, they persisted in that crucial role, providing the raw "thought material," the descriptive words and phrases, to subtly substantiate the Warrior thesis of the Minister of Justice.

D. GRAND CHIEF MARTIN AND CHIEF ETIENNE

Following the raid of July 11, the band council leadership of Kanehsatake left the community and attempted to consult with government officials and continue its affairs from nearby St. Eustache. Lack of community support made the council politically ineffective for the duration of the crisis. The council's departure cemented the split between it and the Longhouse (York and Pindera, 1992:202).

Chiefs Martin and Etienne's testimony helped give credibility to the Warrior thesis:

I went to The Pines about five times to get the people out of there and to put the barricades aside. They did not want to listen to me...Then we had a meeting at the Treatment Centre. All kinds of factions were there - St. Regis and Caughnawaga...George Norton and the whole band council were at that meeting...who were supporting the action in The Pines...We soon discovered that Joe Norton was working hand in hand with the Warriors (H.S.C.A.A., 1991, Vol.48:112).

Their presentation supports the view that outside factions and Warriors were always present pushing events down a confrontational path (H.S.C.A.A., 1991 Vol.48:112-113). Their presentation was significant not so much for anything new it contributed by way of unique representation but rather provides an indication of a serious division in the community.

E. DISSENTING VIEWS

Canada's Minister of Justice attempted to locate representations of the Oka crisis around the criminal behaviour of the Kanienkahaka. The federal government denied any political motivations on the part of the Warrior criminals, and in so doing, denied having any responsibility for the events. Many groups and individuals, both within and without of government, dissented.

Some writers, such as McFarlane (1990-1991), South (1992) and the Canadian Dimension editorial board (1990) have noted Army responsibility in the violent unfolding of events. McFarlane goes so far as to recognize that violence against Native people is a systemic or structural feature of Canadian society. George (1990) attributes violence at Akwesasne and later at Kanehsatake and Kahnawake to government irresponsibility; people had to die before the government would act. Krotz (1990) notes that by reacting with violence it was the government, more than any Warriors, who ensured that guns set the agenda. In another good observation, he notes that by pushing for unconditional surrender at the Treatment Center, the Army ended up undermining the moderate Native leadership in Canada.

The United Church of Canada had a very active role during much of the crisis. As well as organizing food and other humanitarian aid for the besieged Native communities and

providing spiritual comfort, they served an invaluable role as observers. Articles by Sinclair (1990 a,b and c) documenting the United Church of Canada's involvement, note repeated human rights violations against the Mohawk.

Testimony before the Standing Committee (H.S.C.A.A., 1991 Vol.49:87-125) makes clear the Church's commitment to justice for Native people through recognition of aboriginal title and a general platform of Native sovereignty issues. They made three sets of observations: a) testimony regarding widespread human rights abuses and b) testimony as to the lack of commitment on the part of the federal government to honourable negotiations and c) the misrepresentation of the crisis as an issue of law and order rather than as one of aboriginal land rights.

Dissenting views were on the whole highly and variously critical of government handling of the crisis. At their best, they tended to cast doubt on who the criminals were during the crisis. However, the idea that Canadian Indian policy played a role in the crisis was not as developed as perhaps it could have been.

F. THE KANEHSATAKE EMERGENCY MEASURES COMMITTEE

For some Mohawk, it was community spirit more than sympathy for the Warrior Society or even active involvement in the land issue that dictated they stay through the siege of

Kanehsatake. Following the SQ raid on July 11, the band council left Kanehsatake taking much of the normal social support expertise with them. The resulting leadership vacuum forced people to organize resources to tend the needs of their community, such as food distribution, elderly care and so on. The Kanehsatake Emergency Measures Committee was formed to coordinate these efforts. The members were often uniquely placed to bear witness to the atmosphere that was the fabric of the siege:

I spent five hours out in the sun one day, and I have bruises from an SQ officer on my arm. I wore his fingerprints for two weeks because I wanted to carry a box of baby clothes across the barricade. According to the preconditions, baby clothes were not on the list. This guy decided to enforce it with me. (H.S.C.A.A., 1991, Vol.46:35)

The SQ was playing a game with us. They would allow a shipment of food to come through. It would take us five or six hours to get it through. We would unload it. They would check it all. We would have to load it back up. If there happened to be a shift change we would have to start all over again, go back to square one, empty the truck all out, load it all back up again..." (H.S.C.A.A., Vol.46:41)

Many testified, as above, to petty, little acts of the arbitrary use of power to intimidate, humiliate and belittle. There was also the pervasive feeling of isolation and uncertainty:

We were all by ourselves this summer. We were lucky to have support from outside agencies and other communities. It was awfully lonely back there, especially at night when you heard the helicopters. When you looked around, you saw guys in tanks with guns pointed at you. From day to day it was always that unknown. Are they coming in? Are they going to shoot? (H.S.C.A.A., Vol.46:39)

Never knowing from one moment to the next what was going to happen. Accidentally a gun went off... one of the SQ dropped his rifle and it went off. What if somebody happened to be in

the way? They dropped a tear gas canister in front of one of our barricades-"Oh, I am sorry. It was just an accident." It was always up and down. One minute it was "Okay, we are all right." The next it was "Oh, the army is coming in. We saw them coming down the road. They are making a sweep." It was constantly an up-and-down situation; it was very nerve-racking for the children. (H.S.C.A.A., Vol.46:43)

The pressure of being under siege was internalized by people:

If you have ever driven in a car with children they are talking away, or singing, or looking, or yelling at you to 'do this', or 'Mummy, I want this.' Now it is complete dead silence with three young children in the car because they are so afraid to pass through that blockade because all they see are these guns pointed at them while I am being checked out.

What do the SQ think that the children were going to do to them? Did they think they were going to pull out a gun and shoot them? There was no reason for our children to have to go through that. (H.S.C.A.A., Vol.46:42)

A lot of blaming has gone on. People are being called Warrior sympathizers and are labelled as Warriors. We were not Warriors staying behind. We stayed because it is our community and because there would be nobody there to take care of our elders... they would not have lived elsewhere. Somebody had to stay behind. It is our home and our right to make that choice. (H.S.C.A.A., Vol.46:34)

In the aftermath of the crisis, Kanehsatake experienced difficulty attaining support funding for healing programs:

We are running a program for seniors and a program for children to try to help as best we can without any funding. The Department of Indian Affairs offered us funding twice but then took it away at the last minute. (H.S.C.A.A., Vol.46:55)

We put together a healing program, meeting with the community in August, September and October, based on some native concepts of healing circles, based on what the community wanted and what we who worked with the committee felt was needed in the community... we got a nice letter back from Mr. Siddon. The proposal was tabled October 2. He sent us an answer dated December 20 saying, 'Thank you for your interest.' Thank you for your interest! Do you know how long people worked on that project, how much work went into it? All the effects that summer crisis had on people in Kanasatake, and we got a 'Thank you for your interest' letter. (H.S.C.A.A.,

Vol.46:44)

These acts and incidents when taken together as a group, testify to a complex of subtle psychological blows which create an atmosphere of extreme instability if not terror. If nothing else, they certainly put the lie to the Minister of Justice's implication that the arbitrary use of force was not a feature of Canada's rule of law at Kanehsatake.

One could be forgiven for wondering if the Department of Indian Affairs behaviour was designed to punish. The Department completely failed to assume any responsibility during the crisis for Native people. Ottawa's position remained that the crisis was purely a provincial affair which was in sympathy with their position which criminalized Mohawk actions.

G. THE KANEHSATAKE LONGHOUSE PEOPLE OF THE PINES

The Longhouse people represented that group among the Mohawk most committed to a sovereignty position. They represent tradition; not the culturally blended Handsome Lake tradition but the much older teachings of Deganiwida and the Gayanerekowa.

Their presentation was one of the shortest and they refused to answer questions. They shared a sense of their history and their belonging to the land in question:

Our ancestors told us the Mohawk people have always lived in this area. Pottery shards are found in Oka Park, the old

site of our Mohawk village. The Iroquoian pottery dates from 3,500 years ago... This is our homeland. The present-day Mohawks are descendants of those Iroquoian peoples. No one is going to convince us that we are not part of this land (H.S.C.A.A.,1991 Vol.51:15-16).

In their view, history made their claim valid. Something which the Canadian government had found every excuse to deny.

While recognizing the Committee's right to sit and enquire as to the events, they posed valuable critical questions:

Who gave the order for the SQ to attack on July 11, and why has the search for an unequivocal answer to this question been abandoned? (H.S.C.A.A.,1991 Vol.51:14)

This, along with other questions, highlighted the problem of having a committee of enquiry with no power to compel witnesses to appear nor power to have its findings respected and acted upon by Parliament. Every senior, significant and potentially responsible individual in the Quebec government power structure was absent from the list of witnesses. Such omissions contributed to an atmosphere of cynicism regarding the Committee's work.

They offered a cultural lesson on the significance of the earth to those who had forgotten:

Have you the slightest inkling as to what land represents to us? We know that to you it represents a good financial investment, a development prospect and what you so assuredly refer to as "progress." To us, land represents life. Land nourishes. We know its trees individually, trees like those standing unbent in The Pines (H.S.C.A.A.,1991 Vol.51:14).

They communicated their frustration in dealing with a people who refuse to understand, refuse to respect or acknowledge their claim and persist in distorting the true

nature of the confrontation of the summer:

To attempt to draw parallels between events in Kanesatake and those in Akwesasne is a blatant denial of the real issue in Kanesatake, the land. Ours was a fight for the survival of the Mohawk people. It had nothing to do with bingos and casinos. (H.S.C.A.A.,1991 Vol.51:12)

In the end, it was all about sovereignty:

In continuity with our ancestors, we are here today once again to assert our sovereignty, our rights, and those claims of ours based on that sovereignty and those rights, which your government has not yet seen fit to acknowledge. (H.S.C.A.A.,1991 Vol.51:5)

H. FINAL REPORT OF THE HOUSE STANDING COMMITTEE

After weeks of hearings, the House Standing Committee on Aboriginal Affairs made its final report in early April 1991. I believe the document they produced, *The Summer of 1990* (H.S.C.A.A.,1991,Vol.59), is critical. The Committee had the benefit of hearing from a variety of representatives from the aboriginal and non-aboriginal communities (H.S.C.A.A.,1991,Vol.59:35-40). As such, *The Summer of 1990* is the most comprehensive representation produced by the government which, unlike most authors, is responsible and accountable to Canadian citizens. However, in the introduction (H.S.C.A.A.,1991,Vol.59:1) it is noted that critical information related to the summer's events is absent due to the unavailability of some witnesses. For this and other reasons the Committee report occupies an ambiguous position in the field of representations.

In many respects the report was an apparently excellent example of the will to compromise. The overview of Kanehsatake community issues which they provide is sensitively, comprehensively and concisely written (H.S.C.A.A., 1991, Vol. 59:3-12). Their account of events from March 1987 till the Surete du Quebec raid of July 11, 1990 traces an intensification of hostility which in their concluding remarks, they feel could have been arrested (H.S.C.A.A., 1991, Vol. 59:13-24; 30). In their account of events following the raid they highlight the entrenched and uncompromising position of the antagonists; they make fifteen excellent recommendations regarding issues of accountability in the invocation of the National Defence Act as an aid to civil power (H.S.C.A.A., 1991, Vol. 59:25-28). Their number one recommendation is for a Royal Commission on First Nations in Canada. They further recommend a review of the National Defence Act and the federal land claims policies. They furthermore urge the establishment of healing and compensation programs, the resolution of land use conflicts and government issues at Kanehsatake. For the witnesses who were reluctant to appear, they urge the formation of an independent judicial inquiry into Native issues in Quebec (H.S.C.A.A., 1991, Vol. 59:31-33). The concluding remarks made note that no government agency claimed responsibility for the original July 11 raid. In all these respects the Committee displayed the willingness to meet Native demands half-way, so

to speak. Their insistence upon accountability and responsibility reflects an admirable ethical stand. But then the heart of the concluding remarks is found in the following passage:

The Committee was struck by the fact that several key parties involved in the standoff, have indicated they would not change their actions if they faced the same situation again... neither side to the dispute has taken much responsibility for ensuring history does not repeat itself... The creative use of effective non-violent strategies for political and social change is always a viable option and in this era, restraint, sensitivity and effective communication at all levels of government should be able to diffuse highly charged situations before they degenerate into physical conflict. It is clear that the parties on each side of the conflict must re-evaluate their actions and consider whether the sacrifice of human rights and human life, borne by innocent people, native and non-native, was in fact truly inevitable in the sense that there was nothing they could have done differently to achieve their ends with less destructive consequences... All parties involved must take responsibility for allowing this dispute to be converted into a military and criminal law issue... (H.S.C.A.A., Vol.59, 1991:30).

Equivocation becomes the Committee's official position on the representation of what went wrong during the summer of 1990. In the spirit of equality, there are slaps on the wrist for the several key parties. In the process, land title concerns, the primary interest of the Mohawk, tend to become secondary to the process of the rule of law, the government's first concern.

What becomes so troubling about *The Summer of 1990* report is how it comes to symbolize the whole affair so well. The equivocation in the final remarks leads to the tacit conclusion that given everyone is equally guilty, in the final analysis, is anyone truly responsible? Abdication of

responsibility is something which really defined the Oka crisis. These are just some examples:

- 1) The House Standing Committee was unable to question any significant member of the Quebec government who would have had knowledge pertaining to and responsibility for the original July 11 raid on Kanehsatake by the Surete du Quebec (H.S.C.A.A., 1991, Vol. 59:35-40). The recommendation for an independent judicial inquiry in Quebec was not followed up.
- 2) The Mayor of Oka, Jean Ouellete, went into hiding for four days following the July 11 raid and consistently denied any responsibility for the raid (Obomsawin, 1993).
- 3) The federal government refused any responsibility in the affair choosing instead to represent it as a purely criminal matter and therefore within the sole jurisdiction of Quebec (Obomsawin, 1993; Goodleaf, 1995).
- 4) In keeping with the above position, the Department of Indian and Northern Affairs refused to represent the interests of their Native clients for whom they are responsible (Obomsawin, 1993; Goodleaf, 1995).

It is curious that the Committee's demands for accountability are temporized with equivocation at the precise moment in the text which called for a honest statement as to the nature or meaning of the Mohawk actions that summer. Empty equivocation not only fails to be constructive, it is another act of violence in that it steals the voice of the Mohawk. What was the nature of the actions of the Mohawk that summer? In many respects, their actions called into question the dominance of a status quo of which the Standing Committee members were representatives. What was the meaning of the barricades? Probably, the same as the willingness to arm those barricades: an uncompromising insistence to be heard and to be respected.

If guiltless equivocation were to be taken as the meaning

of the summer's events, where do issues of social structure factor into the equation? Put another way, would a Levesque or a Bouchard or any government authority have behaved differently? Or could they have? Would the demands of the structuring of Native-non-Native relations have allowed any other behaviour than the swift stamping out of open acts of defiance by Native people? In any event, the House Standing Committee report does not inquire into these issues. As in many instances, social structuring of relations exists but remains invisible to scrutiny.

On the whole, government representations played out quite cleverly. The Justice Minister offered up two myths to guide opinion. One was extreme and based in sensationalism: the criminal Warrior element that takes hold of the imagination of a community enthralled. Backed by the print media, the Warrior myth achieved wide dissemination. For the sceptics, the more thoughtful rule of law myth was offered for consideration. This was endorsed by Committee members who were apparently quite critical of the Justice Minister's presentation otherwise.

The Committee, even though it refused to endorse the Justice Minister's remarks in their entirety, is no more than a superficial voice of dissent. While the extremes of the Justice Minister's remarks are not reprised, an equivocating variant on the rule of law myth is. Their report and their recommendations give no substantive indication that the seeds

of the problem developed in the framework of Indian policy in Canada. In this way, the remarks of the Justice Minister and those of the Committee members succeed as propaganda. The debate remains delimited to a discussion of Mohawk criminality while the issue of social structure of Native-non-Native relations largely escapes notice. In this light, the display of compromise evidenced in the report of the Standing Committee becomes more apparent than real. Their recommendations on closer scrutiny appear only to be attempts to reform a system of relations which may be more trouble than they are worth. In any event, the severity and significance of the Oka crisis demanded more than the willingness to reform. If people at Kanehsatake and at Kahnawake were willing to arm barricades, I think they were indicating something more involved than "reform" of a system of social relations which on closer view can be seen as the origin of the problem. It demanded some original thought regarding the need for a fresh start. Perhaps the Two Row Wampum Treaty could inform us on some fruitful avenues to pursue that fresh start. The best relationships are based on mutual respect and its difficult to see how respect could exist in a relationship where the wishes and dreams of one party are dependent on the whim of the other.

CHAPTER III

INTERVIEWS: SIX YEARS LATER AT KANEHSATAKE

It was an indescribable feeling to see the first person interviewed quietly sob as the worst events were recalled. The previous section dealt with the polished presentations of various groups representing the events according to their own interests, professional, nationalist or otherwise. The tears I saw reminded me, that in the defence of The Pines there was a human aspect which was not quite so polished. There was more than tears. There was frustration and anger, a sense of historic abuse and tremendous pride.

I have made the claim that the events of the Oka crisis can best be understood in terms of a colonial government suppressing the nationalist aspirations of a people determined to live their lives according to their own terms. I have further claimed that the events were misrepresented as a criminal action by the government in an attempt to disguise the role of social structure. If these sentences are a fair description of the events, then these interviews fill in the human detail they cannot convey.

A. How Did You Come To Be Involved?

The Pines is a really special piece of land that people have always used to gather, to play lacrosse at night. I used to drive my bike on the dirt trails when I was a kid and its right next to the graveyard. My family is buried there. It's

something you are just born with a feeling for that place and I got involved because I would not have been able to hold my head up if I had to walk by an eighteen hole golf course.

I'm from here. I was aware of what was going on in the Pines and a few times I came by to offer my assistance. In July there was more escalation of tension and more people were ready for something to happen or expecting something to happen. On the morning of July 11 I had been staying out here at my mothers though I was living in town at the time. I was staying out at night because I expected something to happen during the night. I stayed out that night and I left early to go to work. I had been there about a half hour when my mother called me said there was a raid going on. So I dropped what I was doing and I came back. After that I got more involved as time went on.

I was involved a long time ago ...from birth you might say.

I was up in Maniwaki. People were calling up for about two months before saying things are getting rough, what do we do? Someone wants to bring in guns, should we? I didn't know what to say. They just wanted to tell someone outside, this is what's going on. On the morning of the raid, I heard the shots like everybody else who turned on the seven o' clock CBC News: boom, boom, boom. They had called up at six thirty and they said that there was shooting. All hell was breaking loose. By about ten after seven I had a small bag of clothes and a car, threw it in and drove like a nut down here. There were no cops at all. I mean I just broke all the springs on the car to get down here and wound up just as the cops were setting up their barricade up on the other side of the reserve. I just buffaloed my way. My license says Kanehsatake no matter where it is, even if I'm in Ontario or the North-West Territories. I make sure that I keep my Quebec license, my address here, my rights are tied here. You know, it makes it a little sticky when you get picked up by the cops. So, you just argue that this is where my rights are and so they look the license and I told them I had to come in. I had to come in, my family was here and then they saw my CBC card and it just opened all kinds of doors. But I was one of the few that actually got in after they had slammed the door shut and I stayed for the rest of the summer.

At a moment's notice, with the community threatened, people dropped whatever to rush to the community's aid. The connection here between ancestors and the land inhabited is a rather unique feature of the Kanehsatake community. Families

have lived and died here for generations. It is this sort of emotional, caring attachment that has to be thought of as fundamental to a nation. The attachment to the land tends to re-affirm that the driving force in Kanehsatake politics remains the struggle for land title recognition.

B. The Morning Of July 11, 1990

The original protest blockade in the Pines was set up in March on a secondary access road. In this case, action was equivalent to the assertion of the right to have a voice (if not "the" voice) regarding the disposition of traditionally claimed land.

As court injunction followed court injunction, it became an issue of when something would happen rather than if. On July 11, 1990, Surete de Quebec officers in riot gear attacked the blockade.

After the 11th I had been up for three days before. So the 11th was my third day awake and a lot of us were all the same. In our minds we accepted what was going to happen. We were prepared for it. The thing that ticked us off was that on the morning of the 11th we got a call from the hospital saying the ambulance was full of body bags. Just body bags. No doctors, no nurses, just body bags; that really got us upset.

That morning the 11th, I was just on my way to get coffee and then all of a sudden there's over 200 police officers pulling in ...whoa ...I had to spend five hours in the bush. There's a little museum in the bush and five police officers were coming up there. I was with a friend. We went in. I went in first and then he came in after me and we stayed up five hours. We had these guys pinned down and when the shooting started we almost lost ourselves because we could hear screaming on the radio. We didn't know what had happened. I finally got in touch with somebody and asked them what do we

do with these guys? If any of our people are injured, if any of our people are killed, take them out. For a second it was hard to deal with. I had to take somebody else's life even though he didn't shoot at me but I do what I have to do. As the months went on before the army moved in, my own friend who was caught in the Pines with me that morning turned and because he was on drugs and drink, he wanted my weapons. He pulled a gun on me and put it right to my head. I says: "Are you going to kill me? Kill me, but you're not getting my weapons." He says, "The only reason why I'm not going to kill you is because you were there with me that morning."

Its never going to go away. I remember that morning the same way it happened, everything, where everybody was. It's always there, it's always going to be there. I can hear every shot. In last year's pow wow they played the tape back. Me and three guys, buddies of mine, cousins ...we couldn't stand the sound, we just broke down, broke down, couldn't take that sound.

On the analytical level, the SQ raid represents a direct effort to crush the assertion of nation by the Mohawk. Equally without question, the blocking of the Mercier bridge by the Kahnawake people was designed to defend the assertion of title rights by the community of Kanehsatake. But when one hears the words of those who were there on the 11th of July, it's not so clear what that situation was about other than insanity. The final report of the Standing Committee indicated the Mohawk and government agencies shared a certain equivalent degree of responsibility. Perhaps the Committee was right. If it was, though, and assuming that people heard correctly about the body bags in the ambulance, I wonder how many body bags the SQ had set aside for themselves?

C. Life Under Siege

The direct assault having failed, Kanehsatake and Kahnawake were encircled and for all practical purposes placed under a state of siege. In a curious way, the siege politicized life's basic necessities. People sacrificed and risked themselves for the sake of food and medicine. In so doing, they served the idea of nation more vitally than any speech or manifesto ever could.

Well I got used to eating hot dogs in particular. I know at the radio station we used to call out and say what are you eating tonight or where are you eating tonight or we were trying to get our hands on pizza and stuff like that. It was difficult. I started staying at the radio station with my friends because we worked there at the time. I didn't want to go back to my house because I didn't want to take food out of my mother's house because there was so little to go around. It was very difficult and all the time they are saying, "No, no, we're not denying food," but the SQ was not answerable to the government or anybody else who was saying we're not going to block it. They blocked it if they felt like it and the army did too.

We had a lot of help from the people from solidarity groups in Montreal.

People were bringing food in by boat and some people from Montreal from the Friendship Center walked in about thirteen miles through the bush with boxes of food and stuff like that over the mountain because in the first few days we were really tight and it was very difficult to get food in.

I did some food smuggling, other than that I don't think I got involved. Just down here, it's a perfect little spot because the cops can never figure out where the rocks are and through the middle of the river there are some huge sandbars that come up. Across the river is Hudson. We've always had a fairly good relationship with people over there. A lot of people here go over to work. They know us and we know them and so it was a natural place to start collecting food. There was a lot of food coming in. We did a survey and found that people here had something like two days worth of food at one point and so we put out an emergency call and all of a sudden these

caravans start getting organized from all over the place but no way of getting the food in. The cops would stop the trucks 50-60 miles out and unload it in the hot sun. Got eggs, well, its getting spoiled. Put it back in, go another five miles, another road block, another twelve hours at this blockade while they unloaded the truck and checked every egg. That's the way it went for some guys. A week and a half to come something like thirty miles and by the time they got here the food was spoiled.

Some guys were used to fishing, some guys were used to hunting. I like to hunt. We used to sneak the meat by the police. By the road there's a ditch, we used to crawl right on through and they wouldn't see anything coming. We pulled some good ones on them. A lot of times we went right passed them, even the army. Snuck on by them. Just stay on the ground and then start making some noise behind them: "Hi guys, Hi guys!"

A lot of the houses that were vacated, the people had moved out so we just took what was in there if they had it. They weren't hungry.

D. It's A Long Story

In the case of the Mohawk, arguably one effect of Indian Policy is that it constantly forces history to repeat itself. Thus, individuals were consciously aware of the community's history of fighting for their title rights and the Mohawk as being people of a sovereign nation. The nature of this fight has been so constant, the issue of self-determination so unaltered that virtually every generation has fought the same fight. The biography of the individual becomes in microcosmic form, the history of the community.

We have been fighting for this land for 270 years since the Sulpician priests arrived here and they claim they brought our people here. We were here already. That's the biggest lie and its been perpetuated over the past 270 years and based on that lie they've added more and more and more.

We were dealing with a dishonest government. We told them that we were an international based system, the Mohawk nation. We have treaties, just the same as the government of Canada. They don't want to recognize us, they would rather see us assimilated. Then they've got what they want right there, that soil; that ground is precious to us. Its been precious since the day when the Europeans came to this continent but look what they've done to it. So that's why we had to put up a struggle here. We had to stand up, we couldn't stand it, we have had it up to here for what they've done.

They had over 2000, 22 maybe 2500 troops here. They had armoured personnel carriers, they had tanks here. What the hell is that for Christ's sake? I mean why don't they look into their own laws. Is it right to attack another nation's territory?

They only assume the land belongs to them. They've done that since day one, all that: "This is mine, this is mine." That's not theirs. We own all the land but they want to steal it. They've used the church against us, they've used the provincial government against us, they've used their own government, they've used the United States to work right alongside them.

There were so many troops here. When they had another war in the Gulf, and they had what?, 400 troops there? There and here, what the hell. They treated us like we were the enemy. If we were war-like people here we would have shot back but then we had to think about our generation of people that is not there.

We can't fight them in their courts. They don't want to even recognize that we even exist. They would rather deal with their puppets. They may be Mohawks but they're not the legal titleholder of this land. The aboriginal people, the Longhouse people are the real titleholder. But they didn't want to deal with us because they would lose if they had gone to court. A lot of courts really agree with the aboriginals of the Longhouse and the Canadian government would have lost. They lost in court when they had all of our people charged.

E. Distortions

The individuals involved were aware of the media's distortion and misrepresentation of events; as well they were painfully aware of the problems posed by the system of Indian

relations and the seeds of division often sown. Their commitment was to obtaining a secure land base, an elementary precondition to nationhood.

About the crisis, a lot of time the media pretended it was about gambling. You know the bingos, and cigarettes. It was so stupid because we didn't have any gambling houses here and the cigarette trade here was minimal until after 90 when it escalated; but till that point it was nothing just a few people were involved.

The Indian Act is crooked. They're using our own people to come against us. They're having these people file land claims on behalf of the Mohawk. They don't have that right. Under Canadian law you're dealing with Crown land. It's not theirs. Longhouse people are the only ones, the real aboriginals, that's going way back into time. Not the people who belong to the Handsome Lake group but its got to be the ones from way before the 1500s at the formation of the Confederacy.

They will say anything to criminalize our actions. In 1990, we had warriors here. Everybody was a warrior, even the little kid was a warrior, even the elders were warriors but not the Warrior Society you see, there's a difference. They came here for the nation, Mohawk to Mohawk against that army, against the SQ, against the politicians, all warriors. We would do the same if we went into their area. We've done that, we support them but we're not the Warrior Society. There's a difference here.

If this community had just been left alone, they didn't have to push down the barricades. All they had to do was negotiate, people were prepared for that, they were prepared to be very pragmatic about it and be realistic about it. They weren't asking for the moon. Just no more nine holes.

People on the outside were calling us all either criminals or else we were hostages. We were either with the Warriors or we were being controlled by them, the Stockholm Syndrome. They never gave any kind of allowance that maybe we had something called free will, that we could make up our own minds.

There were the people within the community that felt that if there was a cause, it was in the land and outside there were a lot of people who said, "Oh, Warriors." There was a hell of a fight down at Akwesasne the year before. Four people were killed there. Very bitter divisions and you were Warrior or you were anti-Warrior. What they tried to do was come over here because the Warriors were here and impose that kind of outside fight; to impose Akwesasne, try to make this into

Akwesasne 2 and they just never really understood that it wasn't about that. It was about control of the community at Akwesasne; control of gambling and smuggling, talking about millions of dollars, it was about greed.

Here it was just a small handful of people who said, "No, you can't take this land." And the situation was different and they couldn't see it. Everybody tried to take it over. Everybody who had an agenda tried to impose their agenda. What I really liked about the people or, when I said they took responsibility, they also saw that happening and they said, "No this has got to come from the community. Let's have community meetings. Let's have the community discuss things and debate things."

That hadn't happened, not here, where the band council pretty much ran everything in secret, dispensed with public meetings. And it was really nice to see that happen. After, it fell back pretty much to the way things were.

See, I think some band councils are run very well. In this case I think this band council ran it very badly. They got used to not talking to people, not caring what people said. Any kind of hall marks of any kind of democracy were just dispensed with. You don't post band decisions up so you can let people know what kinds of decisions you've made, everything is done in secret. And they just fell right back to that same old stuff.

F. Ugly Incidents

The Kanehsatake community was under siege. Senseless, hateful things happened all the time.

Images. Every time I start thinking about some of the bad times I think of in the beginning people trying to come back in through the police lines with their groceries for their kids and having the cops yank out the groceries and throw it in the ditch and stamp all over it till its ruined. One case I remember being there because I was supposed to be working with an observer with the human rights commission. The SQ just pulled over this 65 year old lady with these two grand kids. Pointed their shotguns in their faces, made them get out, searched her, physically searched her there, against the car. Made her lean up against the car, took out the food, trashed it and then told her she couldn't get in anyway. I mean, that's just one.

G. What To Do When You're Under Siege

In the midst of terrible incidents, there was room for humour.

People were always laughing and joking under so much pressure they could see police cars going by and tanks going by. They saw the police going by with guns aimed at them - for what? - the little kids are unarmed.

At the time, the radio communications, they didn't think we could monitor them. We took the radios from their cars and combined them into one radio and we used to talk to them. That surprised them like crazy. But that's what it was about. Just mind games for the next few months after that. We just kept playing them back and forth. They did a little listening to us. So three of us on top of the hill at the main barricade would walk down a little ways and then just disperse and then twenty minutes later we would just come back up on the hill. We'd be talking: "Okay, I'm down near the Marina," or "I'm down near the lumber yard," and two cars would be heading off.

We let them sneak up on us. We could hear them moving around, so we just sat there. One night, me and my cousin we had two dogs, neighbourhood dogs. The dogs heard it, we heard it, the dogs took off. They slid up and they got them, bit them right in the butt. All you could hear was this screaming through the woods. So we run down the hill a little way and then swing and come out, "Did it hurt?" Then the guy gets more scared.

H. The Spirit Of Self-Reliance

One of the most fascinating statements concerned the positive effect the actual state-of-siege had on community spirit and made note of the terrible fall out when the rule of law returned.

I remember in the Pines when everybody had gotten together. We were just getting an agreement with the government that there wasn't going to be this kind of hassle going on any more. There was going to be food, medicine, lawyers, also elders would be allowed to come in to perform ceremonies.

Everybody agreed to it, federal, provincial, the army, the SQ officials, they were all there. There was such a feeling around. Everybody in the community was in the Pines in a big circle and I just got a sense behind those barricades it was so nice and peaceful without any kind of outside authority. What I saw was that people were no longer taking directions from the Ministry of Indian Affairs or talking to somebody up in Quebec City. They took charge of the community, of their own lives. They started making certain that people were getting food and medicine that they were getting services. It was nice to see because I had seen people become so dependent, so it was really nice to see them take responsibility. It didn't last. And its that look in their eyes, that empty look afterwards when the army and the SQ came in and just took over. People were just too traumatized. Probably the saddest thing, so much hope then all of a sudden to have it dashed.

I. Final Act At The Treatment Center

The final stages of confrontation in the Treatment Center (T.C.) reveal the individuals were looking to build a more hopeful future, not to become a memorable last stand.

They played a lot of mind games with us. They never told the truth. They would make deals and then they would renege on them. We talked to them because they were the only ones we could talk to but there was really no point to it because they never told the truth and they never honoured their agreements. So when we decided to leave that was really the only thing we could do. We weren't getting anywhere talking to them. The only other option was to let them try to kill us or fight it out and nobody's got a chance of surviving that. We were not like some of these doomsday cults who create their own end, we were never like that. We wanted to live, to have a future.

We were surrounded. We received a lot of things while we were in there. We knew that people were praying for us, we knew there was a peace camp and we knew the army was surrounding us. But we knew the army was surrounded. We received pipes that were at Wounded Knee so we could feel something coming in, some sort of power. So we were surrounded but we were free.

J. The Aftermath

The community was scarred badly. Despite the brave stand, the issues were not resolved as ideally as the people at Kanehsatake would have hoped. The aftermath, after years of reflection, was a disappointment at best.

For the old people, they got sick and tired of being pushed around for too long. They went through hell worrying about people. If they needed medicines, they weren't getting it. The tension, some people never recovered from it afterwards and they're gone now.

In a way, the tension, the pressure, the disappointment, that affected the people down at TC who put their lives on the line. That's the way they felt about it. They weren't fighting for the Warriors but they were there to protect the community. That's the way they felt about it and then to see everything happen afterwards. That must have been a tremendous sense of disappointment that was amplified with them because they really felt that they were prepared to sacrifice everything.

Well I know what we did was the right thing to do. I have never had any doubts about that but I find it discouraging because everything has gone wrong since then. You could say there is a state of anarchy or there has been its getting better now. The government is supporting certain people to be on the council, the band council, many goons, thugs, terrorizing people. It's been in the papers in Montreal but nobody really gives it much credit. That's the way its been but its been quiet for about a year now.

A lot of people think that it was all settled in 90, that the land was turned over to us and all that crap but it never was. As far as the Mayor of Oka is concerned, the Pines are still his. We're not asking that they give us title because its ours, we just want them to recognize it.

Families broke up here. A lot of hurt, a lot of things weren't dealt with and some of it has gone into deeper social problems. We talked to people up in Ottawa, health officials, and they said, "Watch out for drug abuse, watch out for increased alcohol abuse, watch out, kids are going start suffering in school, dropping out, some of them are going to start killing themselves."

Everything's come about, everything because they did not get help early enough. They gave some kind of token program but

it was really too late.

It was the kids here that actually started doing anything at all. They set up something called SHOCK, Stop Hurting Our Community of Kanehsatake. And the kids just said, "We have to tell everybody, we have to tell our parents, they got to get out of the dope, they got to quit boozing it up, they got to stop hitting their wives, they got to quit hitting us." It was a pretty remarkable thing for a bunch of kids to do.

In the end, it was difficult to say if anything had been gained at Kanehsatake for all the trouble but there was a ripple effect on Native pride elsewhere.

Nothing was really gained, nothing really happened. Got the same old band council in here more entrenched. The federal government didn't learn any thing. The province is more committed than ever to wiping out this place. Cops are worse than ever.

I think what it did do, it was amazing the ripple effect that went out from this community. The effect in native communities was just this resurgence of pride and so on. We saw demonstrations of support but even more you saw people say, "Yes we have to take control, and we're not going to listen to these bastards any more, they're going to listen to us. We have to put on programs. We know our people, we know what's wrong we know our community. They're going to have to listen."

The Army went home but the Mohawk were left behind to deal with the scars to the community. However, the personal stories concur with the Mohawk tradition of steadfast pursuit of the goal of self-determination. Hope coexisting with disappointment.

SUMMARY

This thesis has attempted to demonstrate that the Mohawk during the Oka crisis posed the threat of a good example to Canadian Indian policy. Canadian Indian policy was slowly formalized by successive colonial and Dominion governments. The history of Native-non-Native relations demonstrates a slow progression from the Royal Proclamation's apparent recognition of the conduct of relations on a collectivity to collectivity basis to various Indian Act legislation which defined "Indian" and recognized a given individual's "Indian status." Thus transforming the basis of relations between Canada and Native people from nation to nation to one nation and its citizens. Practically speaking this has meant steadfast refusal to recognize Native land title rights (the battle for title recognition at Kanehsatake is an example) and opposition to self-determination by Native people (though band councils do not necessarily operate at cross purposes to Native self-determination it is difficult to see how their historic imposition could have been otherwise intended).

One of the driving forces in the history of the community of Kanehsatake has been the unending pursuit of recognition for their claim to title to lands which were granted to the Seminary of St. Sulpice. Through that long history, the community of Kanehsatake exhausted virtually every avenue allowed by the Canadian government to pursue their claim

peacefully. The erecting of barricades and the defiance of court injunctions, the resistance to a police raid on July 11, the willingness to arm those barricades and withstand siege testify eloquently to their determination to maintain their claim and their frustration with failing to obtain satisfaction. This defiance made the Mohawk a threatening good example. Whether the path they chose will help or hinder their claims in the long run remains to be seen. Nonetheless, barricades and defiance were a community choice. Had Kahnawake been the starting point of the resistance that summer perhaps few would have been surprised. Kahnawake has a reputation for progressive self-determinance. I do not believe anyone expected Kanehsatake to make such a powerful stand. There was no persuasive reason to suspect Mayor Ouellete's development plans would spark an Oka crisis. Kanehsatake did not have the Warrior Society, its band council politics were confused in the extreme, Longhouse traditionalists were in a minority and its 270 year battle for title recognition was seemingly one disaster after another. That is precisely why Kanehsatake posed the threat of a good example. How many other Native communities watched and learned?

Kahnawake posed the threat of a good example in having pursued policies of self-determination. Crucially, many of these were successful. The power to police the territory had largely been repossessed, educational facilities were operated

with Mohawk curriculums, traditional territory in New York State was repossessed at Ganienkeh, the Warrior Society at Kahnawake enjoyed a strong reputation untainted by the Akwesasne scandals. Success in these realms instilled the confidence which displayed itself on July 11 when Kahnawake blocked the Mercier bridge in aid of Kanehsatake. The actions at Kahnawake and at Kanehsatake inspired a wave of Native support actions across Canada.

When barricades went up at Kanehsatake, the government committed itself to a course of action. The police and later the Army moved in to disarm those barricades, to take down those barricades. In terms of public representation, the government promoted the belief that the barricades were a law and order issue untroubled by any other considerations. In keeping with that, the Warriors were criminals. The desire to criminalize these actions was prompted by the need to disguise effects of social structure implied in Canadian Indian policy and thus shield the government from any admission of responsibility. In the final analysis, during the Oka crisis, normal people were thrown into an insane situation. If their activity was criminal, was this not so because social structuring of relations created a situation designed to make any national expression on their part criminal? If so, who then becomes the criminal?

Implications For Future Research

The literature written about the Oka crisis is for the most part competently written expressing a range of opinion. One noteworthy feature of the works on Oka is the adoption of a journalistic approach which has positive and negative features. Examples, such as York and Pindera's (1992) *People of the Pines* brilliantly conveyed the human side of the story. This is something journalists do particularly well. As a body, the literature on the Oka crisis tends to lack analytic depth. This thesis has postulated the Oka crisis could be best understood in terms of factors of social structuring of Native-non-Native relations. There is still a large area of research which anthropologists could investigate. There are fruitful areas which could be analyzed in terms of temporal contrast. To my knowledge there has been no extensive investigation of the community of Oka in the aftermath of the crisis. The interviews suggested there were incidents of political intimidation allegedly sponsored by the band council. There was social breakdown in terms of divorce, suicides and substance abuse. The community responded to these effects. How did it respond? How does the community contrast with the pre-crisis Kanehsatake?

Contrasts of the experience of the crisis could be made on a gender basis. How did the experience of men and women differ? What has been the impact? Contrast could be made

regarding politicization and status issues on a before and after the crisis basis. Inquiries could also be made regarding experience differences based upon age. The interviews suggested the impact upon the young and elderly was pronounced. What has been the effect of these different experiences?

The interviews gave a strong indication of empowerment experienced by many people in the community. With the departure of the band council at Kanehsatake, traditional consensual decision making processes reappeared. The social welfare apparatus was reappropriated. What were the effects of empowerment on people in the community? What implications do empowerment issues have for band council validity? A terrible myth many non-Natives have been raised with is "these people" just cannot take care of themselves. How do band councils and Canadian Indian policy promote this belief?

These are only a few suggestions pertaining to the community of Kanehsatake and there are many more. There are some issues of a more national scope. Journalists cited the relative lack of Native reporters and press as problematic in the print media's ability to represent the Oka crisis and other Native concerns. The coverage by Native and non-Native could be contrasted in terms of representational practices. There is also an area of research in terms of how the Native and non-Native arts communities have responded.

Lorinc (1991a) gave a hint of the impact of the Oka

crisis on Native politics. What sort of politicization has resulted on reservations across the country? Has the crisis been a catalyst in a renewed interest in Warrior societies, for example? Since the crisis, what has happened to Assembly of First Nation's rhetoric? Is it more confrontational? If so, is this merely rhetoric or does it reflect on more substantive changes in the operations of the Assembly?

Implications Of The Oka Crisis For Anthropology

The implications for anthropology of the Oka crisis are troubling. In 1966, as American aggression in Vietnam was escalating, Noam Chomsky wrote a disturbing essay entitled "The Responsibility of Intellectuals." This is how he viewed the position of the intellectual:

Intellectuals are in the position to expose the lies of governments, to analyze actions according to their causes and motives and often hidden intentions. In the Western world at least, they have the power that comes from political liberty, from access to information and freedom of expression. For a privileged minority, Western democracy provides the leisure, the facilities, and the training to seek the truth lying hidden behind the veil of distortion and misrepresentation, ideology, and class interest through which the events of current history are presented to us (Chomsky, 1987:60).

Anthropologists are a part of the intellectual class but carry a burden of responsibility that is additional to Chomsky's suggestions. Anthropology and anthropologists in Canada have used Native people for generations. They have used them as objects of study, they have used them as illustrative material to teach theoretical and methodological

approaches in the discipline. Above all, many anthropologists have used Natives to build their own careers. I would like to suggest, that anthropologists have an obligation to represent the interests of Native people especially when those interests bring them into conflict with the dominant power.

That being said, the disturbing implications of the Oka crisis for anthropology can be summed up in a question: where were the anthropologists? Not one anthropologist saw fit to testify before the House Standing Committee. The profession's contribution to that forum was represented solely in the form of a submission by Alain Bissonnette an anthropologist for the Atikamekw and Montagnais Council (H.S.C.A.A., 1991, Vol. 59:41). Among professional anthropology journals, only *Recherches Amerindiennes au Quebec* devoted the substantial coverage warranted by the most serious confrontation between Natives and government authorities this century. As a result, our understanding of the crisis was shaped substantially by government representatives and journalistic studies. Anthropologists could have contributed key understandings regarding the politics of social structure implied in Canadian Indian administration and in other areas.

Mascia-Lees, Sharpe and Cohen (1993:225-248) note the implicit reflexive critical quality of cultural anthropology may work at cross purposes with, what they see as, the political anaemia of the postmodern trend with which anthropology is currently engaged. Contrasting the "new"

postmodern anthropology with feminism, the authors suggest feminist research is concerned with questions of power and political struggle. Oppressed groups are not interested in so-called pure truth so much as with the search for means to change their conditions; to understand the forces arrayed against them and how to overcome those forces. In this respect, they note, "...feminist research is more closely aligned with applied anthropology, whose practitioners also often derive their questions from and apply their methods to the solution of problems defined by the people being studied, than the new ethnographers." (Mascia-Lees, Sharpe and Cohen, 1993:238)

Perhaps a preoccupation with the postmodern challenge accounts for the apparent lack of interest generated by the Oka crisis among anthropologists. While working in the moving industry, I had the opportunity to meet and speak with Geoffrey York coauthor (along with Loreen Pindera) of *People of the Pines*. I asked Mr. York if anthropological works had been of value to him in his studies for the book. He said, "Not much." Some might take comfort in suggesting that statement does not reflect well on Mr. York's research. I do not. His statement does not reflect well on anthropology. The entanglements of Native people with the dominant culture are inherently political in nature, particularly confrontations such as the Oka crisis. If anthropologists cannot disengage themselves from their current research

concerns to respond to these sorts of confrontations, than the question will be raised as to the usefulness of anthropological research to Native people.

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APPENDIX

INTRODUCTION

To assess media performance during the Oka crisis, a study was undertaken to compare Oka crisis coverage with that of another crisis. The study involves a comparative analysis of the Toronto Globe and Mail's treatment of the Oka crisis and, to control for the accusation of racial bias, the strike at the Gainers meat packing plant in Edmonton, Alberta in 1986.

The analysis involved a limited sample comparing the first fifteen articles written on the crises. Fifteen articles were completed on Oka in six days of coverage in the Globe and Mail between July 12, 1990 to July 18, 1990. It took twelve days of coverage between June 3 and June 18, 1986 for the Globe and Mail to complete the same number on the Gainers strike.

The methodology used is both a modification and a combination of the methodologies for media analysis employed by Skea (1993-1994) and Grenier (1994). Skea (1993-1994) approached articles under study on the basis of thematic analysis. Themes such as "law and order" or "native rights" emerge within the articles. Grenier (1994) used content analysis of article terminology to identify race-based terms (RbT) and conflict-based terms (CbT).

METHODOLOGY

Each article was read and two groups of terms were identified and counted for the two incidents, Oka and the Gainers strike. One group of terms were, following Grenier (1994:335) race-based terms (RbT). In my opinion Grenier's choice of category "race-based term" is a little leading and implies the researcher is looking for evidence of racism. The object of this study is to discover how media handled the Oka crisis. The Gainer's Strike was introduced as a means of understanding how media deals with a non-dominant group (in this case unionized labour) in a conflict situation as a control for racism. Therefore, RbTs were operationally defined as words contained in articles which denoted people in a distinctly identifiable group form. Thus "Mohawk" is identifiable as distinct from "police," "workers," etc. In this study, these terms were gathered for both "sides" involved in each of the two disputes. Operationally speaking, terms such as Native, Mohawk or Indian are distinguishable from RCMP, SQ (Surete du Quebec) or Robert Bourassa.

It may seem curious to cite Robert Bourassa as a group term (RbT). The reason for citing named individuals as representatives of a group, is straight forward. Individuals were often identified and quoted in their capacity as representatives of a group. Additionally, I feel tracking the number of times a paper cites a named individual gives some indication of a paper's tendency to either personalize or de-personalize a group.

It should be noted that Grenier's (1994) article analysis in terms of RbTs and CbTs was limited to consideration of the Mohawk people only. In this paper, both "sides" in each conflict are similarly considered so as to be compared. For the Oka crisis, analysis of the conflict pits the Mohawk people against the various representatives of "law and order" be they government or police. For the Gainers strike, the analysis pits the striking Gainers people against Gainers management as well as the forces of law and order. All total then, four sets of RbTs and four sets of CbTs were being compiled.

The second group of terms are conflict-based terms(CbT). Following Grenier (1994:335), these are words "...which connote deviance, enmity or violence, either actual or potential." Operationally speaking, some examples would be dispute, violence, strike, dead, standoff, etc. For my study, while all RbTs were counted and tallied, a CbT was counted only if it was found to be in association with an RbT.

The number of CbTs were then counted for each "side" in each conflict. In an ideal conflict under observation by objective reporters, a similar number of CbTs should emerge with reference to each "side." Secondly, a list of the most commonly referenced CbTs was compiled. Again, in an ideal situation, the kind of terminology used to reference each "side" ought to be roughly similar.

Finally, a thematic study was undertaken. This consisted of identifying the themes within the stories, deciding which "side"

they reflected most negatively upon, counting their number of appearances and comparing totals. Again, in an ideal situation, rough equivalency in terms of negative or positive treatment is expected.

CbT/RbT DATA AND ANALYSIS

1) RbT Data for the Oka Confrontation

In terms of RbT data, the Mohawk are referred to 373 times as opposed to the government and various law enforcement agencies which are referred to 389 times. The following is a list of the top five RbT references for each side:

Table 1.1: Top RbT References for Each Group

Mohawk People:		Government/Law and Order:	
Mohawk	(102x)	Police	(85x)
Natives	(65x)	S.Q.	(37x)
Kahnawake	(25x)	Officers	(32x)
Reserve	(24x)	Town of Oka	(32x)
Indians	(20x)	John Ciaccia	(21x)
Kanasatake	(20x)		

In the top five references, in citing John Ciaccia as a group representative, there is a tendency to personalize the law and order side of the dispute at the expense of the Mohawk. This tendency is further reproduced in the overall totals. Of the 373 references to the Kanienkahaka people, only 40, or 12%, are clearly identifiable as named, individual human beings rather than

abstractions.

Conversely, of the 389 RbT references to the law and order side of the Oka confrontation, 85 are human references (or 27.9% overall). It appears journalists more closely identified with the law and order side of the dispute rather than the Mohawk view.

2) CbT Data for the Oka Confrontation:

In terms of CbT data there are 376 conflictive references in association with the Mohawk. Conversely, there are only 288 conflictive references in association with the government and law and order people.

Two points can be developed. Firstly, the total CbTs for both sides is 664 or equivalent to approximately 44 CbTs per article. Given the differential distribution of CbTs to each side it is almost as if two complete articles are devoted exclusively to negative portrayal of the Mohawk people.

Secondly, by quickly combining CbT and RbT data, a 74% rate of appearance of CbTs to RbTs occurs for government and law and order people. Conversely, the rate for the Mohawk people is 101%. The evidence of biased presentation is clear.

The following is a list of CbTs found ten times or more in association with each group:

Table 2.1: CbTs Occurring Ten or More Times For Each Group

Mohawk:	Government/Law and Order:
Armed	Raid
Confrontation	Barricade
Barricades	
Standoff	
Dispute	
Violence	
Dead	
Militant	
Shooting	
Land Claim	
Blocked	
Road block	
Blockade	

The following is a list of CbTs found 5-9 times in association with each group:

Table 2.2: CbTs Occurring 5-9 Times For each Group

Mohawk:	Government/Law and Order:
Killed	Armed
Gunfire	Standoff
Shots	Dismantle
Gun Fight	Fired
Death	Tear Gas
Protested	Attack
	Arrested
	Rejected
	Refuse
	Dispute
	Denial of Food

The CbTs associated with the Mohawk create an image of extreme violence. In the selection of vocabulary, the reader is presented with the raw material that supports the view of the Mohawk resistance as a criminal action.

3) Comparative Analysis of CbT/RbT Data for Gainers and Oka:

Similar material was gathered for the Gainers strike, another domestic "crisis." The following table compares humanizing/de-humanizing treatment within the coverage of the four groups.

Table 3.1: Tendency to Personalize/Depersonalize Each Group

	(A) <u>% Human RbTs</u> Workers	<u>Differential</u> A as % of B	(B) <u>% Human RbTs</u> Police/Gov't
Gainers	19.7	46.5%	42.3
	Mohawk		SQ/Gov't
Oka	12	43%	27.9

Columns A and B give the occurrence of identifiably human RbTs within each of the four groups total RbTs. The differential compares the treatment of antagonists in each crises coverage. The lower the differential percentage, the more the workers or Mohawk were de-personalized. In this comparison, the Mohawk were slightly more de-personalized by the coverage under examination than were the Gainers workers relative to their antagonists.

This table compares numbers of CbTs assigned to the four groups:

Table 3.2: Number of CbTs Assigned to Each Group

	(A) <u>Total CbTs</u> Police/Gov't	<u>Differential</u> A as % of B	(B) <u>Total CbTs</u> Workers
Gainers	111	60%	185
	SQ/Gov't		Mohawk
Oka	288	77%	376

As the differential indicates, the Gainers workers were portrayed worse relative to the police in their situation than were the Mohawk in theirs.

This final table compares the total number CbTs with total number of RbTs for each of the four groups to give a rate of appearance expressed as a per cent. The higher the percentage in columns A and B, the more conflictive is the portrayal:

Table 3.3: Total CbTs as Per Cent of RbTs For Each Group

	(A) <u>% CbT to RbT</u> Police/Gov't	<u>Differential</u> A as % of B	(B) <u>% CbT to RbT</u> Workers
Gainers	32%	45.1%	71%
	SQ/Gov't		Mohawk
Oka	74%	73.3%	101%

That remarkable 101% indicates that there were more conflictive references to the Mohawk (CbT) than there were actual references to the Mohawk (RbT). It is not to be gathered this means the Mohawk were referred to negatively in reference to every RbT as that simply was not the case. It does imply, however, that there was a greater tendency to refer to the Mohawk with multiple

negatives than any other group. Remarkable as that 101% is, however, the Gainers workers are portrayed substantially worse relative to the police in their situation than are the Mohawk in theirs.

THEMATIC ANALYSIS OF THE OKA CRISIS

The leading theme is the law and order theme. This theme notes the injunction against the Mohawk barricade whose dismantling becomes the focus. It touches upon negotiations, continued Mohawk defiance and makes reference to Marcel Lemay's death in the original SQ raid. Appearing six times and rarely entirely absent from the other articles, this theme reflects most negatively upon the Mohawk.

Native rights is the next most important theme in terms of occurrence. It seeks to explain the powerful stand of the Mohawk. To do so it refers to the centrality of the issue of land for Native people. Two articles are devoted to the particular history of relations between the Mohawk of Kanehsatake with various Euro-Canadian groups. The three articles reflect most negatively upon government.

There is a related theme which seeks to explain the nature of the powerful Mohawk stand. This theme takes the opposite approach explaining the stand in terms of a growing trend of Native political violence and activism. Appearing only once, it reflects negatively upon the Mohawk.

Two articles appear which sharply criticize police conduct during the events. Police aggression and mismanagement are blamed for the armed nature of the standoff.

One article criticizes the federal government for its refusal to become involved. This theme was frequently revisited in the days ahead.

One article appears which blames the advent of the crisis on the Quebec government. Coming from the standpoint of various Native leaders, this theme looks upon the original SQ raid as a political reprisal for the failure of the Meech lake accord.

The final article reports the break down of negotiations to bring down the barricades. It assigns blame to both parties. Interestingly, both sides come out evenly in terms of thematic analysis, despite the findings of the content analysis.

SUMMARY

Again, due to the limited sample involved in this study, all findings must be regarded as preliminary only and in need of further proof. That being said however, such as they are, the findings are interesting. The thematic analysis was reserved for last for reason of its being the most superficial. It involves no more than comprehending the story. Remarkable in light of the overall study is the apparent neutrality of reporting. At the level of thematic analysis, it would be difficult to present a case for bias.

That changes dramatically at the level of content analysis of the words of the articles. In the analysis of CbTs and RbTs it was shown that newspaper coverage of the Oka crisis was strongly biased against the Mohawk. They are portrayed in a more abstract, less personal form and as more violent than the SQ. Was the coverage racist in its bias? The Gainers strike analysis was introduced to control for racism unfortunately does not provide definitive proof one way or the other. While the Mohawk were poorly portrayed, presumably on the basis of race, in some respects they fared considerably better than the Gainer's workers who would have suffered on the basis of class politics.

The coverage was biased significantly. The objectivity of coverage on the thematic level was merely apparent. By bombarding readers with references to the Mohawk in which they are associated with "violence," "dispute," "militant," "dead," or "armed," newspapers provided the raw material and legitimacy to portrayals of Mohawk criminality. In this way, newspapers vitally prepared the ground for the popularization of the Minister of Justice's Warrior thesis.