

Major Political Movements in Modern First Nations History

Meech Lake Accord

Under the leadership of Pierre Trudeau, the Canadian Constitution was amended with the Constitution Act, 1982. The Constitution Act, 1982 resulted in the patriation of the Constitution (a political process that created Canadian sovereignty – up to this point Canada was governed by a British constitution and laws), a new formula for constitutional amendment, and the introduction of the “Canadian Charter of Rights and Freedoms”.

The province of Quebec did not sign this new Constitution and in an effort to secure a signature from the province a newly elected government led by Brian Mulroney began a series of negotiations with Quebec in 1985. Quebec was willing to sign the Constitution if Quebec was acknowledged as a distinct society within Canada and proposed various items to increase provincial political powers. These proposals became the Meech Lake Accord and needed unanimous approval by all members of all provincial legislatures within a three year timeline in order to amend the Constitution.

The Meech Lake Accord was highly controversial as it did not engage all stakeholders in discussion on such an important topic. It was reached to the exclusion of Aboriginal groups, linguistic minorities within and outside Quebec and others who should have been consulted. The ‘special status’ that would have been granted to Quebec was also not popular amongst the general public.

In 1990 as the deadline to ratify the Accord loomed a motion was put forward in the Manitoba legislature to extend the deadline for ratification of the Accord. Elijah Harper, a First Nations member of parliament who was frustrated that the Accord had been negotiated without First Nations input, raised an eagle feather in opposition to the motion and stalled the motion repeatedly saying “No” until a key deadline to sign the Accord had past. As a result of Elijah Harper’s actions Newfoundland canceled a planned vote as it would have likely been a refusal, and the Meech Lake Accord was dead. Elijah Harper was later quoted as saying “I stalled and killed it because I didn’t think it offered anything to the Aboriginal people”. Elijah Harper did not feel First Nations people were being engaged in a meaningful way in Constitutional reform and were not being recognized. His stand is seen as a turning point for First Nations politics prompting calls for more inclusion and bringing First Nations issues to the forefront. Elijah Harper would use his political influence throughout his career to advance the First Nations cause until his passing in 2013.

Sources:

http://en.wikipedia.org/wiki/Meech_Lake_Accord

<http://www.histori.ca/peace/page.do?pageID=260>

Oka Crisis 1990 (Quebec)

The Oka Crisis was a violent civil dispute over land between the Mohawk people and the town of Oka, Quebec. The Mohawk laid claim to a tract of land that encompassed pineland and a burial ground. They assert their ancestral territory had been reserved for their use, but in 1717 it was granted to the Priests of Saint Sulpice (a Roman Catholic order from Paris) by the governor of New France. The Seminary was expected to hold the land in trust for the Mohawk, however would later give themselves sole ownership rights. The Seminary vacated the territory and sold it for development in 1936 under protest by the Mohawk who had been petitioning for the land to be returned to them since 1868. In 1961 the town of Oka built a private 9-hole golf course on a portion of the land, the Mohawk brought the case to court, but by the time the case was heard most of the land had already been cleared. The Mohawk continued to fight for the land but their official claim was rejected by the courts in 1977. In 1989 the city announced it would be expanding the golf course and would be building 60 luxury condos in the pinelands. Despite protest by the Mohawk and expressed concern from the Minister of Environment the court granted the city permission to begin construction. As a result the Mohawk erected a blockade prohibiting access to the land.

After two injunctions to remove the protestors were ignored, the mayor of the city asked the provincial police force, the Surete du Quebec (SQ), to intervene in the blockade. On July 11 1990 the SQ descended on the protesters with tear gas and bang grenades. A brief gun battle ensued resulting in the death of one officer and the SQ retreated.

The situation escalated as another Mohawk community erected a blockade in support of the protest blocking the Mercier Bridge – a major connection between the south shore suburbs and the island of Montreal. The SQ erected their own blockage to restrict access to the communities of Oka and Kanesatake. These traffic disruptions created considerable anger and tension amongst civilians and highlighted racial tension in the region through vocal and heated confrontations at the sites of the blockades. In one instance angry community members threw rocks and jeered at approximately 75 vehicles – containing mostly women, children and the elderly -attempting to leave the reserve.

By mid-August when it became clear the SQ could not contain the situation the RCMP were called to intervene, but they were also unable to contain the mob. As a result Premier Robert Bourassa called in the Canadian Armed Forces and the iconic images of tanks and stand-offs between soldiers and activists both in camouflage captured the atmosphere of the situation. Eventually the Mohawk blockade at the Mercier Bridge was forced to surrender under increasing military pressure weakening the position of the blockade at Oka and on September 26 the 78-day stand-off came to an end. A number of Mohawk members were criminally charged for their actions and to this day it is not known who fired the fatal bullet that claimed the life of Corporal Marcel Lemay.

The standoff was a tense battle of wills that inspired First Nations across Canada to take direct action in regards to their ongoing frustration with the lack of recognition and engagement by provincial and federal governments on issues that affect them. The events of the Oka Crisis were highly publicized in the media across the nation and garnered both sympathy and disdain from the general public. It brought to light Aboriginal rights and land claims issues and was a catalyst for the *Royal Commission on Aboriginal Peoples* – a federal government initiative intended to respond to Aboriginal concerns.

During the conflict the federal government purchased the land in question in order to prevent further development and the golf course expansion was halted. The land has yet to be transferred to the Mohawk. Nearly twenty years after the crisis First Nations leaders have remained critical of the glacial pace of progress and argue that nothing has changed.

Sources:

http://en.wikipedia.org/wiki/Oka_Crisis

<http://www.thecanadianencyclopedia.ca/en/article/oka-crisis/>

Gustafsen Lake in 1995 - BC

A site near Gustafsen Lake known as Ts'Peten, on Secwepemec (Shuswap) territory, was the site of a sacred sundance ceremony being held on a multi-year cycle since 1989. Local rancher Lyle James used the land on this site as cow pasture, but he held an agreement with the First Nations that the land may be used for their spiritual ceremony so long as no permanent structures be erected on the site. In 1995 the Sundance participants had erected a fence to keep cows from defecating on the ceremonial grounds and James quickly issued eviction notices to the Sundancers and their helpers. The Sundancers explained to James that they could not leave until the Sundance was complete. Tensions rose when cowboys rode on horseback and harassed the participants of the Sundance. The RCMP were called in to keep the peace until the ceremony was complete. The conflict brought into question outstanding Aboriginal Title and sovereignty and soon grew into a protest and occupation by the Sundancers, known as the 'Ts'Peten Keepers'.

In August of that year the RCMP, who had only been observers at that point, called in a camouflaged Emergency Response Team on a reconnaissance mission to determine how many weapons were at the site. The 'Ts'Peten Keepers' were not aware of what was going on and were fearful the men surrounding their occupation were vigilantes and so fired off a warning shot. From this the RCMP ascertained the Sundancers were "armed and dangerous". A spokesperson for the 'Ts'Peten Keepers', Percy Rossette Faithkeeper, issued a press release calling for a peaceful resolution to the conflict. In response communication was cut off from the camp by the RCMP who in turn erected a media centre that presented a skewed and biased representation of the conflict to the general public. The protesters were labeled as "militants" and "terrorists" framing the nature of the conflict as one of a group of radicals that needed to be quelled. The one-sided representation of the situation was criticized by journalists and other public figures at the time who were fearful paramilitary activity would lead to another 'Oka Crisis'. 'Ipperwash' was unfolding simultaneously in Ontario that summer and First Nations were taking notes.

Negotiations were leading nowhere and the stand-off would escalate over the month of September with increasing suspicion and fabricated attacks to justify the deployment of armed forces in military vehicles at the site. The RCMP and military had placed land mines around the camp and were highly criticized for initiating armed conflict. The stand-off ended mid-September with the surrender of the 'Ts'Peten Keepers' and a year-long trail began resulting in the four-year imprisonment of one of the leaders of the

movement, Jones William Ignace (Wolverine). The excessive police, military and political control in the conflict remains highly controversial and some have even called for an inquiry into the actions taken, this hasn't happened. The events have formed a "what not to do" in response to Aboriginal political assertions over land.

Source:

<http://indigenousfoundations.arts.ubc.ca/home/community-politics/gustafsen-lake.html>

Ipperwash Crisis

At the same time the Gustafsen Lake stand-off was happening a similar, although shorter lived, conflict between the Stony Point First Nation and the Ontario Provincial Police (OPP) was taking place at Ipperwash provincial park. First Nations protestors occupied the park on September 4th 1995 in peaceful protest for lands that had been taken and never returned.

During World War II the Stony Point First Nation had been offered a sum of money to surrender reserve lands for a military base. The First Nation rejected this offer as the land held cultural and historical significance as a burial ground. Despite this the government expropriated the land under the War Measures Act assuring the First Nation the land would be returned, which it was not.

The peaceful protest by the Stony Point First Nation ended on September 6th 1995 with an evening police raid and the shooting death of an unarmed Ojibwa man, Dudley George, at the hands of an OPP sniper. It took 8 years before a public inquiry into George's death took place. The inquiry lasted three years and revealed shocking video footage of OPP members making racist comments about First Nations the day before George's death in addition to other revelations. The inquiry concluded the OPP, provincial and federal governments all bore responsibility in the events. The inquiry also made recommendations that increased public education on land claims issues is needed in addition to a formal body to address land claims issues. Another key recommendation of the inquiry was that the land in question be returned to the First Nation, which has yet to happen.

Source:

<http://indigenousfoundations.arts.ubc.ca/home/community-politics/ipperwash-crisis.html>

Charlottetown Accord & Referendum (1992)

The Charlottetown Accord was the second attempt (following the defeat of the Meech Lake Accord) to amend the Canadian Constitution and bring Quebec on-board. This second attempt at constitutional reform included consultation with stakeholders, including First Nations and involved a national referendum. Again, a key focus was the division of provincial and federal powers and Quebec's acknowledgement as a distinct society, but of significant importance to First Nations, under the Accord the Aboriginal right to self-government would have been enshrined in the Canadian Constitution. The Accord would have also recognized Aboriginal governments as a third order of government and would have enshrined existing treaty rights in the constitution. When it was introduced the three major

political parties – Conservatives, Liberals and NDP – largely supported the Accord and spent a great deal of effort and money to promote it to the Canadian public. Despite the propaganda the popularity of the Accord soon began to diminish as pundits like Pierre Trudeau argued the Accord would end a unified Canada. The referendum results were 55% not in favour of the Accord, and while the referendum was not legally binding, it didn't make sense to push it forward and like its predecessor, the Charlottetown Accord was dead. The "death" of the Accord represented a general consent to maintain the status quo, and fortified the Quebec independence movement.

Source:

<http://mapleleafweb.com/features/charlottetown-accord-history-and-overview>