
June 29th: Day of Action or Launching Pad for Sustained Campaign of Political Confrontation?

The Assembly of First Nations has called for a national day of action on June 29 to draw attention to indigenous peoples' issues. A motion to have a cross-country mobilization was made and passed by the Assembly at the end of last year. It immediately turned heads in the minority Conservative government.

After being elected in early 2006 the Conservatives did not identify First Nations issues as a top priority. On the contrary, they gutted the Kelowna Accord, a five-year \$5 billion plan forged under the previous government to improve education, health, and economic development in indigenous communities. However, since hearing about the day of action, the government has been re-assessing its priorities, not least because of concern over the possibility of rail and road blockades. Internal documents obtained by the Canadian Press indicated that the government has been fretting for months about the prospect of such tactics.

In order to slow the momentum building towards the June 29 mobilization, the Conservatives announced a plan to change the way that land claims are dealt with. For sixty years the federal government has acted as defendant, judge and jury in dealing with disputes with native bands over land. The Indian Claims Commission investigates complaints about treaty violations, but can only make recommendations to the federal government about how to resolve disputes. The government itself decides whether it agrees it is at fault, and whether negotiations should take place.

In addition to the conflict of interest inherent in the current land claims process, the bureaucracy is exceedingly slow to process the claims. Since 1973, when the current system was established, only 282 of the approximately 1,354 filed claims have been settled. First Nations that have had their claims resolved have seen immediate improvements in terms of economic development, according to a recent senate

report. However, the AFN estimates that due to the existing backlog, some First Nations will have to wait 100 years before their claims are processed.

The Conservatives' June 12 announcement of the land claims overhaul was welcomed enthusiastically by AFN Grand Chief Phil Fontaine, who called the plan "historic". However, others reacted differently. Roseau River Chief Terry Nelson, for one, was not satisfied. He would stick with his original plan, which had already been widely reported in the media. If the government did not take immediate, concrete action, he would set up a rail blockade on the CN line that runs by his southern Manitoba community.

Implicitly responding to Nelson's threats, federal Indian Affairs Minister Jim Prentice stated repeatedly in the media that illegal actions taken on June 29 would be dealt with harshly. Yet, on June 15, Prentice spoke with Nelson directly, agreeing to expedite an application by Nelson's Roseau River band to develop land



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purchased in 1994 under the Treaty Land Entitlement program. Apparently satisfied, Nelson stated that he would call off the rail blockade, pending a decision on the matter by his community.

Needless to say, after Prentice's explicit warnings against illegal means of protest, his handling of Nelson's demands was surprising. It seemed to indicate a willingness on the part of the government to negotiate if threatened with a confrontation. Perhaps it sounds ridiculous to suggest that Nelson intimidated the Conservatives. However, with the report of the Ipperwash Inquiry still hot off the press, and the dispute with Six Nations over lands along the Grand River on-going, the government has its reasons to fear conflict with First Nations.

The land disputed at Ipperwash, Ontario was taken in 1942 from the Stony Point band by the military under the War Measures Act to establish a military base. After the seizure band members petitioned the government on numerous occasions. It was especially important to them to reclaim the land as it contained an ancestral burial ground. Finally, in 1993, over fifty years after the original takeover, Stony Point band members began moving onto the land surrounding the military base. In 1995 they erected barricades at nearby Ipperwash provincial park to further assert their intentions to reclaim the land. Eventually, the OPP moved in on the unarmed protesters and killed Dudley George.

In 1998 the disputed land was turned back over to the Stony Point band and \$26 million was paid as compensation for the 1942 seizure. In 2003 a public inquiry into George's death was launched. The report of the Ipperwash Inquiry, released on May 31, determined that the federal government bore primary responsibility for the Ipperwash tragedy, as well as the current increase in indigenous unrest. The report also stated that treaties between indigenous peoples and the British and Canadian governments are not, "as some people believe, relics of the distant past", and that promises made in the treaties must be fulfilled.

The 150-year-old dispute at Grand River, Ontario between Six Nations and the federal government came to a head when Henco Industries set up to begin construction for a housing project on 40 hectares of contested land. In February 2006 Six Nations members occupied the construction site. Initial attempts by Henco Industries to have Six Nations members forcibly removed failed because the sheer numbers of protesters at the site overwhelmed police.

Eventually the province bought the land from Henco and called on the federal government to come to the negotiating table. 16 months into the occupation negotiations continue, following the rejection by Six Nations of a \$125 million offer by the federal government to settle four outstanding land claims. Six Nations negotiators are insisting that they be handed over the disputed lands, rather than

receiving monetary compensation.

In both the Ipperwash and Grand River disputes, protesters took matters into their own hands because of the federal government's failure to address land claims in a just and timely manner. The resulting confrontations thrust the disputes into the public spotlight, exposing the federal government's moral and legal liabilities to indigenous peoples. With June 29 approaching, the Conservatives face the possibility of still more direct action. They are scrambling to avert conflict, hoping that their promised plans to change the land claims process will minimize the level of militant protest.

But far too many debts to indigenous peoples have been accumulated and left unpaid for far too long. The Conservatives' concessions may have appeased the Indian Act Chiefs, but they have much to lose if they go too far. The real source of fear for the federal government are the natives, especially youth, who reject the system of dependency that is at the root of indigenous poverty. At Six Nations, Tyendinaga, Grassy Narrows, Skwel'kwel'welt, and elsewhere, they are the ones who threaten the federal government with a sustained campaign of political confrontation.

- Dave Brophy

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