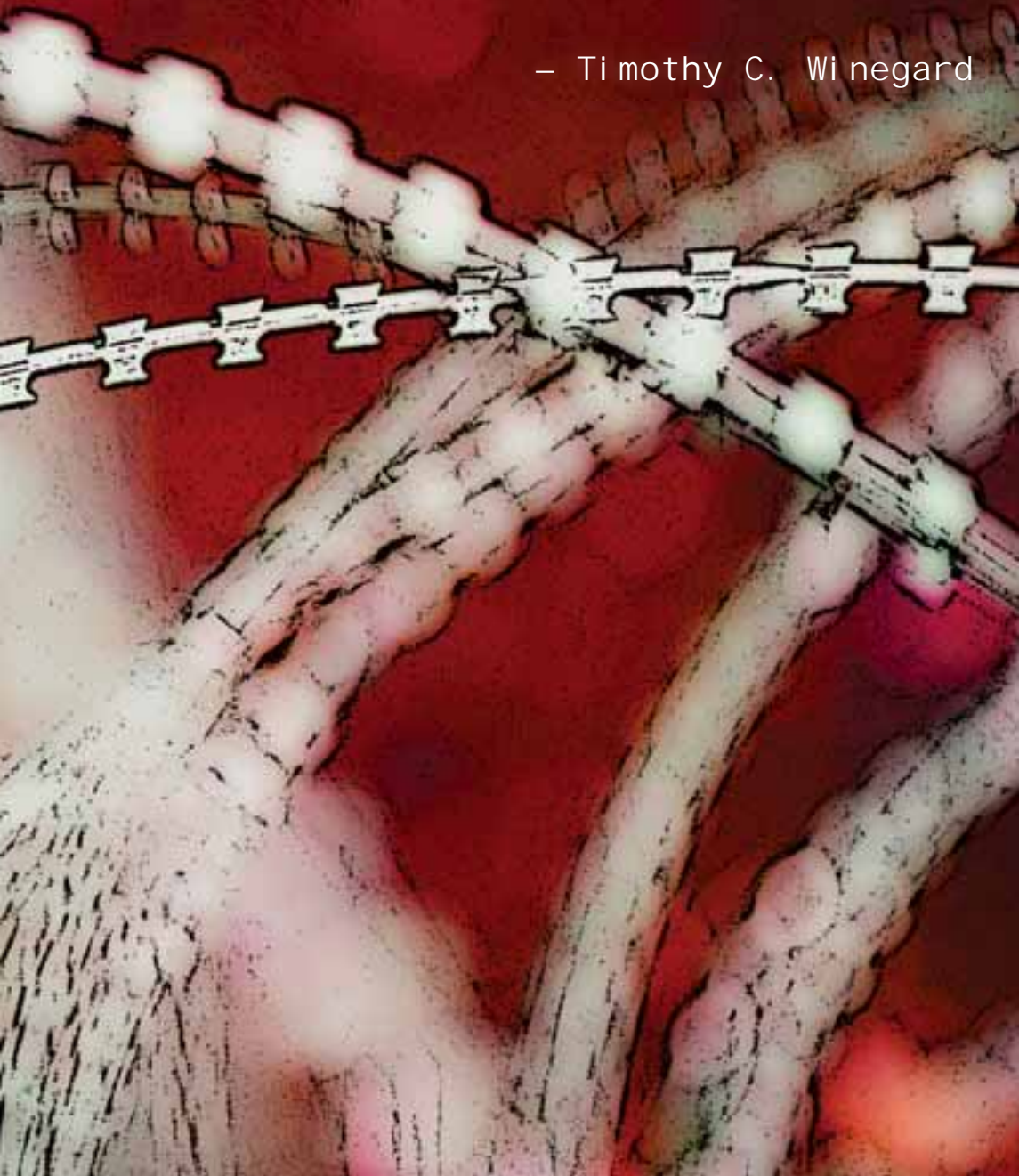


Oka:

A Convergence of Cultures
and the Canadian Forces

– Timothy C. Winegard



Ok

OKA:

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Timothy C. Winegard



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For the leader of the band, my Dad.

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Thank you all,

Tim

Oxford, U.K., March 2008

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FOREWORD

I am delighted to introduce *Oka: A Convergence of Cultures and the Canadian Forces* by Timothy C. Winegard as the latest addition to the Canadian Defence Academy (CDA) Press collection. With its humble beginnings in January 2005, the CDA Press has published books of specific interest to the Canadian Forces (CF) and to those interested in the study of the profession of arms in Canada. Our aim has always been to create a distinct and unique body of Canadian military leadership literature and knowledge that will assist leaders at all levels of the CF prepare themselves for operations in a complex security environment, as well as to inform the public with respect to the contribution of CF personnel to Canadian society and international affairs.

As such, *Oka: A Convergence of Cultures and the Canadian Forces* is an important volume in the CDA Press collection. Aid to the civil power, particularly in cases of civil disobedience, is arguably one of the most difficult tasks the military may be called upon to perform. Although military forces represent the government's legitimate managers of violence, and often the government's last resort to re-establish law and order, the image of soldiers using violence against fellow citizens is one that everyone, particularly the nation's soldiers, would rather not see. Yet, in the spring/summer of 1990, the CF was called on to do exactly that. The CF was deployed to assist in the settlement of the emotionally-charged Oka crisis that had already cost the life of a Quebec provincial police officer.

The ensuing tense weeks were filled with conflict and potentially explosive situations, all in the glare of the ever-present media. Throughout the 78-day crisis, the potential for catastrophe was omnipresent. Yet, in the end, although mistakes were made and many lessons were learned, the CF and its leadership made the best of a terrible situation and earned the respect of Canadians. That story is told within these pages. Tim Winegard has written a well-researched study of Oka, which also focuses on the CF's participation during that aid to the civil power operation. As such, it provides the background and context to the major issues, as well as a detailed explanation of the struggle and eventual outcome. In sum it provides an excellent case study and is worthy of study by all military leaders and those interested in Canadian military affairs.

In closing, I wish to reiterate that *Oka: A Convergence of Cultures and the Canadian Forces* is an important new addition to the CDA Press list of titles. It adds to the sparse body of contemporary Canadian military operational

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leadership literature. As such, I believe that it will provide valuable insight to all those who serve in, and equally those who interact with, the profession of arms in Canada.

Colonel Bernd Horn
Chairman, CDA Press

INTRODUCTION

The sleepy town of Oka, Quebec, strategically positioned at the confluence of the Ottawa and St. Lawrence Rivers, existed in relative obscurity save for the production of a pungent semi-soft cheese made by the cloistered men of a local seminary. Located roughly 65 kilometres (km) northwest of Montreal, this one-stoplight village of 3,000 people hardly seemed the site to cultivate Canada's longest and most capricious internal rebellion since the late nineteenth century. Underneath what appeared to be the town's innocent atmosphere and playful outdoor demeanour lurked an ugly tenebrous reality that had plagued the region of the Lake of Two Mountains since the arrival of French missionaries in the early eighteenth century.

The protracted conflict between the Native inhabitants of Kanesatake ("On the Sandy Dunes") and the religious order of the Seminary of St-Sulpice had been seething for almost 300 years. On the surface, it took the proposed expansion of the Oka Golf Club to ignite the long-standing feud into an armed revolt, which spread to the neighbouring Mohawk Reserve of Kahnawake on the south shore of Montreal. The masked, gun-wielding Mohawk Warriors and the subsequent deployment of the Canadian Forces (CF) gripped the curiosity of a nation paralyzed with fear. This was happening in Canada.

The standoff during the spring and summer of 1990 between elements of the Mohawk Nation and various Canadian and American security agencies at Akwesasne, Ganienkeh, Kanesatake (Oka) and Kahnawake was not born in a vacuum. The federal government of Canada, the provincial governments of Quebec and Ontario, and the numerous factions within the Mohawk Nation had conflicting arguments to validate their own agendas. It is evident that the foundations of the violent events that transpired lie in none of the immediate or neighbouring factors on which the attention was focused.

To compound the confusion, the legal framework and the political understanding for the deployment of the Canadian Forces, 4,500 strong, in the function of *Aid to the Civil Power* were and are not understood. In reality, the CF deployment, dubbed Operation SALON, rivalled Canada's commitment to the 1st Commonwealth Division during the Korean War (1950-1953) and to NATO in West Germany during the Cold War. Currently, no more than 2,500 Canadian soldiers, at any given time, are in support of the International Security Assistance Force (ISAF) as part of Operation ATHENA in Afghanistan (2001—).

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In contrast, the Canadian Forces deployment to Kanesatake and Kahnawake, under Operation SALON, peaked at 3,700 soldiers.¹

The conflict at Kanesatake over the area locally known as “the Pines” appeared to stem from the decision of the Oka town council to expand the local golf course by nine holes, in conjunction with the erection of 60 luxury homes along the fairways of the proposed course. However, this pronouncement was preceded by numerous land claims dating back to the seventeenth and eighteenth centuries and what was perceived by the Aboriginal inhabitants to be a neglectful governmental policy towards Native issues. As the eventual 78-day standoff progressed, ulterior motives entered the Native agenda. Mohawk Nation sovereignty and self-determination became principal points of demand and debate, overshadowing the campaign to save the white pine forest.

The peaceful protests of the early spring were replaced with armed confrontations and violent blockades. Under the guise of Native rights, elements of the Mohawk Nation’s Warrior Society sought to protect an illegal enterprise of gambling and a smuggling network for cigarettes, alcohol, weapons and human trafficking. Whether or not the Canadian public was aware of the deep-seated causes of the conflict, the ensuing media barrage that engulfed the standoff firmly entrenched Oka in the social consciousness of the Canadian public, and to some extent, of the international community.

Few would argue that the militant posture of a certain, relatively small, collective of Mohawks during the Oka Crisis amplified the nation’s awareness of the plight of Indigenous Canadians and their struggles for cultural and territorial recognition. Standing alone then, this was indeed a positive attribute to the summer of 1990. However, this point, when coupled with the larger violent manifestation of Native frustrations cannot, in any rational thought, be considered a victory for the Mohawk Nation, Indigenous Canadians or the peoples and governments of Canada. The horribly frightening scenes of Canadians pointing guns at other Canadians cannot, and should not in the future, be seen as a viable solution to the divides of politics and ethnicity.

However, in openly criticizing the Warrior Society and its radical actions, the legitimate grievances of the Mohawk Nation and Canadian Aboriginals as an entirety might be detrimentally overlooked. In contrast, identifying the Warriors as the voice and ambassadors of the Mohawk people would be dangerous, disadvantageous and unequivocally unfounded and unwarranted.² Correspondingly, the Warrior Society was made up of a diverse collective with

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differing motivations and a large disparity in stance concerning illicit practices. The vast majority of Mohawks are proud, peaceful and law-abiding members of their communities.

What follows is neither a condemnation nor an accusation. The Oka Crisis was the product of two distinct cultures converging over 300 years to clash in the microcosm that was the spring and summer of 1990. Colonization and governmental regulations created an atmosphere of dissent and isolation within Native communities. Colonization, imperial warfare in North America, western religion and subsequent regal and Canadian policies created divisions in both the Iroquois Confederacy and the Mohawk Nation. This dissent and the long-standing religious and political factions of the Mohawk Nation, in combination with more recent neglectful governmental land claim policies, led to the violent manifestations of Mohawk frustrations. The original Warriors were highly idealistic and viewed themselves as the front-line defence to protect Mohawk land. With the continuation of neglectful governmental policies and a loss of economic stability, the Warrior Society transformed itself into a multi-facet organization, which included criminal elements.

In effect, the governments of Canada and Quebec helped create the Oka Crisis and the Warrior Society through a history of assimilation, neglect and non-negotiated policies. The creation of an *Indian Act* and land claim policies without any Native input or opinion left Aboriginal Canadians with little power to control or change the decisions made by governments that drastically affected their culture and communities negatively. Barricading roads and bridges with high traffic volume was seen as the only option to bring the governments to the negotiating table.

The Oka Crisis was about legitimate grievances over land rights at Kanesatake. There can be no doubting this. However, the longer it progressed through failed negotiations, the more members of the Warrior Society, aided by non-Mohawk corporate interests, were allowed to use these justifiable grievances of the Mohawk Nation to usurp power to protect a multi-million dollar gaming and smuggling network. The ultimate goal for certain Warriors was to intimidate both the Mohawks who opposed them, and also the governments of Canada and Quebec, so that control of the Reserves remained with them, unchallenged by internal or external police forces. The Oka Crisis originated from valid Mohawk frustrations over unheard and unheeded land claim submissions. It was a cause that all Mohawks could support. Unfortunately, this included elements of the Warrior Society which altered the methods

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for change using the classic revolutionary formula, ultimately transforming Akwesasne into a narco-parastate.³

The deployment of the CF was in many respects unavoidable. The Sûreté du Québec (SQ) was unprepared to confront the Warriors and their supporters and could not match the Warriors' weapon arsenal. When the SQ attempted to forcefully end the standoff on 11 July, they only escalated an already volatile situation. Secondly, the framework of *Aid to the Civil Power* left the CF with no choice but to intervene at the request of the Province of Quebec. The actions initiated by the CF ended the immediate crisis without any further loss of life. The deployment of the Canadian Forces in such magnitude within Canada warrants an explanation and an understanding, which is lacking in the historical record of the Oka Crisis.

The foundations of the Oka Crisis are extremely complex and embody many perspectives. The strife and violence that paralyzed Mohawk country were not a progression of isolated events but the radical culmination of many. In an attempt to reach a more comprehensive understanding of these viewpoints and to connect these events, the story must begin with an outline and synopsis of the Mohawk position within the framework of North American politics and history. Inextricably, their history is coupled with the history of European colonialism and western political thought, the evolution of which created long-standing feuds and disagreements over land claims and Native self-determination. The Oka Crisis represents the violent collision of the convergence of two distinct cultures.⁴

PART I

Converging Cultures

The Oka Crisis was not an isolated event in the history of the Mohawk Nation. It was the unfortunate manifestation of the convergence of Aboriginal culture and territorial holdings in connection with the arrival of Europeans and the posture, attitudes and policies of successive North American governments relating to Native rights and concerns. These are the two converging lines; the Indigenous peoples of Turtle Island in connection with Europeans. In relation, the story of the Oka Crisis must be written as such. The reasons for the Oka Crisis are equally as important as the events and approaches for resolution initiated by both sides during the crisis itself.

The converging lines narrowed during 300 years of precarious cohabitation to finally and violently meet in 1990 in the form of barricades and hostility within the territories of the Mohawk Nation. The introduction of these lines to form an uneasy relationship began with the arrival of European explorers and their contact with the Native nations of North America. When Jacques Cartier met the St. Lawrence Iroquois in 1534 the future of the Native population, more specifically the Iroquois Confederacy and its Mohawk Nation, became inseparably linked to the future of the colonizing nations. It is within this history that the origins of the Oka Crisis lie.

Included in this history are the political organizations, culture and practices of the Mohawk Nation as a microcosm of the larger Iroquois Confederacy. These characteristics were drastically altered by interaction with European settlers. The introduction of Christianity, European political thought, institutions, warfare and capitalism, in the form of the fur trade, all had a profound impact on the cohesion of the Five Nations Iroquois Confederacy and its Great Law of Peace.

The infusion of continental European wars into the landscape of North America, coupled with Native participation, forever altered the *status quo* and ultimately led to the downfall of the Iroquois Confederacy. Its position as the premier military power, not only among Native alliances but also among

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the rival European powers, was irreversibly lost. The inescapable onslaught of European culture unhinged the Iroquois Confederacy by creating political, religious and allegiance divisions within its member nations including the Mohawk. These divisions created through contact and fostered by consecutive governmental policies forged the atmosphere for future conflict within the Mohawk Nation culminating at Akwesasne, Kanasatake and Kahnawake during 1990.

The combination of these divisions and the failure of negotiated land claims created a dissident environment leading to the foundation of the archetype for militant Canadian Aboriginals in the form of the Mohawk Warrior Society. The Mohawk transition from loyal British ally to ward of Ottawa's paternalistic and assimilationist *Indian Act* was stubbornly resisted and the Mohawk actively took a lead role in the 1960s "red power movement." In the 20 years before the Oka Crisis, the Warrior Society was reintroduced into Mohawk culture, armed itself with a sophisticated weapon arsenal and subsequently grew corrupt.⁵ To gain legitimacy, it connected the valid frustrations of Aboriginal communities with armed militancy and criminal activities. The Warriors implemented revolutionary tactics, and intimidated and attacked their brethren, creating further splits within the traditional Longhouse and the *Indian Act* Band Councils.

Given the numerous partitions within the Mohawk Nation and the struggle for power, the Reserves were left without any dominant form of governance. The Oka Crisis was an exercise of power. It was a struggle for power between the Mohawk Nation in its entirety against the land claims policies of the federal government. However, it also represented the struggle for power within the Mohawk Nation itself. While many Canadians view the Oka Crisis as a defining moment in Canadian-Native relations, this perspective is not shared by the Mohawk Nation. It is simply one more example of contention within the converging cultures throughout the past 300 years.

CHAPTER 1

The Iroquois Confederacy and the Great Law of Peace

In order to appreciate the complexities and causes for the Oka Crisis an examination of the remarkable, and at times confusing, history of the Iroquois Confederacy, or the Six Nations is paramount. This includes the culture, traditions and history of the Mohawk Nation and its people who still maintain the belief that they are a sovereign nation within the confines of North America; their historical record and oral history pre-date the “discovery” of the New World by Christopher Columbus. The Oka Crisis was simply another episode in a protracted conflict between their culture and that of the European powers. The European presence had profound impacts on the political, social and military systems of the Indigenous peoples of North America, the influences of which are still felt today.

Currently, more than two million Canadians can claim some Native ancestry, 650,000 under the bureaucratic decree of “Status Indian” living on one of more than 2,200 Reserves totalling roughly 600,000 square kilometres. The Canadian Assembly of First Nations estimates that at the time of European contact, some 20 million Natives were living in North America, organized in diverse and culturally distinct nations.⁶ Although North American Native culture was less technologically developed than some Asian and European cultures, multifarious trade routes networking the entire continent had existed for centuries and great empires flourished.

The Mohawk or *Kanien'keha:ka* (People of the Flint) was one of five nations belonging to the Iroquois Confederacy or *Haudenosaunee*, an intricate political and cultural association of neolithic farmers and hunters centred in what is now upper New York State. The Iroquois nations migrated north from what is believed to be the Oklahoma-Missouri-Arkansas area in the fourteenth or fifteenth centuries, after being displaced by the more powerful Osage and Quapaw Nations.⁷ Due to the relatively secure food supply in the north, the Iroquoian peoples lived a sedentary lifestyle resulting in greater population concentrations than those tribes of migratory hunter-gatherers. Some Iroquoian towns numbered 1,500 persons, while most consisted of 300-500 persons. This population density was responsible for the distinct architectural feature

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of the longhouse—multi-family dwellings, many of which were encircled by fortified palisade walls to create a defensible and guarded village. The Iroquois became known as “the people of the longhouse” or *Rotinonhesasha:ka*.⁸

The Mohawk were living in fortified villages along the Mohawk River near present-day Utica, Albany and Schenectady, New York State. The easternmost nation of the Confederacy or “Keepers of the Eastern Gate,” Mohawk territory stretched from the northern banks of the St. Lawrence River, including Montreal Island, to as far south as the Mohawk River, encompassing the Adirondack Mountains in Vermont, the Connecticut River Valley, and the lands surrounding Lake Champlain.

To the west were the villages and hunting grounds of the Oneida (*Hodenhota*—People of the Standing Stone), Onondaga (*Onodahgeyga*—People of the Hills), and the Cayuga (*Gayogwenga*—People of the Swamp). The Seneca (*Donahguh*—People of the Great Hills) were the largest of the five nations and like their Mohawk brethren in the east, were the “Keepers of the Western Gate.” Seneca lands bordered the shores of Lake Erie and Lake Ontario.⁹ Farther west existed smaller groups of Iroquoian-speaking enemies: the Huron (*Wendat/Wyandot*), the Wenro, the Neutrals, the Tionontati and the Erie. To the south in present-day Pennsylvania lived the Susquehannock, another related enemy of the five nations. The Carolinas were home to the Tuscarora, who in the early eighteenth century fled settlers and rival Native nations, taking refuge in New York among the Iroquois. They entered the Confederacy as a non-voting member in 1722, thus creating the Six Nations Confederacy as it is still known today.¹⁰

The association of these initial five nations into an alliance predates European arrival. Iroquois tradition recounts that the formation of the coalition was due to the desires of Deganawida (Peace Maker) and Aionwatha (Hiawatha) to end the feuding, cannibalism and war that had long been present among the five nations, while also bringing a larger peace to the other Native nations in the surrounding regions.¹¹ Thus, by the creation of this powerful alliance, the five nations had the ability to defend themselves but also, if necessary, wage war in overwhelming numbers against their enemies. In a demonstration of solidarity, oral tradition recounts how the members of the five nations, under the influence of Deganawida, buried their hatchets and war clubs under the Tree of Peace. In short, the Iroquois Confederacy was an alliance predicated upon parallel cultural and clan associations for strategic military purposes.¹² Although the origin of the Confederacy has been dated as early as 1142, it is more likely, based on archaeological and historical evidence, that the

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Confederacy was consolidated in the mid-fifteenth century, at which time the Iroquois numbered roughly 20,000.¹³

Based on the matrilineal clan system of the five nations and the fundamental tenet of resolutions by consensus, the Confederacy was a subdivided network of relations joining households to villages and in turn, connecting these villages to their respective nation councils. These national councils formed the basis for the Confederacy’s Central Fire at Onondaga, the most central of the nations. The Onondaga also served as the “Keeper of the Wampum.” Customary to Iroquois tradition, the Wampum—multi-coloured beads woven into a belt—served as an archival history of the treaties and important events of the Confederacy and its member nations.¹⁴

All nations followed the Longhouse traditions, in which 15 to 20 people lived in a longhouse, each represented by a head Clan Mother. In this complex political system, all 50 of the Confederacy Chiefs and the War Chiefs were men, and were chosen, based on matriarchal hereditary lineage, by the Clan Mothers at local councils. The Clan Mothers also had the ability to rescind a Chief’s title and role. While the Chiefs had the power to make decisions based on consensus, their appointment resided with the women, giving all members of society a voice in the greater Iroquois political organizations.¹⁵

Table 1—Iroquois Clans¹⁶

Seneca	Cayuga	Onondaga	Tuscarora	Oneida	Mohawk
Wolf	Wolf	Wolf	Wolf	Wolf	Wolf
Bear	Bear	Bear	Bear	Bear	Bear
Turtle	Turtle	Turtle	Turtle	Turtle	Turtle
Snipe	Snipe	-	Snipe	-	-
Deer	-	Deer	Deer	-	-
Beaver	-	Beaver	Beaver	-	-
Heron	Heron	-	-	-	-
Hawk	-	Hawk	-	-	-
-	-	Eel	Eel	-	-

The clan arrangements also served to strengthen the ties between the nations themselves through singular clan allegiances. The Mohawk possessed only the Turtle, Wolf and Bear clans, however; other nations included the Heron,

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Hawk, Eel, Snipe, Deer and Beaver clans. Correspondingly, a Mohawk of the Bear clan would inevitably be connected with a Seneca or Oneida of that same clan. Clan kinship and loyalties were as strong as kinship with and loyalty to a respective nation.¹⁷

The Great Law of Peace (*Kaianerakowa*), which is essentially the Iroquois Confederacy Constitution, ensured the autonomy of each nation over local interests, while jurisdiction over foreign and military policy remained at the Confederacy level. The Great Law provides the laws and doctrines that are the foundation of Iroquois life and culture. It consists of 117 articles, including the rights and duties of statesmen, ownership of land and animals, spiritual ceremonial customs and the rights of the people. In addition, as the Confederacy was formed for strategic military purposes, more than one-quarter of the articles refer to actions of war and to the role of "Warriors," known in Mohawk as *Rotisken'rake:ta*, or carriers of the burden of peace.¹⁸

These men who formed the war parties were guided by the Great Law of Peace and did not act independently of the wishes of the Clan Mothers and the Chiefs, although they were under the direct control of the War Chief of each nation making up the united Confederacy. The Great Law of Peace states: "If the War Chief acts contrary to the instructions or against the provisions of the Great Law of Peace...he shall be deposed by his woman relatives and by his male relatives.... The woman title holders shall then choose another candidate."¹⁹ Again, it is clear that war itself was a democratic philosophy with all levels of society participating in the decision-making process.

Centuries before the arrival of Europeans the Mohawk developed their tradition of warfare. Its origins lie in a kind of masculine sport in which battles were relatively isolated and casualties low. Raiding parties were sent to settle scores, to avenge the deaths of clan members or simply to replace a deceased family member. In addition, the practice of taking prisoners and incorporating them into the tribe, sometimes after a period of torture or servitude, ensured the exchange of cultural traditions and information, the configuration of informal alliances, enhanced trading opportunities, and the dissemination of broader genetic traits. Although these practices perpetuated a chronic state of war, the bloodshed remained minimal.²⁰

With the advent of the Confederacy in the mid-fifteenth century and the cessation of internal hostilities, the Mohawks emerged as the strongest and most militarily adept nation within the League of Iroquois. Although the Mohawk population (roughly 2,000 in 1580) was relatively small compared

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with other nations, their military prowess afforded them a prominent role within the Confederacy and so began an expansion of territory to bring peace and the justice of the Great Law to neighbouring Native nations. If these nations refused the requests of the Confederacy the Great Law authorized the use of force to conquer these objecting nations.²¹

While negating fighting within the Iroquois, the formation of the Confederacy broadened the scope and range of military excursions, and a more organized and disciplined method of warfare emerged from the Confederacy camps. War was now a tool used by the Confederacy to promote its own interests and policy within its sphere of influence. The Iroquois Confederacy was a military and political coalition unrivalled in North America. For the next 100 years, through proficient warfare and skilled diplomacy, the Confederacy expanded its territorial holdings and its population through the adoption of conquered peoples.²² There were few tribes who avoided friction with this great power; in time this included the European nations.

Indigenous peoples warred, displaced one another and exterminated each other long before the European discovery of the New World. Military histories are marred by the often repetitious pattern of human behaviour; one culture's greater numbers and superior technology dominating another culture. However, the sophisticated political and military organization of the Iroquois Confederacy was drastically altered by the infusion of European culture, values and weapons into North America. Throughout the first two centuries after contact French, British, British colonials (Americans), Canadians and Native nations struggled for control of the continent. These wars, which pitted the world's two most dominant powers, Britain and France, against one another in a struggle for imperial domination left the Iroquois Confederacy in the uncertain position of attempting to promote its own policy and agenda in the face of a cultural upheaval.

CHAPTER 2

The Effects of Colonialism on the Shaping of North America

There can be no doubt that for all inhabitants of the Americas the arrival of Europeans was the most significant disturbance and threat to their populations, civilizations and futures. The clash of mores resulting from European settlement was composed of many contradicting features: a rapidly evolving modernity stemming from the Reformation and the Age of Reason against Native tradition relatively undisturbed by any equivalent social or intellectual revolution; Christianity versus a multiplicity of Shamanistic, animistic practices and rituals; paternalism in opposition to maternalism; European expansionism compared with relative changelessness and isolation in the Americas.²³ Furthermore, the literate European society contrasted with a creative Native oral tradition led to great misunderstandings and at times perfidious actions on the part of the Europeans.²⁴ With the arrival of Europeans also came modern weapons, deadly diseases, religion and alcohol. In addition, continental European wars were imported to North America and Aboriginals were enlisted to partake in them, which, in combination with the fur trade fractured long-standing Native alliances, including the Iroquois Confederacy. All would have a profound impact on the shaping of the Western hemisphere and its Native populations. It is within these initial years of European contact that the divisions within the Iroquois Confederacy and the Mohawk Nation, so prevalent during the 1990 crisis, were generated.

The Spanish, with the likes of Columbus, de Leon, Balboa and Cortes, had made contact with the Native inhabitants of Cuba, the Caribbean and Central and South America in the late fifteenth and early sixteenth centuries. Spanish greed for riches created more expeditions including those in North America by Coronado, de Vaca and de Soto in the mid-sixteenth century. Further north, representing England, John Cabot made voyages to Newfoundland-Labrador, continuing down the eastern seaboard in 1497/1498. The French-sponsored Verrazano retraced Cabot's voyage in 1524.²⁵ However, the Iroquois remained isolated from these early European expeditions. It was not until 1534 that Jacques Cartier, on a quest to find riches comparable to the Spaniards' sequestered Aztec and Inca plunder in the south (and a route to Asia), made contact with the Iroquoian people in the Gulf of St. Lawrence.²⁶

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While anchored off of the Gaspé Peninsula near Anticosti Island on 22 July 1534 one of Jacques Cartier's deck officers recorded the following statement in his log book: "Their heads are shaved all around in circles except for a tuft on the top...long like a horse's tail, tied in a knot with a leather thong."²⁷ What he was describing was a fishing party of St. Lawrence Iroquois. They occupied no fewer than 11 relatively small villages along the St. Lawrence River, with larger settlements at Stadacona and Hochelaga, near present-day Québec City and Montreal. Further north and west were the communities of the Algonquian Nations, the primary enemies of the Iroquois.²⁸

Cartier erected a large wooden cross on the Gaspé Peninsula, to the curiosity of Native onlookers, and claimed the land for his king and country. According to Cartier, "at length we bartered with them...for everything they possessed, so that nothing was left to them but their naked bodies; for they offered us everything they owned, which was, all told, of little value."²⁹ He returned to France with two sons of Chief Donnacona—Taignoagny and Domagaya—who held court with François I, King of France. Cartier was disappointed at having to tell the royal court that, "the whole lot of them had not anything above the value of five sous, their canoes and fishing-nets excepted," and that there were no great golden cities or vast empires similar to those in the south. Nevertheless, he was ordered back to the region the following year.³⁰

In September 1535, Cartier returned to Stadacona with his two Native guides and proceeded upriver, passing several smaller Iroquoian villages until he reached the larger palisaded centre of Hochelaga on 3 October. Cartier numbered the population at roughly 1,500, living in 50 longhouses situated in the middle of corn fields at the foot of what he dubbed "le Mont Royal."³¹ After climbing this mountain, one of Cartier's crewmembers noted: "We saw the river [St. Lawrence] extending beyond the place where we had left our long-boats. At that point there is the most violent rapid [Lachine Rapids] it is possible to see."³²

These Iroquois also told Cartier and his men that, "along the mountain to the north there is a big river [Ottawa River] that comes from the west...and that up there were the 'Agojuda,' which means bad people, who were armed to the teeth.... They also seemed to say that these 'Agojuda' waged war continually." The Iroquois were referring to the Algonquians, who had been embroiled in a perpetual state of war with the Iroquois Confederacy.³³

While Basque whalers and French fisherman continued coming to North America, none ventured any farther upriver than present-day Tadoussac.

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There it is believed the Montagnais traded furs with these visitors in exchange for metal wares including knives and axes. The Montagnais in turn traded these metallic weapons to the Algonquin for more furs. These metal weapons were far superior to the stone weapons of the St. Lawrence Iroquois, giving the Algonquian Warriors a clear advantage in the long-standing feud. Consequently, the people of Hochelaga and Stadacona were forced to abandon their villages and retreat south to live with other members of their nation, presumably the Mohawk.³⁴

The diaries of Cartier and his crew are the only eyewitness accounts of the Iroquoian villages along the St. Lawrence. When Cartier returned for a third time in 1541 to establish the first French colony in the Americas under Roberval, there was a small village at Montreal but it was called Tutonaguy and was not Iroquoian. Later accounts by other explorers who traversed the Montreal region make no mention of any settlements in the area.³⁵ When Samuel de Champlain made his first visit in 1603, there were neither cornfields nor any remnants of human occupation where Hochelaga once stood. It was a no man's land in the protracted war between the Algonquian Nations to the northwest and northeast and the Iroquois to the south. Champlain recounted in 1603 that, "This region, although pleasant is not inhabited by Indians, on account of their wars; for they withdraw from the rivers as far as they can into the interior, in order not to be surprised."³⁶

Despite the arrival of Europeans, the Iroquois possessed a unity and a purpose, in the form of the Great Law, which their enemies could not match. They continued to promote their interests through war on their traditional enemies. In the east, Mohawk war parties continuously harassed the Algonquin and Montagnais to the point of driving them from the Adirondack Mountains north back across the St. Lawrence. Threat of war with the Mohawk caused the smaller Pequot and Mohegan nations to simply migrate away from the potential confrontation, leaving their lands for new homes in southern New England around 1600. The Iroquois initiated war with the powerful Mahican Confederacy to the east, while Mohawk attacked the Poctumuc, a Mahican ally to the south in 1606.³⁷

In 1608, Champlain was charged with setting up a settlement at Quebec to develop, promote and control the burgeoning fur trade with surrounding Native peoples. Champlain formed trade and military alliances with the Montagnais, Naskapi (Innu), the Algonquin and the Huron. This partnership obliged him to support and participate in their traditional wars against the Iroquois who were expropriating lands in all directions.³⁸ In July of 1609, Champlain

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accompanied a Huron, Montagnais and Algonquin war party which moved south along the Iroquois River (Richelieu River) and continued along the western shores of Lake Champlain: "We entered the lake [Champlain]...in which I saw four beautiful islands...which, like the Iroquois River, were formerly inhabited by Indians; but have been abandoned, since they have been at war with one another."³⁹ On the 29th, they encountered a group of roughly 200 Mohawk Warriors. In the ensuing battle, French arquebuses scattered the massed Mohawk formation while killing no fewer than 50 Warriors including two chiefs. The following year Champlain participated in another attack against a Mohawk palisade village on the Richelieu River.⁴⁰

The Mohawks quickly adapted their tactics to combat this advanced weaponry. They began using small guerrilla forces instead of the previous mass formations, discarding their bulky wooden armour to achieve greater stealth and speed. If confronted directly by French muskets, Warriors learned to fall in a timely fashion to avoid the shots, quickly attacking before the shooter could reload. However, the French continued to push westward into Huron territory and subsequently began arming all Native nations opposed to the Iroquois, who were now in a predicament. In order to acquire these new technologically enhanced weapons and armour, the Iroquois needed a European trading partner. Thus far, the French fur trade was controlled by the Iroquois' enemies. The Iroquois continued to make the French traders pay dearly for their outside intervention by initiating raids along trading routes and by controlling Lake Ontario, forcing the French traders north to use the Ottawa River. Yet, they could not bring to bear the might of the Iroquois Confederacy without modern weapons.⁴¹

In 1610, Dutch traders arrived in the Hudson Valley of New York and the Iroquois began trading furs for firearms. However, the Iroquois were still being pressed by the Algonquin, Huron and Montagnais in the north and by 1615 were fighting the Susquehannock to the south. To make matters worse, the powerful Mahican Confederacy blocked Mohawk access to the majority of Dutch traders and outposts and the Mahicans soon became the primary Dutch ally and business associate. This situation inevitably led to war, with the Mohawks defeating the Mahicans and their western Abenaki allies, the Pocumtuc and the Sokoki, in 1628. Soon, the Mohawks became so dominant that their Dutch trading partners were forced to accept a Mohawk monopoly and a 1645 peace treaty using the two-row wampum belt.⁴²

In order to secure more furs and trapping areas, the Iroquois (using Mohawk Warriors) turned their attention to their Algonquin, Huron and Montagnais

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enemies in the north, driving them well north of the St. Lawrence River. Expansion south was stymied for a time by a stubborn Susquehannock resistance created by an inexhaustible supply of weapons from the Swedes along the Delaware River. However, the Dutch expropriated the Swedish colonies in 1655. Now deprived of weapons, the Susquehannock quickly sued for peace with the Mohawk, who readily agreed. There were two outcomes of these actions. The first was the enlargement of Mohawk/Iroquois territory. The second was an increased hostility between the League of Iroquois, more specifically the easternmost Mohawk, and the French.⁴³

The Iroquois used a combination of military might and skilled diplomacy to attain what can be termed an Empire. Through conquest and migration, at its height in 1680 this empire extended west from the Chesapeake Bay through Kentucky to the confluence of the Ohio and Mississippi Rivers, north along the Illinois River to Lake Michigan, across Michigan, southern Ontario and Quebec. To the south the Iroquois occupied northern New England, the Hudson and Delaware Valleys, across Pennsylvania back to the Chesapeake.⁴⁴ After having defeated the Susquehannock and the Mahicans, southern expansion remained stagnant at the Carolinas. One reason for this was that the fertile hunting grounds to the north were of greater importance. Another, probably more valid reason, was that the powerful Cherokee Nation blocked any potential expansion.⁴⁵

Through the massive adoption of their conquered enemies, population also increased. However, the Iroquois never offered wholesale adoption to the non-Iroquoian-speaking nations, continuing to regard them as second-class citizens. Ethnocentricity was not the product of European contact. Equally important to future events was the fact that many of these new additions, the Huron in particular, had been indoctrinated with Christianity through French missionization.⁴⁶ Not only did these prisoners replace the Iroquois population that had been lost through disease and war, they also brought these religious facets into the Iroquoian culture contributing to the demise of the Confederacy and also to the factionalism and division within the Mohawk Nation itself.

By the mid-seventeenth century, the Native nations on the periphery of Iroquois land had been displaced, annihilated or absorbed and had surrendered their lands to the Iroquois Confederacy. The Potawatomi, Fox, Sauk and Mascouten had been driven from Michigan and were living in mixed camps in upper Wisconsin, while the Shawnee, Kickapoo and Miami had been forced from the Ohio Valley and lower Indiana. The Kickapoo and Miami relocated to Wisconsin, and the Shawnee scattered across Illinois, Tennessee, South Carolina,

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while smaller enclaves migrated into southern Michigan and Ontario. The Seneca drove the peoples of the Illinois Nation west of the Mississippi River after they had collaborated with the Huron in raiding parties. The Dhegiha Lakota (Sioux), a group of five sub-tribes, all moved west of the Missouri River, except for the Quapaw who ventured south to Arkansas. The Huron, Wenro, Tionontati, Neutrals and Erie were either close to extinction or incorporated into the Iroquois League. The Huron were virtually extinct after a series of battles along the south-eastern shores of Lake Huron and the Bruce Peninsula near present day Owen Sound. The Ottawa, Nipissing and Ojibwa moved north en mass, leaving only small groups behind in southern Ontario and Quebec. Most of these remnants were quickly absorbed into Iroquoian villages.⁴⁷

Blessed with superb organization, modern European weapons and high numbers of skilled Warriors, the Five Nations swept to victory against their enemies. The Mohawk became the dominant power in the use of guerrilla warfare in the vast terrain east of the Mississippi River, and enjoyed the lucrative position of being located in the centre of the North American fur trade. However, Iroquoian supremacy was short-lived. The arrival of a new European power, the British, drastically altered the division of power and the relationships between the Iroquois nations and the European powers. The British had seized all Dutch assets in North America by 1664 and the Treaty of Westminster ten years later put an end to Dutch ambitions in the New World. In 1664, the British also revised the two-row wampum treaty originally cited by the Dutch. Again, the Iroquois viewed this wampum treaty as a sign that its nations and the British could both maintain political and territorial sovereignty in North America.⁴⁸ Both the British and the earlier Dutch wampum treaties would be referenced by the Mohawk in defence of their sovereignty and land claims throughout the twentieth century including the Oka Crisis itself.

British traders and officials quickly realized the importance the Iroquois could play as allies, and the negative repercussions of having such a powerful confederacy as an enemy.⁴⁹ The British sought to exploit the Mohawk enmity for the French to enhance their own position by forging trading opportunities and military alliance against the French. It should be noted that most Native nations fought for themselves and not for European powers. They pursued their own interests in both trade and war. As J.R. Miller accurately pointed out: "In other words, notions that one nation, or another took up arms to advance a commercial or strategic aim of the French or British were erroneous."⁵⁰

For the Iroquois, their ambitions exceeded their power. During the 1660s, Mohawk Warriors engaged in a series of protracted wars against the French

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along the St. Lawrence while continuing their traditional hostilities with their Algonquian enemies. Worn down by these enduring conflicts and losing population to both war and disease, the Iroquois made a significant decision. Realizing that their geographical position between the French and the English made them targets of both powers and that they had little to gain from the victory of either state, the Iroquois Confederacy sought neutrality in 1665, against objections from the Mohawk.⁵¹ This had numerous results. For the French, not only did it terminate the costly war between themselves, their Native allies, and the Iroquois, but it also robbed Britain of a powerful partner.⁵² In turn, it isolated Mohawk interests and diminished the threat of an Iroquois military coalition. With no security offered by the Confederacy, the Mohawk initiated their own peace with the French in 1667.⁵³ Cracks began to appear in the once-cohesive structure and alliance of the Confederacy itself.

The divisions within the Five Nations caused by the incursion of European war, weapons and the capitalist fur trade would never be mended. While the convergence of Native culture and European culture continued, the League of Iroquois became progressively weakened. The presence of two European powers within the Iroquoian land base created shifting alliances. Individual Iroquois nations began to promote their own agendas, distinct from the greater Confederacy. The eastern most Mohawk were in the most difficult geographic position amidst the influx of European settlers and the front lines of the colonial wars. These unavoidable circumstances deepened the initial rifts between the Mohawk Nation and its Confederacy but also within the Mohawk Nation itself. By 1990 these separations were more numerous, complicated and complex.

CHAPTER 3

Deepening Divisions: Mohawk Communities in New France

The continuation of colonial wars and the intermittent periods of peace furthered the divisions within the nations of the Iroquois Confederacy. The wars created alliances between one nation and a European counterpart, while other nations remained neutral or sided with the opposite European counterpart, thus rejecting the principles of the Great Law of Peace. The cessation of hostilities allowed packets of the Iroquois population to migrate into once hostile territory and begin trading furs with traditional enemies. With the diffusion of the Iroquois population, different groups within its nations were exposed to different aspects of European culture, none more disruptive than religion and French missionization. Converted elements of the Mohawk Nation migrated north closer to their French religious benefactors, while other groups remained on their traditional lands in New York State and Vermont surrounded or occupied by the British. The religious Mohawk communities of New France, isolated both culturally and geographically from the Confederacy and the Great Law, promoted their own agenda and policy. Inevitably, the gaps in the Confederacy widened.

The fragile peace of 1667 had severe repercussions for the Mohawk and ultimately on the situations at Kanesatake and Kahnawake over the next 300 years. Having conquered their Native enemies and secured peaceful relations with the French, Mohawk families began moving north to the Montreal area to farm, live and trade furs with French settlers. In 1671, there was a sizable Native community (La Montagne) at the base of “le Mont Royal” and another on the south shore called Kahenta:ke. Both included families of Mohawk, Oneida, Onondaga, Nipissing, Abenaki and Huron.⁵⁴ The cultural diversity among these early settlements was enhanced as many of the Natives present were adopted war captives and converted Christians. This enabled French missionaries to cohabitate among these diverse Natives and to encourage the practices of Christianity.⁵⁵ The fact that these villages were not inhabited exclusively by Mohawk had severe repercussions on Mohawk claims to the land in subsequent centuries, including two formal land claims submitted to the Department of Indian Affairs in 1975 and 1977.

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Many of the Natives came to settle these locations to avoid persecution within their own communities based on their religious conversion. In conjunction, the fertile farming and hunting grounds along the St. Lawrence, which had been vacant for over 100 years due to continuous warring with the Algonquian nations, began to be reoccupied by Iroquoian peoples. This included later settlements at Kanesatake/Oka and St. Regis/Akwesasne. These groupings became known as the “praying Indians” of New France.⁵⁶

In 1676, the Native inhabitants of Kahenta:ke relocated roughly one mile upriver to a place astride the Lachine Rapids, known to them as Kahnawake or “At the Rapids.” Before the move many of the non-Mohawk natives had left, leaving a dominant Mohawk population, which numbered 600 by 1680.⁵⁷ Shortly after this migration along the St. Lawrence, a priest from the Gentlemen of the Seminary of St-Sulpice in Paris began to visit Kahnawake. The Paris-based Father Superior of the Seminary of St-Sulpice was also the seigneur of the Island of Montreal. The territory of Kahnawake was composed of land that had been transferred to the Seminary of St-Sulpice by another religious order in 1663. Apart from the presence of Christianity, life in Kahnawake followed the Mohawk Longhouse traditions, language and clan affiliations.⁵⁸ A system was put in place whereby Chiefs representing each traditional Mohawk clan served as liaisons between the people of the community and the Jesuit hierarchy, thus preserving Mohawk traditions.⁵⁹

The same can be said for the community of La Montagne, which was watched over by the energetic actions of the Seminary of St-Sulpice, who erected several European-style buildings, a chapel and schools for both boys and girls. By 1683, there were roughly 200 Native inhabitants from the Mohawk, Algonquin and Huron Nations, many of whom had been British or French prisoners of war.⁶⁰ Similarly, in 1676 during the relocation of Kahenta:ke, a small group of Christian Mohawk, Nipissing and Algonquin moved to Kanesatake (Oka) at the Lake of Two Mountains with no accompanying religious benefactor. The spot was known to the Mohawk, as it was previously used as a non-permanent wintering camp for Iroquois Warriors and had been witness to many confrontations between those Warriors and the French dating back to 1608.⁶¹ The relative peace allowed for an interaction between once-hostile Native nations and with the introduction of Christianity, French mission settlements began to appear throughout New France (Quebec).

However, the uneasy peace would not last. With the advent of King William’s War (1688-1697) between the British and French, the Iroquois found themselves in a precarious location between these warring nations. They had been

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trading furs with both countries; however, commercial ties with the British were strengthened, and it appeared to the French that the Confederacy had made a decision to support British interests.⁶² The fact of the matter was that many Iroquois saw an alternative source of trade in the British, without the disruption of missionary activity. For the British, the religious agenda was not seen as a high priority, whereas the French regarded conversion of the Natives as not only a priority but a duty.

This newly created alliance with the British increased tensions within the Confederacy itself between non-Christian communities and the French mission communities, such as Kahnawake. The split within the Confederacy was so apparent that in 1684, the Confederacy indicated that it no longer recognized the communities and peoples of Kahnawake and La Montagne as part of the League of Iroquois.⁶³ Henceforth, these settlements became distinct entities, making independent decisions about their own interests and relations with European powers.

These Mohawk communities remained loyal to the French. Likewise, the Confederacy could not remain neutral. The French began to attack Seneca and Onondaga villages in 1687. The Iroquois retaliated with force, killing roughly 200 French settlers at Lachine across the river from Kahnawake in what has become known as the “Lachine Massacre.”⁶⁴ The three-month siege that followed forced the Mohawk of Kahnawake, along with the French settlers of the region, to take refuge in Montreal.⁶⁵ This sanctuary only served to strengthen their political and military allegiance with the French. The Mohawks of Kahnawake had observed the Great Law of Peace up to this point and had remained neutral in the skirmishes between other Iroquois nations and the French; however, the massive Iroquois raid at Lachine altered the neutral position of Kahnawake with regard to the Great Law.

After a year-long refuge in Montreal, the people of Kahnawake established a new community west and upriver from the former site and renamed it Kahnawakon. Six years later it relocated again and was known as Kanatakwenke.⁶⁶ Continuing to grow due to migrants from Mohawk villages to the south, it moved for the last time in 1716, at which time the population of Kahnawake numbered roughly 1,000. Here Kahnawake has remained until the present day.⁶⁷

Similarly, the collective at La Montagne was forced to move. It was ravaged by a great fire on 11 September 1694, which destroyed most of the dwellings and also the Sulpician Chapel. A drunken Mohawk was blamed by the

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missionaries for starting the fire. Serving their purpose, the Sulpicians used liquor as an excuse to move the community away from French settlers to a more remote location called Sault-au-Récollet on the north side of Montreal Island. The Priests of the Seminary of St-Sulpice cohabitated with and oversaw the religious education of this population.⁶⁸ Above all else, they deemed it necessary to isolate the Natives from alcohol and other vices, as they believed that the Natives were of weak character and were easily enticed into immoral behaviour: “Then the Priest settled among us and the other clergy of this Island [Montreal] represented in council the inconvenience arising...from our living so near a Town, particularly the disorders committed by some of our young men when they got Rum, and strenuously exhorted us to remove further off from the Town...and pointed out to us Sault-au-Récollet as the spot.”⁶⁹ The vacated land at La Montagne reverted back to the Superior of the Seminary and was used as a summer retreat.⁷⁰

These two communities of “Praying Indians” were markedly under French influence and 30 Warriors from Kahnawake joined the French and their Native allies in raids against British settlements in New York and Mohawk villages in the Mohawk River Valley throughout King Williams’ War. They also served as guides during Louis de Frontenac’s expeditions between 1693-1696 that laid waste numerous Oneida, Onondaga and Mohawk villages.⁷¹ The Great Peace was broken as members of the Five Nations were now in direct conflict with one another.

Not only did the Iroquois population diminish from warfare, but smallpox emerged in 1690 and devastated populations in the interior for the next decade. In 1694, the Iroquois were sensing military pressure from both the east and west, while coping with a smallpox epidemic. The combination of these influences forced them to make overtures for a separate peace with the French. These peace offerings were ignored as the Iroquois refused to stop raiding the villages of France’s native allies, in order to press their interests in the fur trade.⁷²

A peace was finally struck between the British and the French with the Treaty of Ryswick in 1697. This did not include the Iroquois, yet it did place the League of Iroquois under British protectorate—an arrangement not wanted or requested by the Confederacy.⁷³ Fearing that continuing hostilities with the Confederacy might spawn another confrontation with the British, the French began to negotiate a separate peace with the Iroquois against the wishes of their Algonquian allies. Sensing the turmoil within the Confederacy and the devastation wrought by disease and war, the Algonquian nations and the

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Ojibwa thought that by continuing the fighting they could secure the final collapse of the Iroquois Confederacy which continued to lose ground until the cessation of hostilities in 1701.

The Confederacy agreed to a peace with France's native allies, in exchange for a promise that the French would monitor and mediate any future disputes between the Iroquois and the Algonquian. In a rush to secure Iroquois neutrality, the French neglected to discuss claims to the Ohio Valley, and the British usurped the area, using Iroquois claims (as the latter was allegedly under British protection). Henceforth, Iroquois lands belonged to the Crown. The result was that any French attempts to expand westward into the Ohio Valley and the Mississippi River delta would be a violation of British territorial holdings. The Iroquois agreed to remain neutral in any future war between the two European powers.⁷⁴ That future war would break out the same year—Queen Anne's War (1701-1713).⁷⁵

The Iroquois had been a British ally during King William's War only to the extent that it served their own interests. War was simply politics by other means. During Queen Anne's War, it served Iroquois interests to remain neutral.⁷⁶ The previous war, coupled with disease, had crippled the once-dominant Confederacy in both population and land, and left it vulnerable. While the British and French fought another war and enlisted whatever Native help they could, the Iroquois knew that they needed to recover and replenish their stocks. For the British, the Iroquois remained a useful buffer between themselves and French Canada. Although the Confederacy remained neutral, Kahnawake did not. It continued to support the French and participated in a number of raids on British settlements in New England and Lower Canada in conjunction with Warriors of the Abenaki Nation.⁷⁷

Ending with the Treaty of Utrecht in 1713, Queen Anne's War saw the defeated French surrender their east coast territory, including Nova Scotia, to the British. What was also agreed upon, without the consultation of the Iroquois, was that the Confederacy would continue to be under the governing blanket of the British. Not having participated in the treaty, the Iroquois acknowledged neither empire's rule. They still maintained and regarded themselves as an independent, autonomous nation within the confines of North America and continued to pursue their own interests.⁷⁸

By the end of Queen Anne's War, the Iroquois found themselves strong enough to exert their domination once again. The fur trade had flooded the European market and the price of beaver pelts plummeted drastically. The French,

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under pressure from their missionaries, renounced the fur trade in a royal proclamation and concentrated on the saving of Native souls through mission work. Still controlling access to British and Dutch traders, the Iroquois proceeded to attack the French/Native alliance, not through warfare but by using trade as a weapon.⁷⁹

Sensing disaster, the Native tribes within the coalition of French allies, began to compete and fight one another for the limited fur trade that was still available. The Iroquois cleverly began trading British goods, which were not only superior in quality but also cheaper. One by one, French allies began trading with the British through the medium of the Iroquois. With the French alliance in disarray, the Confederacy realized that they held the balance of power between the two rival European nations.⁸⁰ Britain, fearing French influence among Native nations, supported the Covenant Chain—a loosely constructed alliance of Native nations led by the Iroquois—and pushed numerous tribes into joining the coalition. Membership included (at different times): Shawnee, Miami, Delaware, Susquehannock, Nanticoke, Munsee, Mahican, Cherokee, Creek, Choctaw and Chickasaw. However, the League's ability to represent some of the powerful nations was not absolute. The mighty Cherokee, Choctaw and Creek Nations refused to submit to the Confederacy's authority, often leading to war.⁸¹

The Iroquois often placed their own interests above those of the nations that they represented. This became a sore point for many non-Iroquoian nations within the Covenant Chain. The only exception would be the Confederacy's adoption of the Iroquoian-speaking Tuscarora, who joined them in western New York in 1714 or 1715 under Oneida sponsorship and became a subordinate member of the now Six Nations Confederacy in 1722.⁸² The Confederacy even went so far as to send war parties to punish the Carolina colonists and their Catawba allies who drove the Tuscarora north during the Tuscarora War (1712-1713).⁸³

Although outwardly it appeared that the Confederacy was strengthening its bonds by the addition of the Tuscarora and by leading the British-backed Covenant Chain, in reality all was not well. The demise of the Confederacy had already begun with the settlement of French influenced Christian Mohawks in Quebec and eastern Ontario. These communities, isolated from Confederacy support, began their struggles with the French colonial administration and the French religious orders over issues of culture and land. In reality, the Oka Crisis began in the early eighteenth century in the form of conflict over title to the land at the Lake of Two Mountains between the Natives occupants and their religious benefactor, the Seminary of St-Sulpice.

CHAPTER 4

Mohawk Settlement at the Lake of Two Mountains/Oka

The basis for the land claim at Kanesatake can be traced back to the early eighteenth century. Having settled within the influence of the Seminary of St-Sulpice, the Mohawks continuously struggled with this religious order over the propriety of the land they occupied at the Lake of Two Mountains. To compound this issue, the colonial wars continued and the Christian Mohawks at Kanesatake, Kahnawake and Akwesasne found themselves caught between the fragile Confederacy which supported the British, and the French with whom they were more closely associated. While the Mohawks at newly-settled Kanesatake were at odds with the Sulpician order over land rights, the divisions within the Iroquois Confederacy and the Mohawk Nation continued to expand.

By 1715, roughly 600 Natives were living on 400 acres of cleared land at the newly created location of Sault-au-Récollet, 14 kilometres north of Mont Royal.⁸⁴ In that year against their wishes these inhabitants were once again asked to move:

Again our Priest, in conjunction with the clergy of the Seminary of Montreal, told us we should remove once more our families, for it was no longer proper that any Indians should live on this island [of Montreal]. If we would consent to go and settle at the Lake of Two Mountains we should have a large tract of land for which we should have a Deed from the King of France as our property, to be vested in us and our heirs forever, and that we should not be molested again in our habitations.⁸⁵

Prior to this suggested relocation, the Superior of the Seminary (de Belmont) had met with the Governor of Montreal and New France (Marquis Philippe de Rigaud de Vaudreuil). De Belmont proposed that the mission be relocated to a tract of land at the Lake of Two Mountains.⁸⁶ The Superior also requested that the land be given in trust to the Seminary for the purpose of the religious education of the Natives. In addition, he applied for an adjacent piece of land solely for use by the missionaries.⁸⁷ Although there had been an earlier

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request by the Seminary for lands at the Lake of Two Mountains in 1712, it was not given serious consideration until this time.⁸⁸

Reasoning that the temptations of liquor would be diminished by the establishment of a new mission isolated from Montreal, the Sulpicians propositioned the authorities of New France for these entitlements to land at the Lake of Two Mountains. However, the primary factor for moving the missionary settlement at Sault-au-Récollet to this suggested location was not out of moral or religious concerns for the Natives; rather, it was military in purpose. The creation of a settlement at the Lake of Two Mountains would provide security to the northwestern flank of Montreal and Quebec City against enemy Iroquois. As mentioned, the region of the Lake of Two Mountains had been a non-permanent camp for Iroquois war parties that frequently passed the north shore of the region to attack Montreal. With memories of the 1660 assault on Montreal and the Lachine Massacre still lingering, the French looked to their Native allies to alleviate this potential western threat.⁸⁹

It would be advantageous to the Mission of the Indians of the Sault-au-Récollet in the Island of Montreal, which is under their [Sulpicians] care, that it should be immediately transferred...on the north-west side of the Lake of Two Mountains, which said Mission would be advantageous not only for the conversion of the Indians...but also to the colony [of Montreal] which by these means would be protected against incursions of the Iroquois in times of war...⁹⁰

The Governor of New France endorsed the idea, “for the good of the Island of Montreal and to cover it from attacks by other Indians,”⁹¹ and insisted that the Sulpicians build a fort within two years and raise militia forces when needed.⁹² On 15 June 1716, Philippe d’Orleans, Regent to the seven-year-old King of France, Louis XV, agreed that a concession at the Lake of Two Mountains be granted to the Seminary of St-Sulpice “in perpetuity” on condition that they would build a church, separate lodging for the missionaries and a stone fort within the previously proscribed two years.⁹³

In October 1716, the Superior of the Seminary of St-Sulpice met again with the Governor to discuss not only the cost of relocation, but more importantly, the proprietorship of the land in question. He argued that if his organization was responsible for the expenditures related to the building of a church and fort, that the Seminary be given title to the land upon which they sat.⁹⁴

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The Governor agreed: "It seems there is some justice in granting the land to the Seminary in perpetuity."⁹⁵

However, Governor Vaudreuil had no choice but to refer the matter to his superiors in France, as a moratorium on all seigneurial concessions in Quebec had been imposed by the French Crown in 1711.⁹⁶ He added that the new location would serve as a garrison protecting Montreal against attacks by other Natives. The military purpose of a missionary settlement at the Lake of Two Mountains was still seen as a priority.⁹⁷ It is important to note that Mohawk Chiefs from Sault-au-Récollet were not privy to these discussions and were not counselled on the motives of the Seminary or those of the administrators of New France.⁹⁸ On 17 October 1717, the French Crown officially granted the Seminary of St-Sulpice a land concession at the Lake of Two Mountains. The Sulpicians requested a time frame of seven years for the construction of the mandatory fort which was approved on 27 April 1718.⁹⁹

In February 1721, the first families, mostly Mohawk with smaller numbers of Nipissing and Algonquin, arrived at their new home at the Lake of Two Mountains, which they called Kanesatake ("On the Sandy Dunes").¹⁰⁰ By this time there was relative peace in the area. The Iroquois had ceased attacking French settlements and there was no immediate cause for war with the British. The Chiefs, as was customary, proceeded to exchange a wampum belt at the time of the move. Not only did this symbolize a partnership, it also represented the Natives belief that the land they were to occupy belonged to them as originally promised. According to Chief Aghneetha:

Although it was very inconvenient to us to be quitting our homes and small clearing, yet the desire of having a fixed property of our own induced us to comply, and we accordingly set out, and took possession of the land, and as was the custom of our forefathers we immediately set about making a [wampum] Belt...by which our children would see that the lands were to be theirs forever, and as was the custom of our ancestors we placed the figure of a dog at each end of the Belt to guard our property and to give notice when an enemy approached.¹⁰¹

This is the origin of the land claim dispute that led to hostilities between the Native inhabitants and the Seminary and in turn the governments of Quebec and Canada over the next 280 years. The 1990 Oka Crisis was the culmination of the deep-rooted problems associated with the ownership of this land.

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After the Native occupation of the land at the Lake of Two Mountains, three more ratifications to the concession of the Seminary of St-Sulpice were approved by the King of France without any consultation with the Natives. In 1731, the Seminary received dispensation from the compulsion to construct any fortification in the area, in addition to compensation for the costs already incurred by the relocation of the settlement and the building of several small dwellings for the Native inhabitants.¹⁰² In September 1733, the Seminary was granted additional land to the east of the existing seigneurie. Following this endorsement, the Seminary built a stone church, three houses along with a watchtower. Three cannons were also purchased, which was the extent of any defensive fortifications on the Sulpician lands.¹⁰³

Two years later, on 1 March 1735, King Louis XV signed an additional concession providing the Seminary with additional lands, "...to make the said land more profitable, it would therefore, be necessary to extend the said land further than the three leagues as set forth in the deed of one thousand seven hundred and eighteen."¹⁰⁴ Thus, between 1715 and 1735, the Seminary of St-Sulpice had increased their lands 15 fold from the original decree. Included in this land base was a three-square league tract granted to the Mohawk of the region in a 1716 letter which dubbed it "their land."¹⁰⁵

The mission settlement at the Lake of Two Mountains remained as such for the next 30 years and the issue of proprietorship over the land did not arise. The Native populations of both the Lake of Two Mountains and Kahnawake remained loyal to the Roman Catholic Church and to the King of France, fighting on the French side in the wars against the British during the 1740s and 1750s. This further accentuated the split within the Mohawk Nation, the Iroquois Confederacy and its Great Law.

In fact, other religious native settlements administered by various French religious orders appeared throughout Quebec during these decades and became known as the Seven Nations of Canada centred at Kahnawake.¹⁰⁶ This Seven Nation alliance also included Kanesatake, which was constructed of the Mohawk, Nipissing and Algonquin, the Onondaga and Cayuga at Oswegatchie, the Huron of Lorette and the Abenaki of Odanak (St. Francis) and Becancour.¹⁰⁷

The community of Oswegatchie was dispersed during the American Revolution (1775-1783) and after a brief stay at La Presentation (Ogdensburg, N.Y.), its members settled with the Mohawk of St. Regis/Akwesasne ("Where the Partridge Drums"). St. Regis/Akwesasne had been formed in 1755. During this year, the membership of Kahnawake split. One group remained, while

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another travelled upriver to Akwesasne, at the union of the St. Regis, Raquette, Grass, Salmon and St. Lawrence Rivers straddling present-day New York State, Ontario and Quebec near the city of Cornwall, Ontario.¹⁰⁸ Akwesasne also became a member of the Seven Nations Confederacy, which was thus composed of three groups of Mohawk, one of Algonquin, one of Nipissing, one of Huron and one of Abenaki. All loyal to the French for the next 50 years of colonial conflict, the British considered them formidable opponents and a pawn in French imperial strategy.¹⁰⁹

When the French and British resumed hostilities with the outbreak of King George's War (1744-1748), Warriors from both Kahnawake and Kanesatake, along with Sokoki and Abenaki, joined in French raids against British posts in the New York frontier, southern Vermont and New Hampshire.¹¹⁰ Although the Iroquois Confederacy remained neutral, the Mohawk sided with the British and the divisions within the Six Nations alliance became more apparent.¹¹¹ With the end of King George's War in October 1748 and the Treaty of Aix-la-Chapelle, the once-mighty Iroquois Empire was showing unmistakable signs of decay.

The Seven Years' War (1754-1763) would completely undermine the cohesive structure of the Six Nations Confederacy. Although the Confederacy initially supported the British, the Seneca, Onondaga and Cayuga shifted their allegiance to the French. Only the Oneida and Mohawk, thanks to Sir William Johnson, Superintendent for Indian Affairs, remained loyal to the British. Although Kahnawake and Kanesatake along with the other "praying Indians" initially sought neutrality, they eventually found themselves fighting alongside the French. Although the principles of the Great Law were now moot as members of the Confederacy were involved in direct military engagements against one another, its tenets were not wholly ignored. Iroquois on both sides were less active than they had been in past colonial wars.¹¹²

There were numerous examples whereby Iroquois refused to fight after realizing their brethren were part of the opposing force. During the Battle of Crown Point sometimes referred to as the Battle of Lake George on 8 September 1755, Mohawk loyal to the British under Chief Hendrick, accompanied by 13-year-old Joseph Brant, refused to fight when they saw Kahnawake Warriors within the French ranks. This was but one instance where the standards of the Great Law were loosely adhered to during the colonial wars.¹¹³ However, the resulting British victory in the Seven Years' War would have tremendous implications for all Natives, especially for the "praying Indian" settlements of New France.

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By August 1760, three British armies prepared to lay siege to Montreal, the last French stronghold in New France. Sensing the inevitable capitulation of Montreal, Sir William Johnson returned wampum belts to the Seven Nations of Canada, offering, “peace and protection” if they laid down their weapons in view of the advancing British forces:¹¹⁴

We immediately called a Council...and determined to accept the protection held out to us. Accordingly the chief men of our village, as well as those from other villages, attended Sir William at Oswagatchie where he...granted us protection in the King’s Name and confirmed to us our Lands and the free exercise of our Religion...in confirmation he delivered [back] to us the [wampum] Belt.¹¹⁵

On 8 September 1760, Pierre de Rigaud de Vaudreuil de Cavagnial, Governor of New France (and also son of the former Governor Vaudreuil who died in 1725), surrendered Montreal to the British. Eight days later on 16 September, Iroquois Chiefs met with William Johnson in Montreal. The Covenant Chain was renewed, friendship rekindled and the fur trade routes opened. However, the ethnic constitution of North America was changing at a dramatic rate against the favour of its Indigenous peoples. Inevitably, these alterations would further depreciate the value and cohesiveness of the Great Law. In addition, the peoples of the once-great Confederacy were displaced despite Article 40 of the *Articles of Capitulation* signed at Montreal:¹¹⁶

The Indian allies of His Most Christian Majesty, Louis XV, shall be maintained in possession of the lands which they occupy, if they wish to remain thereon; they shall not be molested under any pretext whatsoever for having taken up arms and served His Most Christian Majesty, they will have, like the French, liberty of religion, and will keep their missionaries.¹¹⁷

According to an agent of British Indian Affairs, “The Caghnawageys [Kahn-awake] and Caneghsadageys [Kanesatake] have lately been with me, and renewed their Engagements entered into last fall...they never again would take up the Hatchet against the English but would steadily mind their hunting.”¹¹⁸

Although major military campaigns in Canada ended with the *Articles of Capitulation* in 1760, the war dragged on in other parts of the world until the final peace on 10 February 1763 with the Treaty of Paris. British colonial domination in North America was secured for the time being, as French

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and Spanish possessions were greatly reduced. It also ended the long-standing British-Iroquois military alliance against the French in North America. Although the peoples of Kahnawake and Kanesatake saw glimpses of a better future as partners with the British, not all nations trusted English motives. Ottawa Chief Pontiac's Rebellion (1763-1765), beginning on 7 May 1763 with a siege of Detroit, was an attempt to secure Native living space and drive out colonial nations, specifically the British. Pontiac's coalition distressed the British, and King George III quickly issued the *Royal Proclamation* on 7 October 1763 halting all new settlement west of the Appalachian Mountains.¹¹⁹

The *Royal Proclamation* was the first and most significant imperial regulation and is still seen by Canadian Natives as their equivalent to the Canadian *Charter of Rights and Freedoms*.¹²⁰ Its tenets have been used in Native land claims since its inception, including the land dispute at Kanesatake up to and including 1990. Former Grand Chief of Canada's First Nations Assembly Ovide Mercredi stated in 1993:

A continuity in treaty relationships, from the pre-Confederation period to the present, reinforces the fact that our relationship with the Crown is one of equals. Despite this reality...the promises made in the treaties have been consistently breached by Canada's governments. We have been dispossessed of our homelands even though prerogative instruments like the Royal Proclamation of 1763 confirmed our pre-existing rights and committed governments to dealing with us on a consensual basis.¹²¹

The proclamation was intended to satisfy imperial and trading interests, in conjunction with limiting colonial expansionism into Native territory, thereby preserving an Anglo-Native alliance.¹²² The most important section of this document for Natives was the provision concerning land rights:

And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that the several Nations and Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as...are reserved to them, or any of them, as their Hunting Grounds,... [any lands that had] not been ceded to or purchased by Us as aforesaid, are reserved to the said Indians.... We do hereby strictly forbid, on Pain of our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or

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taking Possession of any of these Lands above reserved, without our especial leave and Licence for that Purpose first obtained... [N]o private Person [is allowed] to make any purchase from the said Indians of any Lands reserved to the said Indians...the same shall be Purchased only for Us, in our Name, at some public Meeting or assembly of the said Indians, to be held for the purpose by the Governor or Commander in Chief of our Colony.¹²³

In short, the *Royal Proclamation* outlined the relationships between Natives, proprietorship of land and the responsibilities of the Crown. Most importantly, it forbade the purchase of Native land by anyone other than the Crown and the Crown alone had sole jurisdiction to negotiate all land claims and cessions.¹²⁴

French subjects who would not proclaim fealty to the King of England were given notice of 18 months to liquidate their holdings and return to France. This was a reiteration of Article 35 of the *Articles of Capitulation* from 1760. For the Seminary of St-Sulpice, this created a problem. The seigneurial grants at both Kahnawake and Kanesatake had been entrusted to the head of the religious order in Paris by the French King, who could not sell the land under the constraints of the *Royal Proclamation* as Natives still occupied the land. However, four months before the deadline, the Seminary in Paris transferred all its holdings in British North America to the branch at Montreal, who in turn swore allegiance to King George III. Although the legality of this transfer was questioned in British courts, the Seminary was able to retain their rights to the land.¹²⁵

For the inhabitants of Kahnawake and Kanesatake, the issue of land ownership had arisen prior to the declaration of the Proclamation. In 1761, Jesuits at Kahnawake attempted to sell portions of land to French settlers. The Native inhabitants took the matter to General Thomas Gage, the military Governor of Lower Canada, who proceeded to resolve the matter in their favour in 1762. He reasoned that the land at Kahnawake (Le Sault) was granted for the settlement of the Indians and was therefore retained by the British Crown for their use. Although the Natives at Kahnawake continued the practice of Christianity, Jesuit claims became invalidated and they were forced to vacate the premises.¹²⁶ This was the confirmation of Kahnawake as a Reserve. Earlier in 1759, the Mohawk Reserve at Akwesasne had been created.

Likewise, tenure of the land at the Lake of Two Mountains also came into question shortly after the decree of the proclamation. Aman, a Mohawk,

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believing that he was the title holder to land in the region, sold his house to an Englishman. The Superior of the Seminary immediately appealed the transaction to the British Governor in Montreal, citing the deeds of 1717, 1733 and 1735. The land transfer was annulled, “it having appeared to us the houses and fields of the village belong to them [the Sulpicians] as soon as the said Indians who hold the usufruct of them abandon them.”¹²⁷ This argument and conflict of interest over land rights would be mirrored throughout the next 240 years, producing numerous violent clashes, none more so than in 1990.

While the Kanesatake Mohawks continued to protest the Sulpician’s seigneurial claims, the American Revolution (1775-1783) unfolded, forever altering the Iroquois Confederacy. Kahnawake, Kanesatake and Akwesasne officially remained neutral, although a small number of Warriors fought for each side. The majority were Mohawk fighting for the British under Joseph Brant. However, the communities came out of the war relatively unchanged and unscathed.¹²⁸

The Confederacy listened to the arguments of both combatants, and although recognizing the new United States of America in 1776, made the decision to remain neutral. However, Mohawk were raiding American settlements in the east and further west the Shawnee were ravaging frontier settlements in Kentucky. Likewise, other members of the Iroquois Covenant Chain actively took up arms in an attempt to stop American encroachment onto their lands. To the Americans then, the Iroquois and their subject tribes in the Covenant could hardly be perceived as neutral. Consequently, in 1777 American forces, with the help of allied Oneida, began extensive raids into Mohawk territory in New York, forcing most of the inhabitants to flee north to Canada. By 1783, their homeland had been completely overrun with settlement.¹²⁹

At the end of the war, Joseph Brant crossed into Canada with 2,000 subjects—the majority Mohawk but also members of all Six Nations, as well as smaller numbers of Covenant allies. From a pre-war population of roughly 8,000, fewer than 5,000 Iroquois survived. Of these, roughly half migrated north to Canada. In 1784, they were given lands at the Bay of Quinte near Belleville, which became the Tyendinaga Reserve. A large number also settled at a site on the Grand River near Caledonia known as the Six Nations Reserve, under Joseph Brant.¹³⁰

With little chance of victory and with poverty, hunger and disease flourishing in the communities, the Iroquois had no alternative other than to sign the Treaty of Fort Stanwix on 22 October 1784. In doing so, they ceded most of their ancient lands, including the rights to those located west and north of

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the Ohio River. Perhaps more importantly, the dissemination of the Iroquois not only led to the collapse of the Confederacy but also freed those nations who had been unwilling subjects of the Confederacy or the Covenant Chain, including the Algonquian tribes, the Shawnee and the smaller nations of the Ohio Valley.¹³¹

By the turn of the century the Mohawk and their Iroquois brethren were scattered remnants of a once-great Empire. Apart from the Reserves and praying villages in Canada, those who remained in the United States were confined to a series of small Reservations in central and western New York comprising 271,000 acres. Although Brant continued to attempt to pursue the resurrection of the Great Law and the Confederacy, both seemed confined to the ash heap of history.¹³²

The Revolutionary War left the Six Nations Confederacy severely weakened, powerless and impoverished. The culture and traditions of the Iroquois were threatened by these factors and also by the development of American economic free enterprise, expansionism and alcohol abuse. Not surprisingly, a Seneca prophet, Handsome Lake, began preaching a social conduct that was peppered with many Euro-American principles after receiving prophetic visions in 1799. His teachings included the farming practices, gender roles and religious dogma of the Quakers.¹³³

His teachings (known as the *karihwi:io* “Good Message” or the Code of Handsome Lake) were somewhat embraced by those Iroquois living in the United States. Canadian Iroquois were less enthusiastic as they were not experiencing the social or cultural disruption endured by their American counterparts. Moreover, they were predominantly Christianized already. According to Kahn-Tineta Horn, a Mohawk activist and participant in the 1990 standoff, “I think Handsome Lake was probably a well-meaning man who did see things, but the Quakers took that and tried to turn Mohawk society upside down.”¹³⁴ The pacifism and mutual coexistence of the Code of Handsome Lake was never adopted by the Mohawk of Canada, who maintained the belief that they were an independent and sovereign nation not subject to the whims of any colonial administration or government.¹³⁵

The 1794 *Jay Treaty* seemed to give credence to this claim. Following the American Revolution, the United States and Great Britain signed an agreement entitled the *Treaty of Amity, Commerce, and Navigation* (the *Jay Treaty*). In addition to postwar normalization of relations between the two countries, the treaty also extended and acknowledged various rights to Aboriginal

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nations occupying lands on or near the U.S.-Canadian border, such as Akwesasne: "...the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America...."¹³⁶ Like the *Royal Proclamation*, the *Jay Treaty* was used as a defence by the Mohawk who operated illegal smuggling enterprises primarily based in Akwesasne during the 1980s, through to the present day.¹³⁷

Although Canadian Iroquois were not subjugated like those in the United States, following the Revolution they continued to battle for what they believed to be their ancestral lands. Since the inception of the *Proclamation Act* in 1763, the Natives of Kanesatake, which was now unofficially divided into two sections—the Mohawk and a minority of other Iroquois living west of the Mission church, and the Algonquin and a handful of Nipissing living east of the church—were at odds with both the colonial government and the Seminary. Problems persisted between these Native groups and the Seminary over the proprietorship of this land, its timber resources, and in particular the sale of this land to third parties—French settlers.¹³⁸

Petitions were forwarded to the Legislature of Lower Canada by the Native inhabitants in 1781, 1787, 1795 and 1802, protesting the Seminary's transactions of land to settlers. Any answer given by colonial administrators favoured the rights of the Seminary.¹³⁹ By the 1780s non-Native families had settled on land leased or purchased from the Seminary, creating the origins of what became known as the "checkerboard" problem. Natives and non-Natives were living at the Lake of Two Mountains intermittently, with differing opinions about land use and ownership. The Mohawk still maintained that the seigneurial lands had been set aside for their use. The wave of intense settlement following the War of 1812 would further complicate the already fragile relationships at the Lake of Two Mountains.

The War of 1812 (1812-1815) dramatically modified Native relations in Canada. Although the Mohawk initially remained neutral, American incursions into the Montreal area threatened the lands of the Mohawk, who for their own interests took up arms with the British. Warriors from Kanesatake, Kahnawake, Akwesasne and the Six Nations at Grand River were instrumental in the victories at Chateauguay and Beaver Dam.¹⁴⁰ With the Rush-Bagot Treaty of 1817 came the demilitarization of the Great Lakes and nullification of future American threats. The Iroquois lost their importance as a military ally. The British began to initiate policies of assimilation rather than co-operation and understanding, thus shifting the status quo of Euro-Native relations in

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Canada. This was exemplified in the disillusionment of Shawnee Chief Tecumseh's dream of an Indian State in the Ohio Valley.¹⁴¹

Following the war, the Natives of the Lake of Two Mountains continued to petition the government, submitting claims in 1818, 1828 and 1839. During this time, the Mohawks at Kanesatake prospered in the fur trade and a Hudson Bay Company fur post was opened in the area, handling roughly 5,000 pelts per year. By 1825, a steamboat from Lachine to Carillon was using the village of Oka as a regular stop, and the seeds of nature tourism in the region were sown. These circumstances only enticed French-speaking farmers to settle on the north shore and English traders on the south.¹⁴² By 1837, the Native population of Kanesatake was reported to be, "300 Iroquois, 298 Algonquin, 264 Nipisin [sic]," occupying 260 acres of land while sharing what was deemed "common land" with non-Native farmers and cattle-ranchers.¹⁴³ Although the Seminary, French/English settlers and Natives were all in direct conflict over the land, the situation had remained relatively peaceful up to this point. This was not to last.

In 1841, the Legislature of Lower Canada enacted a statute confirming an 1840 legislation and the title of the disputed land to Seminary, while retaining a relatively vague clause of defined obligations to the Aboriginal population. It was also confirmed that the timber on the land belonged to the religious order.¹⁴⁴ Since the decline of the fur trade in the late 1830s and the rise of steamboats, Mohawks began selling timber to circumvent their loss of funds. By 1848, the Hudson Bay Company had vacated the area and closed its trading post.¹⁴⁵ This led to the migration of many Algonquin and Nipissing further north towards the Ottawa region, eventually settling on a parcel of land at Maniwaki provided for them in 1853. Kanesatake was now, more than ever, primarily Mohawk. Although the government had set aside 16,000 acres at Doncaster for the Mohawk of Kahnawake and Kanesatake in 1853, it was used for hunting and fishing, but very few actually relocated. Unlike the Algonquin, the Mohawks were farmers and the ground at Doncaster proved unfit for agricultural development.¹⁴⁶ The government's attempt at relocation as a solution proved futile.

Also in 1848, the Mohawks delivered another petition to Governor General Lord Elgin, asserting their right to the land and its natural resources. After an investigation by the Superintendent General of Indian Affairs, it was repeated that the Sulpician deeds had been approved by Her Majesty in 1841 and that the Mohawk had "no right to cut down and sell any of it [timber] without the consent of the missionary."¹⁴⁷ The Mohawk response was to cut down more

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wood and appeal the Seminary's attempts to stop them in another petition to the government. As a result, 12 law officials arrested an unknown number of Mohawk, jailing them in Montreal for eight days.¹⁴⁸

To compound the Sulpician's anger, in 1851, Peter Jones, an Ojibwa and Methodist Minister, came to the Lake of Two Mountains on order of his church to convert the Natives to Protestantism. A mission was established in 1868, and many Mohawks simply joined as an act of defiance against the Catholic Sulpician order. This was contested in court by the Sulpicians and the Methodist chapel was torn down.¹⁴⁹

Since the verdict in 1841, the Sulpicians continued to assert dominance over the land against a backdrop of constant feuding and tension. In 1859, the Seminary gained propriety over all of the ungranted land as the result of a bill abolishing seigneurial tenure and ownership. Attorney-General George-Étienne Cartier, former legal counsel for the Sulpicians, directed this bill through legislature, assuring the Seminary's right to parcel off and sell common lands.¹⁵⁰

Mohawk resistance to the arrival of more settlers and the Sulpicians' increasingly dominant attitude was accelerated by Chief Joseph Onasakenrat, or Joseph Swan. Possessing a university education and knowledge of the Roman Catholic religion, he was hired by the Sulpicians for secretarial work at the age of 23 in 1868. Soon afterwards in July, he became one of three Chiefs of Kanasatake, and was hastily released by the Seminary. Mohawk resistance now had a leader literate in French, English and Mohawk, who quickly drew up a petition to the Governor General of Canada, signed by 122 other Mohawk. It was rejected and again the Sulpician ownership to the land was reaffirmed.¹⁵¹

Following the rejection of this petition, Chief Joseph proceeded to grant a large number of Mohawk land within the boundaries of the religious mission. Police entered the village and talked to the Natives and no arrests were made for the time being. Later on 26 February 1869, Chief Joseph and 40 Mohawk men appeared at the Seminary and served the priests a notice to leave.¹⁵² On 5 March, Onasakenrat, two other Chiefs and a fourth man were arrested on charges of assault and trespassing. Sympathetic Montrealers posted the combined \$400 bail. The prisoners were released on 22 March, acquitted of all charges.¹⁵³

Over the next ten years, these episodes were repeated, with Mohawk being arrested and/or fined on many occasions for trespassing, cutting down trees,

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uttering threats and unlawfully carrying and discharging weapons. The Seminary also continued to sell land to settlers, so much so that Oka was made a municipality in 1875. By 1877, the scene at Kanesatake was becoming increasingly precarious. Those Mohawk who remained Catholic and did not embrace the arrival of the Protestant Methodists were threatened with death by anti-Catholic Mohawk. Local settlers were complaining to the Lieutenant-Governor of Quebec that armed Mohawks were roaming the streets, discharging their weapons and threatening to remove them from their property. In May, the Seminarians erected a fence around the sandy grass dunes behind the village (later becoming the Pines). These dunes were part of the common lands where Mohawk grazed their cattle. The Mohawk removed the fence and burned the wooden posts. Subsequently, on 19 May, the missionaries who had posted armed guards at the site were met by armed Mohawk men, including Chief Joseph. A firefight ensued, resulting in no serious casualties to either side.¹⁵⁴

Warrants were issued against 46 Mohawk and on 14 June 1877, eight men were arrested, indicted on charges of inciting a riot as a result of the armed engagement. On the morning of 15 June, cannon blasts were heard and the Roman Catholic church and presbytery were set ablaze. 14 Mohawk men were subsequently arrested, including Onasakenrat. Even more foreshadowing was the fact that Colonel Amyot and 15 of his police officers stayed in Kanesatake from 15 June to the end of August—76 days in total.¹⁵⁵

News of the violence was reported to Ottawa and a remedy was sought to negate any future confrontation and violence. Having witnessed failed attempts to mollify the Natives by litigation, relocation now became the primary governmental solution to the “Oka Question.” A land deal had been brokered with the Algonquin and Nipissing, as mentioned, and almost all had relocated to Maniwaki by 1868. With this in mind, a tract of land, 12,000 acres, was offered to the Kanesatake Mohawk south of Lake Temiscaming in northern Ontario in 1871. The Mohawk declined, citing that the land was too far north, the soil quality poor and the tract too small.¹⁵⁶

In June 1881, the Government of Ontario passed an order-in-council authorizing the sale of 25,582 acres at Gibson in Muskoka to the federal government for the creation of a Reserve for the Mohawk of Kanesatake. On 22 October 1881, the first families arrived at their new location courtesy of the steamer *Dagmar*. A year later, only 22 families had relocated, some to Gibson (Wahta) but also others to Kahnawake and Tyendinaga. For those who did settle at Gibson (roughly 175 or one-third of the Mohawk at Kanesatake), the agreed

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provisions were never delivered by the government and most returned to Kanesatake to find their houses sold by the Sulpicians.¹⁵⁷ The Superintendent General of Indian Affairs, Hayter Reed, offered this response in 1894: "A reserve...was provided for your people at Gibson.... If they prefer to live at Oka they must take the consequences. The Department has done all in its power for your people and has gone out of its way to help them and guard their interests."¹⁵⁸

Thus far, both pre-Confederation colonial administrations sided with the Seminary of St-Sulpice in any ruling concerning the land base at the Lake of Two Mountains. Without the support of the Confederacy, which was in tatters, the Mohawk of Kanesatake were left to fend for themselves in a political, religious and social environment that did not recognize the inherent rights of the Native population to the land. Yet the Mohawks still refused to accept the decisions made by both the French and subsequently the British in favour of the Sulpicians when the land claim was submitted to the colonial administration. With the 1867 *British North America Act (BNA Act)*, the land claim issues were inherited by the newly created Government of Canada.

CHAPTER 5

The Oka Land Claim Post-Confederation

The Government of Canada recognized its responsibilities to the Indigenous population of Canada through the BNA Act which assigned jurisdiction for Native affairs to the federal level. However, the two decades prior to Confederation were marred by British attempts to assimilate the Native population by undermining Native links to the land and traditional political organizations through enforced laws and regulations. These programs were expanded by the federal government of Canada which continued the practice of usurping power from traditional Chiefs through the *Indian Act*, which was awash with assimilationist protocols. These policies reduced the control all Natives in Canada retained over the administration of their Reserves and lives. The Mohawk communities were equally affected and government policies seemed to further agitate the already existing fractures of religion and politics apparent in the Mohawk Nation. The government directives in the *Indian Act* directly affected the issue of land ownership at Kanesatake.

Trying to relocate the dissident Mohawk of Kanesatake to Gibson was consistent with the evolution of Canadian Indian policies during the mid-nineteenth century. Indian Reserves, which were born into Crown protocol during the 1830s, served two strategic purposes: they opened up land for unhindered settlement and industry, and established a framework by which the Natives could be integrated or, if not, easily monitored. The names of governmental aboriginal programs reflect this not-uncommon ethnocentric view of the Victorian era.¹⁵⁹ In 1857, the *Gradual Civilization Act* was passed, allowing enfranchisement for certain Natives who passed a test, after which they would be granted 20 acres of Reserve land. It was a furtive ploy on behalf of the Department of Indian Affairs to remove communal ownership of and attitudes to the land. One Mohawk was granted citizenship under this policy, but his community of Six Nations on the Grand River refused the granting and partitioning of the proscribed land.¹⁶⁰

The *BNA Act* of 1867 introduced a clause assigning jurisdiction for, “Indians and lands reserved for the Indians” to the federal government of the newly created Dominion of Canada. In 1869, the *Gradual Enfranchisement Act* was conceded, allowing Natives to live as distinct “Municipalities.” However,

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under this act, their traditional laws were subject to governmental scrutiny, further undermining the role and power of the traditional Chiefs and Clan Mothers. An additional criterion for “Status” was having genetic Native blood of a minimum of 25 per cent. Likewise, the 1869 Act removed “Status” from any Native female who married a non-Native, a penalty procured by their kin regardless of blood quantum.¹⁶¹

The Canadian Department of Indian Affairs (DIA) was unofficially formed in conjunction with the 1876 *Indian Act*, which after several revisions remains in force to this day. The core features of this policy included the resettlement of Natives to federally controlled Reserves owned by the Crown, the creation of residential schools, the banning of certain Native rituals such as the Potlatch and sun dance, and federal control over membership and enfranchisement of and in Aboriginal political organizations. More importantly, it maintained the principles for elected band councils in keeping with the 1869 Act, but did so on a voluntary basis.¹⁶²

The Department of Indian Affairs was formally established in conjunction with the 1880 *Indian Act*. The electoral system for Native councils was amended yet again, giving the federal government powers to impose elected councils regardless of whether the Natives in question preferred it to traditional forms of non-elected leadership, such as the Iroquois Longhouse. The 1884 *Indian Advancement Act* supplemented this clause whereby Ottawa had power, through the medium of the Superintendent General of DIA, to depose any Chief who was considered unfit.¹⁶³

With the dawn of these policies and the destabilization of the Iroquois Confederacy and Longhouse traditions, a tense and unfamiliar environment for the Native populace of Canada emerged. By the turn of the century, the divisions within the Iroquois Confederacy and the microcosm of the Mohawk Nation were quite apparent. Members of the now-divided Confederacy were scattered throughout Canada and the United States, making any revival of the Iroquois League extremely difficult. In addition, some Mohawk had been Christianized while others had not. Large portions of the Mohawk population had followed the teaching of Handsome Lake and continued to adopt Canadian and American practices, including the democratic electoral system and Christianity. Others remained devout to the traditional Longhouse culture and band councils. Furthermore, many of the Iroquois Reserves were not homogenous. These factors created distrust within Native councils and communities.

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These divergent attitudes within the Mohawk Nation manifested themselves during 1990. The same suspicions and conflicting agendas created an atmosphere of mutual distrust leading to violence, not only with the Canadian state, but also between the factions present within the Mohawk Nation territories of Akwesasne, Kanesatake and Kahnawake. For those who follow the Longhouse, a fundamental principle of the Great Law is that any members of the Confederacy who cease to follow the traditional customs in favour of a foreign system of governance, religion and beliefs forfeit their position within the social and political spheres of the Confederacy.¹⁶⁴ This dichotomy caused a deep rift among the Mohawk people. Those who had converted to Christianity and those who had lost matriarchal clan ties due to intermarriage with non-Mohawk seemed to support the elected Chiefs, while others still practised the Great Law and refused to recognize the jurisdiction of the *Indian Act* over their lives.

Under the provisions of the *Indian Act*, elected band councils had been created at Akwesasne and Kahnawake in 1898 and 1889 respectively. By order-in-council of 16 May 1899 an elective system was applied to all bands in Ontario, Quebec and the Maritimes. There is no indication that the decision to initiate this policy was the expressed choice of the Natives concerned. In fact, it was actively resisted. At Akwesasne in 1899, traditional Chiefs were arrested with five being held in prison for one year. Similarly in 1924 at Oshweken, “the elected council system was summarily introduced...when Lieutenant-Colonel C.E. Morgan, flanked by RCMP officers, dismissed the traditional chiefs from the Council House, confiscated the Council’s Wampum belts...and organized the election of a Band Council.”¹⁶⁵

The Kanesatake Mohawk were included in this sweeping reform even though there was doubt as to whether the lands they occupied at Oka constituted a Reserve under definition of the *Indian Act*. The people of Kanesatake are in an anomalous situation under the jurisdiction of Canadian law and the interpretation of the *Indian Act*. Although they are “Indians” under the clauses of the *Indian Act* and have an *Indian Act* Band Council, they do not live on an official Reserve. They live on federal Crown lands reserved for their use under Section 91(24) of the 1867 *BNA Act*.¹⁶⁶ In the early part of the twentieth century a court action was initiated to determine the legal rights and obligations of the Seminary to the indigenous population of Kanesatake. This included the clarification of land rights, the ability to sell land to third parties, as well as determining if indeed a Reserve could be created.

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After much deliberation in February 1909, the case of *Corinthe vs. the Ecclesiastics of the Seminary of Sulpice* was heard by the Superior Court in Montreal. This case was initiated by Chief Angus Corinthe who had personally met with Prime Minister Wilfrid Laurier and the Superintendent of Indian Affairs, Clifford Sifton, in 1905: "What I told the Government when I went up there was, 'They [Seminary] are going to put up a fence on our common, and the first man who comes to stick up a post there I will smash his head.'"¹⁶⁷

Under the protection of Quebec Provincial Police in the summer of 1907, municipal workers erected the fence without any violent occurrences. Early in 1909, former Chief Joseph Gabriel ventured to England to bring the Mohawk grievances before British authorities in person: "We now lay to the Government of the throne our complaints to have justice be done, to place us in the employment and full possession of our land..."¹⁶⁸ Although King Edward VII did not humour the petition, Laurier did. The land dispute was already before the Superior Court in Montreal. The court's verdict pleased neither side. After several appeals from both parties, the case was finally heard by the Judicial Committee of the Privy Council (JCPC), then the highest court of appeal in Canada, at London, England in July 1912.¹⁶⁹

The JCPC ruled that the Seminary of St-Sulpice maintained full title to the disputed lands and "to place beyond question the title of the respondents [Seminary] to the Seignior; and to make it impossible for the appellants to establish an independent title to possession or control in the administration." More importantly, the Privy Council ruled that the Mohawk could not assert any claim to the land by virtue of Aboriginal title, nor by way of land held in trust by the Seminary. The basis for the verdict was that the legislation of 1841 had already confirmed the Seminary's right to that land. In short, the court ruled that the Mohawk people had a right to occupy and use the land until that point in time when the Sulpicians exercised their tangential right to sell it.¹⁷⁰ The Mohawk refused to accept this decision and continued to lobby both the courts and the government for recognition to their entitlement of the land in question.

Problems arose again in 1936 when a large tract of land, including portions of the common land was sold to a Belgian syndicate, Belgo-Canadian Real Estate Company. The following year, the company laid charges against Mohawk for cutting timber, which were followed by a series of arrests by the Quebec Provincial Police. The Seminary continued to liquidate parcels of land throughout the Second World War, prompting the federal government to act.

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On 31 May 1945, the federal government procured the remaining land owned by the Sulpicians, which included 51 or 52 lots in the village of Oka, plus 1,556 acres of land to the northwest “outside the town.” Title to these lands was vested in the Crown, which also assumed all the Sulpician’s fiduciary obligations to the Mohawk, save for spiritual care of the minority Catholic Mohawk.¹⁷¹

This was the origin of the process (which continues today) of assembling land under federal jurisdiction for an official Reserve at Kanesatake under the *Indian Act*. The main obstacle to assembling a Reserve is that the land purchased in 1945 consists of a series of blocks interspersed with privately owned land and also land held by the Municipality of Oka. This has been referred to in the literature of Oka as the “checkerboard problem.” Both the municipality and the community of Kanesatake faced the quandary of making decisions regarding land management that could in turn affect the other community. The predicament of coordinating land-use policies became a source of friction.¹⁷² This was heightened in 1947 when parcels of land not occupied by the Native people but used by them for community purposes—the Commons—was sold by the Seminary to the Municipality of Oka for the creation of a municipal park.¹⁷³

Over the next 15 years, the Chiefs of Kanesatake continued to press the government for an explanation regarding the legal status of their people and their title to the lands they now occupied. The Mohawks did not view the 1912 decision as a final settlement and maintained the opinion that the Seigneurie land had been given to them initially in 1717 and that the religious authorities had no legal right to sell or dispose of any portions of these original lands. Nevertheless, Oka was never given official “Reserve” status as defined by Subsection (1), Section 2 of the *Indian Act*, C. 149 (1952).¹⁷⁴

The disagreement was further escalated in 1959 when the Seminary transferred lot 69 of the parish to the Municipality of Oka without consulting the Mohawk. Lot 69 was part of the Commons, but was not acquired by the Crown in 1945 as no one resided on it. In September 1959, Paul Sauve, Member of the Quebec Legislative Assembly for the Deux Montagnes region, became Premier of Quebec. On 18 December, a private member’s bill was passed in the Assembly authorizing the Corporation of Oka to acquire the lot and lease it for “sporting or commercial purposes.” Again, the Mohawk were not consulted about the transaction and the Council petitioned the Joint Committee of the Senate and the House of Commons on Indian Affairs to no avail. Soon after, construction of the nine-hole Oka Golf Club began in the Pines.¹⁷⁵

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The record of the white pine forest at Oka is worth mentioning, as it relates directly to the larger land claim issue. Originally, the area of the Pines (west of the village of Oka) was a large sandbank some 30 metres high, which was unstable and prone to slides and shifts. It had been deforested for lumber and for the grazing of livestock throughout the nineteenth century. These lands were referred to as the “Commons,” and were used by all area residents. With deforestation and progressive grazing removing the grass coating, sand slides became more frequent. By the 1880s, damage to properties and roads below became common.¹⁷⁶

Between 1886 and 1897, 100,000 trees were planted by the Mohawk under the watchful eye of Oka village priest Joseph-Daniel Lefebvre. White pine (70,000) was planted on the slopes, while hemlock and red pine (30,000) were planted on the flat surfaces. Although the Sulpicians paid for the reforestation project (\$1700), most saplings were obtained by the Natives and transported in canoes from the north before being planted in rows at Oka. Careful selective cutting of white pine allowed those that took root to flourish. By 1920, roughly 80 per cent of the saplings had been cut to provide space and light to the fittest trees, thus halting the erosion completely.¹⁷⁷

It was also during the 1920s that the Sulpicians allowed local residents to construct a crude golf course of sand and gravel on the last remaining common grazing grounds that had not been reforested. With the Sulpicians parcelling and selling land, which included areas of the reforested Commons, the new owners cleared land for development. By 1947, only 18 per cent of the white pine remained and fewer than nine per cent of the hemlock. With the construction of the golf club in the early 1960s, more trees were felled to enlarge the fairways, the borders of which came extremely close to a traditional Mohawk cemetery.¹⁷⁸

While the Oka Golf Club was being built around Kanesatake, all was not well in neighbouring Kahnawake, either. Construction of the St. Lawrence Seaway from 1955 to 1959 to circumvent the Lachine Rapids had a negative affect on the village of Kahnawake. Besides the hundreds of acres lost to construction, the seaway robbed the community of its riverfront shoreline. According to Johansen in his work, *Life and Death in Mohawk Country*:

Without loss of land and the way of life that Mohawks had based on it, the nationalistic Warrior Society, a Mohawk paramilitary group whose image mesmerized headline writers in north-eastern United States and most of Canada during that violent

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summer of 1990, might never have arisen. Had the construction of the Saint Lawrence Seaway shortly after World War II and subsequent industrialization of the area not destroyed traditional ways of making a living in Mohawk Country, gambling and smuggling may never have emerged...¹⁷⁹

To what measure the smuggling and gambling can be attributed to this cause and effect duality is unknown. However, as Johansen correctly points out, the rise in illegal activities, gaming and Mohawk nationalism, including the Warrior Society, corresponds to the time period of the 1960s and 1970s, shortly after the construction of the seaway.

To further Native Canadian irritation and alienation, in 1969, the Minister of Indian Affairs, Jean Chrétien, under Prime Minister Pierre Trudeau, released the federal government's vision of Native-Canadian relations in a *White Paper*. In summary, it promulgated that Natives were at a social and economic disadvantage because they enjoyed unique legal status and considerations under Canadian law. The solution was to change the direction to "a road that would lead gradually away from different status to full social, economic and political participation in Canadian life."¹⁸⁰

Not all Mohawk were prepared to assimilate or accept the direction of the federal government without a fight. The social upheaval during the 1960s spawned the creation of the American Indian Movement (AIM) which was the forerunner to many smaller activist or militant native groups. The Mohawk Warrior Society was reborn in the tumultuous era of social conscience of the 1960s. With the destabilization of the Iroquois Confederacy, the divisive politics within the Mohawk Nation which was left without concrete leadership and the refusal of the governments of Canada and Quebec to appreciate, legislate or negotiate Mohawk land grievances, the rise of a militant faction of Mohawks was quite understandable and, given the history, predictable. These factors, in conjunction with the radical social movements of the 1960s, solidified the rise, recruitment and actions of the Mohawk Warrior Society which initially sought to protect the land and culture of its communities.

CHAPTER 6

The Rebirth of the Warrior Society

The decades of the 1960s and 1970s were a cataclysmic time for social reform, protest and movements of every kind. It is not surprising that Native rights organizations and Native political lobbyists also appeared alongside anti-Vietnam War groups, African-American civil rights assemblies and women's rights supporters. However, not all organizations sought to change the consciousness, values and laws of the United States and Canada by peaceful means. In this atmosphere of political ferment, Dennis Banks and George Mitchell, two Anishinabe, founded the American Indian Movement (AIM) in Minneapolis, Minnesota in 1968.

According to the FBI, the American Indian Movement was "self-consciously patterned after the Black Panther Party's community of self-defense model pioneered by Huey P. Newton and Bobby Seale two years earlier in Oakland."¹⁸¹ AIM chapters quickly sprang up in urban centres throughout the country, attracting tough young Natives. Within two years, AIM's agenda smartly shifted from the roots of its urban background to rural Reservations, creating a direct link between itself and the issues of treaty rights and lands claims, giving the movement a degree of legitimacy.¹⁸²

In November 1969, members of the radical coalition called Indians of All Tribes (IAT), headed by Mohawk Richard Oakes of Akwesasne, occupied the island of Alcatraz, citing an 1882 statute (22 Stat. 181) which mandates that all abandoned federal facilities be used for Native schools. The occupation of Alcatraz ended after a 19-month standoff, when a joint task force of U.S. Marshals launched an assault and arrested the occupiers. This episode demonstrated an extremely important strategic lesson. Effective public support could be garnered through the media attention afforded to militant Native actions. AIM continued to gain considerable media attention through numerous seizures of U.S. military facilities, hydro and gas plants, and through high-profile demonstrations throughout the early 1970s.¹⁸³

Actions such as these were not restricted to the more dissident population of the United States. On 18 December 1968, 48 Mohawk, including Kahn-Tineta Horn, blocked the International Bridge at Cornwall to protest the decision of Canada Border Services Agency to charge duty on goods carried across the

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border by Mohawks. The 1794 *Jay Treaty* was used to support the Mohawk argument that the border did not apply nor did they recognize its division of their own land.¹⁸⁴ It was this same argument that is being used by casino operators and cigarette/alcohol bootleggers to defend their operations. The smuggling of weapons and other illicit drugs is an illegal activity in both the United States and Canada. The *Jay Treaty* cannot be used to defend these activities. The blockade of the bridge ended when RCMP and Ontario Provincial Police (OPP) retook the bridge and made arrests. This was not an isolated event. By the mid-1970s, at least five armed blockades had occurred in Canada, the best known being the Ojibwa occupation of a park near Kenora, Ontario.¹⁸⁵

In the United States, the most publicized AIM action occurred in 1973 at the Oglala Lakota (Sioux) Pine Ridge Reservation, South Dakota, better known as Wounded Knee. The eventual 71-day armed standoff between AIM and joint U.S. security and military agencies parallels the Oka Crisis in numerous facets. The struggle originated over land issues, treaty rights and the prospect of uranium mines on disputed territory. It also involved numerous factions of Native groups and band councils, which U.S. agents tried to pit against each other. AIM leaders called it, "the old divide-and-conquer tactic: they are trying to pit Indian against Indian."¹⁸⁶ The corrupt band council led by Dick Wilson and his "goons" were being funded and bribed by the FBI to intimidate AIM and those opposed to the mines. Lawyer William Kunstler represented the grievances of AIM. He would also be present behind the barricades at Kanesatake in 1990.¹⁸⁷

In addition, members of the 82nd Airborne and the U.S. 6th Army were deployed: "It is significant in some of these AIM centers the residents have built bunkers which would literally require military assault forces if it were necessary to overcome resistance emanating from the bunkers."¹⁸⁸ In the first instance since the Civil War, the U.S. Army (not to be confused with the National Guard) was dispatched in a domestic operation. In all, 17 APCs, 200,000 rounds of various calibre ammunition, flares and explosives, 12 M-79 Grenade Launchers, 600 cases of C-S Gas, F-4 Phantom jets, helicopters and personnel were deployed under the direction of General Alexander Haig.¹⁸⁹ The Oka Crisis would later mirror many of the events which transpired at Wounded Knee.

It was within this dissident environment of Native North America that the Mohawk Warrior Society began a resurrection of sorts after years of relative dormancy. Members of the Warrior Society identified with AIM and the militant trend and began to take action against what it perceived to be elements of Native and non-Native society in conflict with the Longhouse traditions and a

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sovereign Mohawk Nation. One instrumental figure in the rejuvenation of the Warrior Society was Louis Hall of the Kahnawake Reserve. During the 1970s, Hall, widely regarded by Warriors as the founder of the movement, produced several bodies of literature calling for the resurgence of Mohawk sovereignty and the Six Nations Confederacy through whatever means necessary, including the use of armed force: “Legal extermination of the Indians as a distinct people is an act of aggression. Oppression is an act of war against the people. Legislating Indians into extinction is an act of war.”¹⁹⁰

Hall’s most militant works are his fanatical manifestos *Rebuilding the Iroquois Confederacy* and *Warrior’s Handbook*. In both booklets, Hall cites wampums of the Great Law calling for active resistance against the invasion of Mohawk territory and the protection of its interests. According to Hall: “What can the Warrior Societies do? They can dump bridges into the rivers which are now sewers and into the [St. Lawrence] seaway cancelling all traffic, knockout powerhouses, high tension power lines, punch holes in the reactors of nuclear powerhouses.”¹⁹¹

Using an ideology of nationalism and the argument that Mohawks were the victims of systematic oppression, the militant movement began to recruit members from Mohawk territories. The Warrior Society at Kahnawake received official sanction from the Longhouse members in 1972. However, the Warrior Society itself further accentuates the divisions of opinion over the governance of the Mohawk Nation, the support for its various Band Councils and the means by which sovereignty should be addressed and procured. The traditionalists who support the Longhouse were divided over the role of the Society and were not as unified as they may have appeared.

This divisive atmosphere among these groups helped fuel the violence of 1990. One person’s freedom fighter is another person’s terrorist. Accordingly, when members of a society are oppressed and feel isolated and alienated, they turn to violence to protect what remains of their land, culture and religion with a view that there is nothing left to lose. Mohawk activists and the Warrior Society developed through this system of oppression and isolation. Leaders fed on these fears, resentments and traumas to recruit members. According to Mike Mitchell, former Grand Chief of the elected Canadian government sponsored Mohawk Council of Akwesasne: “It was a movement for cultural survival. It was commonly known as the warriors.”¹⁹²

An ex-Warrior nicknamed “Cartoon” who served in Vietnam and initially trained the original Warriors in military tactics during the 1970s and 1980s

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surmised that the society, “took the garbage and the throwaways and put pride into them. What they [Warriors] set out to be is not what they are.” He renounced the Warrior movement when he was asked in 1989 to go to Ganienkeh “to train children to act as hit squads.” He was also deeply concerned that the movement had lost its social credibility and was now a front for illegal activities where the “expendables” or “unstable expendables such as Lasagna” who were floundering in life were put in the front lines “to hold the fort” and protect the multi-million dollar illegal enterprises of a few “Silks or Silk-shirt.” This is derogatory Mohawk slang used to describe the business men or entrepreneurs behind the gaming and smuggling network who use the Warriors to protect their “investments.”¹⁹³

There remains much debate over Hall (who died on 9 December 1993) and his recruitment and methods of motivation. The pro-Warrior Longhouses of Kahnawake and Ganienkeh (Mohawk Nation Councils) and the pro-Warrior factions of the Longhouses at Akwesasne and Kanesatake support its legitimacy. These Longhouse members view his interpretation of the Great Law as correct and subscribe to his belief that, “We shall resist by every means, any aggression, any violation of the treaties, any disturbances of our people in the free use and enjoyment of our land, any usurpation of our sovereignty, any encroachment and oppression. We pledge that the noise will be heard from one end of the world to the other.”¹⁹⁴

In contrast, other members of the various Longhouses vehemently reject this call to arms viewing Hall’s militant theories and rhetoric as a bastardization of the wampums of the Great Law, which have been twisted in meaning to promote and mobilize for his radical agenda. These traditionalists relate more to the Code of Handsome Lake.¹⁹⁵ The Warrior Society does not have blanket endorsement throughout the Mohawk Nation.¹⁹⁶ Also, in opposition are the elected councils at Akwesasne, Kanesatake and the Iroquois Grand Council. To Hall and his followers, this faction of the Longhouse and those who support the governmental electoral system are traitors who have subscribed to the “peace-oriented path” and to the “hallucinations of a drunk [Handsome Lake].”¹⁹⁷

Hall’s works are bursting with racial slurs, ethnocentrism and fanatical fascist psychological manipulation and ideologies. Throughout 1990, *Indian Time* produced an anonymously written dissection of Hall’s ideology and found frightening comparisons to Nazism and the “Big Lie” techniques of Rudolph Hess and Joseph Goebbels:

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Hall appeals to the young in the same fashion Hitler appealed and won over young Germans to enlist as Cadets and soldiers. Those in society who have been labelled as 'rejects' are actively recruited...and are made to sense oneness with others, and a sense of 'false love.'... Hall bases his army on the insecurities, social isolation, and low self-worth of its recruits. It's this false sense of nationalism which, in the mind of Hall and his followers justifies their actions..... Terrorism is advocated in the name of nationalism.¹⁹⁸

Hall makes numerous allusions to Hitler and the Nazis within his works including a claim that Hitler admitted to adopting the concept of *Blitzkrieg* from the Iroquois practice of warfare.¹⁹⁹ However, despite the influences of a fascist style doctrine, Hall also repeatedly singles out Jews as a source of inspiration: "Look at the Jews who have survived 3,000 years of inhuman persecutions.... Behold the meek and humble Jew suddenly turned tiger and even killed a lot of Arabs to set up Israel."²⁰⁰

The rise of the Warrior Society also corresponded to a time when the economies of Mohawk territories were in decline. Throughout the nineteenth century, a disproportionate number of Mohawks had made a living in high steel, building bridges and skyscrapers throughout the larger centres of northeast North America. By the 1970s, the demand for this brave skill was dissolving, deteriorating the economic conditions by producing higher unemployment rates among Mohawk men: "It came at a time when, in Mohawk country, the economy of the average ironworker, who had long been prosperous and respected, had shrunk and collapsed."²⁰¹

As a result, illegal enterprises began to compensate for this loss of income. Since the 1970s, and the introduction of Canadian "sin-taxes" on tobacco and alcohol certain Mohawks have used their tax-free status to earn a profitable living selling cigarettes at discount prices. A complex business and administrative system was put in place connecting all of the Mohawk territories. Also, as gasoline prices soared during the 1972 Oil Crisis, these Mohawks opened up various petrol stations, where motorists could fill up at a lesser cost. Soon this underground pipeline included in its inventory liquor, drugs, alien citizens and a vast array of weapons. The 1794 *Jay Treaty* was used as a legal argument to defend the right of Mohawks to freely carry goods across the U.S/Canada border without penalty of duty.²⁰²

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In addition, bingo parlours and casinos began to appear on Reserves throughout North America, including those of the Mohawk. Akwesasne became the largest proprietor of the lucrative gambling enterprise in the Mohawk territories. The gambling war can be traced back to 1983, when the St. Regis Tribal Council, made up of pro-gaming members, licensed the first high stakes gambling venue—Mohawk Bingo Palace. By 1989, six other facilities located on tribal land were in operation under independent owners without agreements from either the tribal council or the State of New York.²⁰³

These “Bingo Chiefs” gained support as they injected new sources of income into the struggling Akwesasne economy. Inevitably, a connection emerged between the illegal smuggling, the gaming industry and the militant Warrior Societies, who quickly gained financial resources from these activities. A Warrior on the casino’s payroll could earn upwards of \$60,000 a year. Organized crime syndicates, including the Hell’s Angels, became increasingly connected to the activities of the Warrior Societies, which helps to explain why the Reserves themselves did not financially benefit from the gambling industries. Casinos and bingo halls also provided a medium for laundering money earned from smuggling operations.²⁰⁴

It did not take long for the Warrior Society to act in a manner which they deemed as protecting Mohawk interests. In 1973, the Kahnawake Warriors embarked on a campaign to remove all non-Native “trespassers” from the Reserve and served these families with eviction notices of two weeks. Included were Natives who met the government requirement for status, but were not Mohawk through the traditional lines of descent. Members of AIM came to Kahnawake to aid in the cleansing of the Reserve. Under this pressure most families did leave peacefully; however, some did not, resulting in the forceful and physical occupation of their homes by members of the Warrior Society. This induced the Quebec Provincial Police to intervene and patrols began in Kahnawake. After a riot at the police station on 15 October and a brief armed standoff at the Longhouse, the police agreed to leave Kahnawake on the premise that the AIM activists leave Canada.²⁰⁵

Shortly after this episode, a more radical agenda was planned. The Kahnawake Warriors would “repossess” traditional lands in New York or Vermont. This was not necessarily a new idea. In 1970, Stanley and Loon Islands in the St. Lawrence River had been reclaimed. It was decided that the 612 acre state-owned abandoned Girl Scout Camp at Moss Lake, New York would be the intended target. On 13 May 1974, a convoy of cars and buses left

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Akwesasne and travelled to Moss Lake, named Ganienkeh (“Land of Flint”) by the Mohawk.²⁰⁶ Although governmental authorities were slow to react, exchanges of gunfire between resentful local residents and the Warriors became all too common. On 28 October, a firefight resulted in the wounding of two non-Natives; a 22-year-old man and a nine-year-old girl.²⁰⁷

Soon, Ganienkeh was surrounded by law enforcement authorities and an armed standoff ensued. To defend the territory, the Warriors took advantage of their members with Vietnam experience and military service, including “Cartoon,” and constructed bunkers, trench fortifications and booby-traps.²⁰⁸ No raid was ever mounted, no search was ever conducted by authorities and no arrests were made. Eventually in May 1977 an agreement was reached whereby the Mohawks would abandon Moss Lake and be given two parcels of land near Altona, New York, some 60 miles southeast of Akwesasne. These lands (600 acres) are still known as Ganienkeh, and are used as a Warrior training camp.²⁰⁹

The burgeoning cigarette trade at Akwesasne and Kahnawake had produced violent clashes between Warriors, those supporters of gaming, and U.S. and Canadian security agencies. After the 1973 standoff at the Longhouse, although maintaining jurisdiction over Kahnawake, the SQ was reluctant to enforce the law on the Reserve. The unofficial creation of “no-go zones” on Mohawk Reserves occurred gradually since the late 1970s. Regular police almost never enforced jurisdiction over the Reserves and policing duties were left in the hands of the Band Council appointed Mohawk Police Forces or “Peacekeepers.” The rise in smuggling and gaming can be correlated to this lack of policing and the intimidation practices of the Warriors on the Native police and the Band Councils.²¹⁰

This uneasy relationship came to a head in 1979 on both Kahnawake and Akwesasne. At the former, David Cross, a 28-year-old Mohawk, was shot and killed by the SQ on the Reserve. At Akwesasne, a dispute over the erection of a fence prompted a violent takeover of the St. Regis/Akwesasne Police Station and Band Council office. This created the Racquette Point siege. Roughly 70 Warriors avoiding arrest took refuge for a year on land owned by Loran Thompson. Thompson is an unofficial leader of the Akwesasne Warrior Society, a former Band Chief of the Mohawk Nation Council, and a casino owner: “We have been taken for suckers long enough.... As a nation we have decided we are going to fight for our rights.... And if it takes armed confrontation, we have no choice but to do what the other side is doing.... There is

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nothing Canada can say or do to convince me that armed resistance is neither necessary nor worthwhile for us.”²¹¹ Accordingly, the Warriors entrenched themselves for a standoff building bunkers and trenches, while carrying AK-47s and other weapons. The siege ended with the police protecting the Warriors from other vigilante Mohawks and then maintaining them in protective custody after their surrender. All charges, including those against Thompson were dismissed.²¹²

By this time the Longhouse was split into two distinct camps; those who supported gaming and those who did not. The anti-gambling side was made up of the elected Council Chiefs, those who supported the electoral process and those who resented the Warrior movement. The pro-gaming faction consisted of casino owners (and those who worked for them, including ‘private security’), the Warriors, and those who rejected the elected councils believing them to be an adjunct to the governments of Canada and the United States.

This produced sporadic violence throughout the 1980s between the Mohawk factions and also incited raids by Canadian and American security agencies. On 16 December 1987, the New York State Police launched a raid confiscating 293 slot machines. The office of *Akwesasne Notes* was set ablaze in January of 1988 and again in 1989. Its editor, Doug George, was an outspoken opponent of gaming. On 6 June 1989, a brawl involving 400 people erupted between the opposing gambling factions. Five Mohawks were arrested and 200 slot machines were confiscated as a result of state police and FBI intervention. According to Johansen, by 1987, the New York State Police estimated that the owners of six casino establishments at Akwesasne were profiting \$7 million tax-free per year. By 1989 this figure had swelled to more than \$100 million (annually) in unreported income generated by seven gaming facilities operating without tribal consent, supervision or sanction.²¹³

Given the geography of Akwesasne, which is located in Ontario, Quebec and New York State, raids had to be carefully conducted with co-operation from both countries law enforcement agencies. If a raid was attempted by one country without the co-operation of the other, Mohawks could simply cross the border to evade law officers whose jurisdiction was limited to their own side of the Reserve. Although many Mohawks do not recognize the border, this was a convenient loophole used to avoid arrest and prosecution.

In Kahnawake, Canadian authorities were making incursions into the Reserve to seize smuggled cigarettes, cash and drugs, much of which had been filtered

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through Akwesasne. On 1 June 1988, 200 RCMP personnel with helicopter support raided Kahnawake, sequestering \$450,000 worth of contraband and another \$284,000 in cash while arresting 17 Mohawks. The cigarette trade was costing the Canadian Government an estimated \$25 million a year in lost revenue. The Warrior Society brandishing rifles and bats responded by blocking the Mercier Bridge, connecting Kahnawake to Montreal, for 29 hours until it was agreed that negotiations take place over the cigarette issue.²¹⁴ The Warriors had exercised power and achieved their desired results.

The raids only intensified the Warriors' resolve to rid their territories of government interference. There was a growing militancy between both the pro- and anti-gambling and smuggling camps. Warrior patrols were set up on both Kahnawake and Akwesasne to give notice of raids and possible police intervention. Guns, protests and odd angry shots during nights became common place on Akwesasne, which was undergoing a gradual metamorphosis into a narco-parasitic state (Narco-Parastate): "We patrol our land as the Mohawk Sovereignty Security Patrol, and we will persist like the people of Vietnam or Afghanistan until outside intervention is stopped. Just like Afghanistan was to the Soviet Union and Vietnam to the United States, Akwesasne will be to New York State and the United States. Our patrol is just the beginning."²¹⁵ The violence spawned by smuggling, casinos and armed intimidation was spreading to the other Mohawk territories. In April 1988, an RCMP raid of a home at Kanesatake yielded a methamphetamine laboratory, chemicals and three kg of 70% pure methamphetamine. The RCMP estimated that the drug laboratory had the ability to produce two kg per day or a street worth of \$200,000.²¹⁶

Monies from illegal enterprises could support the instruments of revolution and provide the economic base for political independence: "...a member of the Akwesasne Warrior Society, who asked not to be identified, revealed that the various Mohawk Warrior societies and the Mohawk Warrior Movement itself has been funded by the cigarette and gambling trade..."²¹⁷ The Warrior Societies and their leaders followed the classic revolutionary formula. Phase one is typified by the rejection of all existing authority and the parallel construction of their own hierarchies—provisional governments, police forces, army, courts. They then demand their legitimacy as an autonomous nation. However, in order to accomplish this, loyalty from their own peoples must be demonstrated. Acquiring this allegiance can be done through schools, community groups, political organizations or intimidation. Once accomplished, the coercion or conversion of the larger audience must occur. In this case it would appear to be the Canadian public. Next, negotiations with the host

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government(s) must occur to acquire recognition and finally victory. Pressure can be put on the host nation through employing broader international organizations or non-governmental organizations (NGOs) such as the United Nations, the Red Cross and the International Federation of Human Rights. This process can be called phase two.²¹⁸

However, allegiance to such a militant ideology requires credibility and legitimacy. People will only commit to such movements if there is a belief or sense of accomplishment and victory. Hence, there is a vital need for action. The establishment of Ganienkeh, the blockades of the bridges and the cleansing of Kahnawake all demonstrate the willpower and the ability of those revolutionaries to exercise this power and achieve positive results. These actions can also be predicated on legitimate grievances, such as land claims and treaty rights in the case of the Mohawk. Thus, action and the enhancement of powers is phase three.

As AIM had quickly learned, one action can serve a greater function than one hundred petitions and protests. If these militant actions are met with authority and force from the host nation, the insurgents or revolutionaries are quickly turned into martyrs, thus the mobilization of a nation and the sympathies of the larger audience are completed. Inaction on the part of the host government implies an acceptance of sovereignty of the revolutionary or Narco-Parastate. For the host nation, it appears to be a lose-lose situation.²¹⁹ In the case of the Mohawk Warrior movement, all three phases form a joint relationship and were no doubt occurring in unison. However, no stage was complete by any means. The Oka Crisis was another step in this revolutionary process.

This revolutionary process is by no means isolated or original to the Mohawk Warrior Society. The combination of illegal activities and revolutionary movements is widespread. In Ireland, both the IRA and the Protestant Ulster Volunteer Force funded their activities with bootlegging and smuggling. In Sri Lanka, the Tamil Tigers are widespread heroin smugglers and currency counterfeiters. South American Maoist guerrillas have strong connections with the cocaine lords. In Afghanistan, the Taliban and Al-Qaeda had economic links to heroin production. The criminal elements and power struggle survives the often fleeting legitimate grievances and original directions of revolutionary organizations and movements.²²⁰

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The Mohawk Warrior Society was originally formed as a social movement. However, leadership elements quickly realized that the divisions within the Mohawk Nation left the Reserves in a state of lawlessness. Using their tax-free status to circumvent the government's "sin-taxes" on tobacco and cigarettes, the agenda of the Warrior Society slowly shifted its emphasis from protectors of Mohawk sovereignty and land, to smuggling and gaming. Intimidation was used to quell opposition within Mohawk territory. The Oka Crisis afforded the Warrior Society a situation to persuade the government that policing on the Reserves by outside law enforcement agencies (LEAs) would have immense political ramifications and that the Reserves and the Warriors were better left alone. In the years immediately preceding Oka, government raids had intensified in Akwesasne, Kanesatake and Kahnawake. The Warriors wanted a return to the earlier "no-go zones." The Oka Crisis under the guise of legitimate grievances could serve just such a purpose.

The Oka Crisis, rooted in the uneasy convergence of two distinct cultures over 300 years, found its breaking point for the Mohawk Nation at Kanesatake in 1990. Colonialism with all its European aspects created divides within the military, political and religious institutions and of Iroquois Confederacy and the Mohawk Nation. Successive governmental policies created an atmosphere of opposition and hopelessness within the native communities. The dawn of the assimilationist and paternalistic *Indian Act* shortly after Canadian Confederation furthered the divisions within the Mohawk Nation as federal policy shook the foundations of Mohawk Longhouse government. Band Councils were created in conjunction with the Department of Indian Affairs accentuating the already uneasy state on Mohawk Reserves.

The land claim at Kanesatake between the Mohawks and the Seminary of St-Sulpice was only a segment of the larger frustrations brewing within the Mohawk Nation concerning sovereignty, land rights and a return to the traditional Longhouse administration over their land and lives. Many Mohawks tried to settle their complaints with the federal government over land rights and self-determination peacefully through the judicial process. However, by the 1960s, in connection with the many other social movements, a militant trend appeared in the Mohawk framework of resisting government policy and encroachment.

Not all Mohawks agreed with or supported the Warrior Society and its militant actions. As the rifts within the Mohawk Nation continued to fester throughout the 1960s and 1970s, a change in governmental policies in regard to land

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claims offered the Mohawk of Kanesatake a legal and peaceful means to finally settle the historic land claim at the Lake of Two Mountains. The Comprehensive Land Claim system was introduced in 1975. By this time many members of the Aboriginal community had been educated in Canadian institutions and Canadian law schools. They used this knowledge to combat the federal government, not with guns and barriers, but by using Canada's own laws and regulations in favour of their arguments.

PART II

From Convergence to Confrontation

The situation within the Mohawk Nation, and more specifically at Kanesatake, had been steering towards confrontation since colonization. The divisions within the Mohawk Nation caused by colonial administration and Canadian policies left the Mohawk with little control over the affairs of their own lives and communities. The subsequent power vacuum allowed for the rise of a militant posture, in the form of the Warrior Society, to plant its roots and expand from a social protectorate to a Narco-Parastate. The power struggle heightened by the political divides generated an atmosphere of lawlessness on Mohawk Reserves.

While militant resistance became an option for the radical elements, the vast majority of Mohawks still adhered to the belief that the differences between the Mohawk people and the governments of Canada could be resolved peacefully through negotiation. By the mid-1970s a newly-developed framework for land claim disputes gave new hope to resolving the land contentions at Kanesatake and Kahnawake without the use of revolutionary tactics. The promulgation of Comprehensive Land Claims and Specific Land Claims by the federal government was the framework through which resolution could be achieved.

However, while these claims were drafted and submitted, the Warrior Society continued to expropriate power from the moderate elements of the Mohawk Nation in an effort to promote their own agenda and safeguard the lucrative gaming and smuggling operations which had previously been established. Nowhere in Mohawk country were the divides of politics and opinions on the Warriors and their activities more prevalent than at Akwesasne. The power struggle at Akwesasne had been raging since the late 1970s with the introduction of high-stakes bingo and casinos and the continuation of the discount cigarette and alcohol trade. The violence between the disputing factions intensified to the point of civil war.

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The troubled situation at Akwesasne left the governments of Canada and the United States with little choice. By 1990, state intervention was not only necessary but also unavoidable. The Canadian Forces was called upon to support LEAs under the legislation of *Provision of Armed Assistance* in an attempt to detain and suppress the violence in Akwesasne. Under this legislation, the CF had to comply with the federal government's demand to deploy and intervene.

While the circumstances at Akwesasne remained mercurial, the general uneasiness was exported to Kahnawake and Kanesatake. The land claims at Kanesatake had not produced the desired results for the Mohawk inhabitants and their frustrations soon took the form of barricades to defend the Pines against the Municipality of Oka, which threatened their destruction by the enhancement of the local golf course. The convergence of cultures at Kanesatake was heading towards confrontation. Although the Canadian public and media agencies were not yet focused on the impending clash at Kanesatake, Native rights were receiving top media billing in the form of the *Meech Lake Accord*.

CHAPTER 7

Kanesatake and the Modern Land Claims Process

Although there was a trend during the 1970s to get results through increasingly militant diplomacy, shifting avenues within the framework of government land claims opened peaceful possibilities for the Mohawk, most notably at Kanesatake. The 1973 *Calder* or *Delgamuukw* case produced drastic ramifications and set a precedent for future land claims. It stated that Aboriginal title was more than a simple right of usage and that the claimants must prove to be descendants from a society that occupied the land in question to the exclusion of all other peoples at the time of contact. It also stated that oral stories recorded in tradition, song and dance are admissible as court evidence.²²¹ In light of the Supreme Court ruling, Prime Minister Pierre Trudeau allegedly responded: “Perhaps you had more legal rights than we thought you had when we did the *White Paper*.”²²²

With the advent of this new policy, a joint Comprehensive Land Claim was submitted by the Mohawks of Kanesatake, Kahnawake and Akwesasne in January 1975. According to the Department of Indian Affairs, the general description of the land involved in the Mohawk claim was as follows:

The southwest part of the Province of Quebec encompassing the area along and adjacent the St. Lawrence and Ottawa Rivers stretching south and east to the U.S. border and north to a point near the Saguenay River and including the areas north and west of the St. Lawrence and Ottawa Rivers. This territory would include the disputed lands in The Pines...²²³

Comprehensive Land Claims are accepted by the federal government for negotiation based on the following criteria:

1. The claimant group is and has historically been an organized society able to exercise authority over human use of land;
2. The claimant group has occupied the claimed territory since time immemorial. Their use and occupancy of the land must have been an established fact prior to European arrival;

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3. The group historically occupied and used the land essentially to the exclusion of other aboriginal people;
4. The claimant group can demonstrate that many of its members continue to follow traditional pursuits within the claim area; and
5. The claimant group's aboriginal rights to use the resources have not been extinguished by treaty or other direct actions of the Crown.²²⁴

After reviewing the claim, the Department of Indian Affairs and Northern Development (DIAND) under Judd Buchanan dismissed the claim on the following grounds: Firstly, the Mohawk could not assert aboriginal title as they had not solely maintained possession since time immemorial. The land had been occupied by both Iroquois and Algonquian Nations during their protracted war before and after colonization. During the eighteenth and nineteenth centuries, the land had been occupied concurrently by Mohawk, Nipissing and Algonquin peoples. Furthermore, the department argued that the current Natives at Kanesatake are descendants of Nipissing, Algonquin and Mohawk; not solely Mohawk.²²⁵

Secondly, any aboriginal title that may have existed was extinguished by the successive Kings of France in the form of land grants, including the seigneurial grant(s) to the Sulpicians, and subsequently through the British Crown.²²⁶ The Mohawk accepted none of these arguments and produced archaeological evidence, in the form of carbon-dated artifacts from Oka, oral histories and Cartier's documentation of the St. Lawrence Iroquois, to support the fact that the land had been occupied since time immemorial.²²⁷

With the rejection of the Comprehensive Land Claim, the Kanesatake Mohawk, (on advice from the Department of Justice), argued that the Sulpician land grant was for the benefit of the Indigenous people in their religious care and therefore was intended for use by the Natives. Thus in June 1977, the Kanesatake Mohawk submitted a Specific Land Claim for title to the land at Oka. Essentially, a Specific Land Claim refers to claims made by a Native group or nation against the federal government which relate to the administration of the land and other Native assets and to fulfilling the obligations made in treaties. The pursuit of such a claim has to be made with evidence supporting the government's failure to fulfill treaty rights or to administer those Native lands in question.²²⁸

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This claim was rejected verbally in April 1986 by the Minister of Indian and Northern Affairs, David Crombie in a meeting with the Band Council. It was put to paper in October of the same year. His department concluded that the Kanesatake Mohawk did not meet the criteria for a Specific Claim, while taking the position that the 1912 decision of the Privy Council was a justifiable and complete answer to the question of any unresolved outstanding legal obligations of the federal government.²²⁹ Again, Kanesatake was not a Reserve under the definition of the *Indian Act*; therefore, it was not subject to the same considerations under the land claims policies.

In summary, Mohawk claims have been advanced on a number of grounds. Although each represents a distinct legal argument, they are all no doubt related:

1. Territorial sovereignty stemming from status as a sovereign nation;
2. Treaty Rights;
3. The *Royal Proclamation Act* of 1763;
4. Unextinguished aboriginal title under common law and Indian Affairs statutes;
5. Land rights flowing from the obligation imposed on the Sulpicians in the successive eighteenth century land grants by the King of France.²³⁰

Based on these viewpoints, the federal, provincial and municipal governments held a position that these issues were decided, against the Mohawk, in the 1912 ruling of the Privy Council. Even with the advent of the new claims policy, these matters had, in the government's view, been previously settled. The issue of sovereignty has never been applied in court. Therefore, during 1990 this claim was repeatedly tabled by the Mohawk during negotiations. The Longhouse faction at Kanesatake stated that these past land claims had been submitted by the *Indian Act* Band Council and not by the traditional Longhouse representatives, which were negotiating their own grievances during 1990.²³¹

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Table 2—Mohawk Territory, 1990²³²

Territory	Acres	Population	DIAND Funding 1989-1990 (\$Cdn.)
Kahnawake	12,477	6,000	17,071,078
Akwesasne	28,460 (14,460 U.S. and 14,000 Canada)	9,000 (Canada) 3,000 (U.S.)	14,226,580
Kanesatake	2,100	1,500	2,608,835
Tyendinaga	17,448	2,000	
Gibson (Wahta)	14,058	500	
Six Nations-- Brantford	44,914	2,000	
Ganienkeh	7,500 (U.S.)	?	
Doncaster	19,000	None	

Until 1985, the land claim issue at Kanesatake had been tabled primarily to the federal government. Local interest and confrontation over the land had been relatively quiet over the past few decades. However, in September 1985, the Band Council at Kanesatake informed the Municipality of Oka of a project to build a drug and alcohol rehabilitation centre for Native peoples. The project was sponsored by Kahnawake, the Department of Indian and Northern Affairs and Health and Welfare Canada. This proposal was rejected by the municipality, and it urged the federal government not to purchase these lands within Oka for the intended use of a treatment centre.²³³

Nevertheless, on 21 January 1986, the proposal received confirmation of funding by the Treasury Board of Canada. Immediately, local residents protested and formed the Regroupement des Citoyens d'Oka (RCO). They argued that such a facility would depreciate the value of their lands. There was concern for the safety of their families, although a non-Native treatment centre, *Maisonniee d'Oka*, had been operating in the area since 1982 under no such fears or protest. The *Onen'to:kon* Treatment Centre opened in 1987, although the land it was situated on was never transferred to the Mohawk.²³⁴ The allegations of bigotry, racial tension and ethnic fear surrounding the construction of the treatment centre weakened the mutual respect and cohabitation between Native and non-Native residents at Oka and the ill will was not forgotten.

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Although relationships at Kanesatake and Oka were unstable, issues surrounding ownership of the Commons had been relatively peaceful over the past years. In 1987 this changed irreversibly when the Oka Golf Club tabled the possibility of expanding the existing nine-hole course to the standard 18 holes. Accordingly, in early March 1988, Mohawks began interrupting workers and surveyors from the Municipality of Oka in the areas perceived to be reserved for Native use.

On 12 April, a foreboding telex was sent by Chief Kanawato Gabriel of the Five Nations Longhouse People of Kanesatake (Longhouse Council) to the Minister of Indian Affairs, William McKnight:

You are no doubt aware of the problem that now exists here in Kanesatake pertaining to the land situation and more specifically the area of 'our' lands we call 'The Pines...'. Even now our young men have vowed that no work will be carried out in this area even to the extent of a possible usage of violence. Violence breeds more violence. The viscous circle will not end.... We request a meeting with you...to halt the threat of this grave situation that faces both our peoples.²³⁵

The municipality filed for an injunction against the peoples of Kanesatake to allow the workers to complete appointed tasks; the injunction was granted on 14 April.²³⁶

Coinciding with these problems, was the release of the findings by Pluritec-Environnement, a private firm hired by the Kanesatake Band Council, to examine and report on the land base required by the community to ensure its proper growth and development over the next decade (1986-1996). The final report, *Kanehsatake Indian Reserve – Land Needs Evaluation for Community Expansion*, no doubt frightened the Mohawks as it suggested that both population and the subsequent housing needs would double over this time period. Concurrently, a legal battle was raging over the right of Mohawk Jean-Roch Simon to erect an apartment building on lands within the town of Oka; both sides claiming title to the land.²³⁷ With the possibility of a golf course usurping the Commons and excluded from Reserve status, the people of Kanesatake felt that their grievances were being ignored and their demands over the land sacrificed in the name of progress.

Nevertheless, on 8 March 1989, the Oka Golf Club unveiled its grand expansion project estimated at \$1.35 million dollars. Included in its blueprint were

an additional nine holes and “about 50 luxury houses” along the fairways just north of highway 344, straddling the tiny Mohawk cemetery. In light of this, Mohawks protested at the clubhouse. The Municipality of Oka argued that



Figure 1: Blueprint for the expansion of the Oka Golf Club.²³⁸

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the land in question belonged to Mr. Maurice Rousseau and is not part of the Commons or the Pines. In contrast, the Mohawk argued that the land, including the existing nine-hole course, was part of the original seigneurie and included the Commons and the hand-planted forest of white pine and hemlock and accordingly was reserved to them under the land grants and the *Proclamation Act*.

By 13 March, the Municipality had accepted an offer by Mr. Rousseau of 45 acres in exchange for \$70,000, on condition that it be used for the golf course and that an additional 30 acres be afforded to the planned subdivision. Grand Chief Clarence Simon wrote to the municipality soon afterwards strongly advising that the construction of the course be delayed, citing unextinguished Aboriginal title to the land. Simon also made clear that any incursion would be seen as a violation of Mohawk territory. Likewise, on 1 April, 300 Mohawks, in addition to other non-Natives and environmentalists, marched peacefully through the town of Oka in opposition to the expansion of the golf links.²³⁹

On 27 April, facing increasing Mohawk opposition, representatives from the governments of Canada and Quebec, the Kanesatake Band Council and the Municipality of Oka partook in a meeting whereby the federal government announced a land purchase program, in which the land of the proposed extension was identified. This proposal stagnated and nothing was resolved. However, a moratorium on construction was put into effect on August 21 after Chief Simon, Oka-Village Mayor Jean Ouellette, and Oka Parish Mayor Yvan Patry started negotiations. In addition, the federal government initiated a framework agreement in July in conjunction with the provincial and municipal governments involved and the *Indian Act* Band Council at Kanesatake with the view to creating a Reserve under the *Indian Act* in the area of the disputed lands. This was not a new prospect as the federal government had tried this avenue in the past, most recently in 1987.²⁴⁰

The volatile situation was made worse by a high profile SQ raid. On 29 September 1989, during negotiations over the golf course expansion, between 50-75 SQ members, with the aid of a helicopter, forcefully raided the Kanesatake Riverside Bingo. The raid resulted in seven arrests and eight more searches. In the past, Mohawks had had run-ins with the SQ over hunting, fishing and traffic laws and distrusted them immensely. The SQ was seen by the Mohawks to be a racist adjunct arm of an oppressive Government of Quebec. Following the incident at the Bingo Hall, the Kanesatake Joint Services Council sent a letter to the Human Rights Commissions of Canada and Quebec condemning the use of excessive force used by the SQ. Another peaceful demonstration

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was held in October protesting not only the golf course but also the SQ intervention on Mohawk Territory.²⁴¹

Although the moratorium on the expansion of the golf course was renewed until December, the situation within the community of Kanesatake was fragile. On 26 January 1990, Grand Chief Clarence Simon of the Six Nations Traditional Hereditary Chiefs (Indian Act Council) was dismissed by the Clan Mothers over allegations of conflict of interest. He was replaced by Grand Chief George Martin, who was not able to move into the Band Council office until 19 February as it was being picketed by Simon supporters. They argued that the Clan Mothers did not follow proper procedure under band custom. Martin only gained entrance to the Band Council office under protection of the SQ.²⁴²

In 1969, the Department of Indian Affairs had used a clause in the *Indian Act* to create a hybrid (Longhouse customs and *Indian Act* regulations) council which was unique to Kanesatake as it was not an official Reserve. The hereditary system was used to select a council of eight Chiefs headed by a Grand Chief from the Turtle Clan, all appointed by the Clan Mothers in consultation with the three Mohawk clans: Turtle, Bear and Wolf. While still having to comply with administrative rules set by *Indian Affairs*, the council's leaders were appointed not elected. Still, there was friction over the unique council. Two rival groups—Kanesatakeron League for Democracy and the Group of Change—wanted a return to band elections. Between 1987 and 1990, the Clan Mothers had appointed new chiefs six times. Those who wanted the electoral process were made up of those who had lost clan ties due to intermarriage with non-Mohawks; therefore, they had no clan to voice an opinion. Others who belonged to a clan argued that they were seldom consulted of Clan Mother decisions. This went against the principles of the Great Law.²⁴³

In addition to the Band Council, there was also a Kanesatake Longhouse. The Longhouse followers had their own Clan Mothers and their own Chief, Samson Gabriel. The followers of the Longhouse did not recognize the hybrid Band Council or any outside intervention from the Department of Indian Affairs and the *Indian Act*. Many Mohawks at Kanesatake belonged to many of these groups and were not unilateral in support for one or another, confusing the political framework of Kanesatake even more.²⁴⁴ A repercussion of the political instability at Kanesatake was that the ongoing negotiations concerning the golf course and more importantly, the Reserve framework agreement stalled and a breakdown in communication between the conflicting parties ensued.

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With the infighting over council appointments and political issues, for a time, the golf course expansion had been forgotten. However, the moratorium on the golf course expansion was lifted on 9 March 1990. DIAND and the Kanesatake Band Council convinced Oka Mayor, Jean Ouellette to postpone expansion for two weeks. That night many Mohawks, mostly from the Longhouse, held a peaceful demonstration at the club house under the direction of Allen Gabriel. The following morning, a fishing shack was dragged into the Pines and a make-shift camp was erected complete with a banner reading, "Are you aware that this is Mohawk land?" A petition bearing the signatures of 1,276 people opposed to the expansion was also sent to the Municipality of Oka. According to Ellen Gabriel of the Turtle Clan and head spokesperson for the people of Kanesatake during the standoff: "It was actually March 8th. That is when the fishing shack went up. There was no barricade, but the fishing shack and observations on whether workers were going to come in and start cutting trees. I don't know where they got March 11th maybe that was when the media started paying attention."²⁴⁵ Nevertheless, the Oka Crisis had begun.

The rejection of Kanesatake's federal land claims in association with the proposed expansion of the Oka Golf Club left the Mohawks of the Lake of Two Mountains with little forum in which to voice their concerns and disagreements. In reality, after negotiations concerning the Pines failed they saw little recourse other than to peacefully occupy the land in question. The original barricades were weapons free. Although the initial protest was peaceful, its backdrop of Kanesatake was not. The divides of politics, the appointment of a new Grand Chief and the intervention of the SQ had created violence within the community. With the SQ monitoring the Pines and court injunctions being served to forcefully remove the protestors from the land, the Mohawk territory of Kanesatake and the Province of Quebec were on a collision course to confrontation. However, the clash would begin at Akwesasne.

CHAPTER 8

Akwesasne: Gambling and Civil War

While the Mohawk at Kanesatake were negotiating with governmental authorities and trying to resolve matters without the use of violence, the situation at Akwesasne had deteriorated and evolved somewhat differently, forcing the governments of Canada and the United States to intervene. The divisions of government at Akwesasne and their sponsors created complications unique to Akwesasne and a power vacuum, leaving the Reserve with no consensus on policy or governance. In this atmosphere, it became the hotbed for Warrior presence and operations. This struggle for power, in a lawless Reserve, forged the conditions for civil war.

Within the Reserve, there were three disparate councils which exercised functions of government. The Mohawk Nation Council operated as part of the greater Iroquois Confederacy under the traditional system of the Great Law of Peace incorporating the teachings of Handsome Lake. The oldest of all governing bodies, it claims to represent Mohawk on both sides of the international border. However, it is not recognized by federal, provincial or state authorities. This right is bestowed upon two other councils. In the New York State sector of the Reservation, three elected tribal chiefs operate under the laws of New York State and the federal laws of the United States within the St. Regis Tribal Council formed in 1802. The third council, the Mohawk Council of Akwesasne, was created in 1898 under the *Indian Act*. It represents the districts of Akwesasne in Ontario and Quebec.²⁴⁶

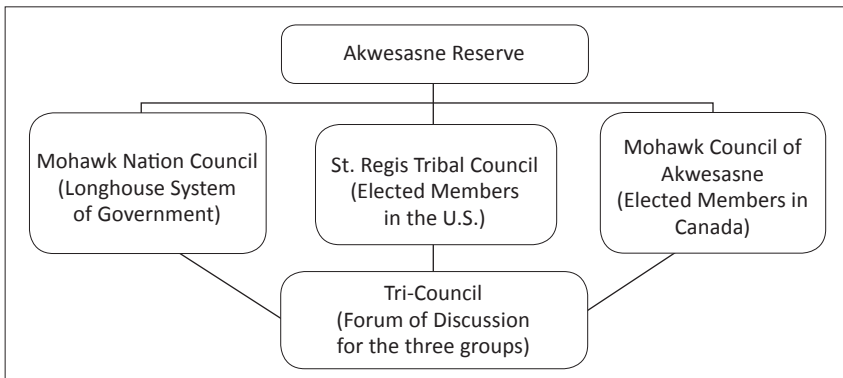


Figure 2: Band Council hierarchy of the Akwesasne Reserve.

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On 6 June 1988, the DIAND received a request from the Akwesasne Councils to revert to a custom electoral system, to be put in place for the upcoming election scheduled for 25 June. The request met the criteria of DIAND policy and it was decided to revoke section 74 of the *Indian Act* in relation to Akwesasne. These consolidating orders were signed on 14 and 21 December 1989. Although not received in time for the election, Akwesasne held the 25 June election pursuant to the newly-adopted custom electoral system (Akwesasne Election Regulations) whereby a Grand Chief and 12 sub-Chiefs were selected for a three-year term.²⁴⁷

However, this decision and these appointments were not supported by all members of the Akwesasne community. On the surface, Mohawk Council of Akwesasne Grand Chief, Mike Mitchell, opposed the influx of gaming as did the Chief of Akwesasne Police Force, Ernest King. Within the American St. Regis Tribal Council, only Head Chief Harold Tarbell contested the gambling culture so prevalent in the community: “I wanted the police, the governor, the FBI, the federal bureaucracy, the BIA—anyone—to come in and restore order. If they didn’t want to come in then I said give us the power, deputize us.... We couldn’t have gamblers walking around proclaiming sovereignty. We had to have the rule of law.”²⁴⁸ This view was shared by Tom Porter, Jake Swamp and Ron LaFrance, all sub-Chiefs of the Mohawk Nation Council.

In an interview with CBC, Tarbell reaffirmed the framework of revolution within the Warrior movement:

It’s basically a paramilitary standing group which has taken unilateral authority onto itself.... It’s a group...that understands political goals that we [Mohawks] have...but have formed a philosophy of force to achieve those goals. I think it is a group of people who are sincere in their belief...but are young and caught up in the machoism of it all. Then I think there are a number of others who are on the fringes of our society and are involved in different things and are either the outcasts or have vested interest in there being a lack of a regulatory and enforcement capacity in Indian communities so that they can capitalize on that for their personal gain.... Without an alternative to replace it [gambling and smuggling], it’s a hard thing to battle against.²⁴⁹

The violence at Akwesasne between the pro- and anti-gambling factions intensified throughout 1989 and 1990, the specifics of which are depicted by Johansen and Hornung with accurate detail. The 8,500 Mohawks living on the

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Reserve began to fight one another, the SQ, the New York State Police, the OPP, the RCMP and the FBI. Roving bands of gun-wielding Mohawks, armed law enforcers, barricades, frequent outbursts of gunfire and widespread arson became commonplace within the amplifying violence of the “Civil War.” School boards refused to send in buses to take children to school, businesses were shut down, postal services interrupted, cars and houses became burnt-out carcasses, and many families fled to shelters set up in Cornwall by the Ontario Department of Transport. It is estimated that 2,000-4,000 Mohawks had left the Reserve by April 1990.²⁵⁰

As the “Civil War” in Akwesasne was raging, another Mohawk Reservation became embroiled in scandal and violence. On 30 March 1990, a Vermont National Guard helicopter was hit by three rounds of AK-47 ammunition over Ganienkeh. A passenger, Dr. James Kirk, was struck by a bullet and another bullet punctured the hydraulic line forcing the helicopter to land just outside the Mohawk territory. The Mohawks refused to allow investigators into Ganienkeh. Since the formation of the Reservation in 1977, after the Moss Park incident in 1974, the Warrior occupants were resolved that no foreign agencies were allowed to set foot on this territory. To prevent police forces from entering, Warriors set up barricades on in-routes and patrolled the forested perimeter. Finally, after an 11-day standoff, the police were allowed in for two hours to search one building. A Warrior by the code name “Omega Man” was arrested later in September for the helicopter shooting incident after participating at the barricades at Kahnawake.²⁵¹

By April, violence in Akwesasne became increasingly common. Throughout April, barricades set up by both sides had been repeatedly dismantled, attacked and rebuilt. On 23 April, the North American Indian Travelling College was one of three buildings set on fire, destroying cultural and archival material of Reserve history. That night numerous gas bombs were thrown at anti-gaming blockades. A grenade was thrown into the Canadian Akwesasne Police Station, injuring three people. Several private homes were damaged by fire bombs. The following night, anti-gambling blockades were attacked with hundreds of rounds of automatic weapons fire and Molotov Cocktails. This assault was videotaped by Mike Francis and was shown on news stations across North America. Throughout the night, scuffles ensued between the opposing sides. By morning, the burnt out hulls of 20 cars lined Route 37. Indicative of the anarchy unfolding, no one was arrested and fortunately no one was seriously injured.²⁵²

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All rational law and order, whether imposed by Mohawk means or governmental means, had melted away. Akwesasne was in chaos and the head Chiefs for both the American and Canadian Councils urged the governments to act, while encouraging residents to seek safety off of the Reserve. Harold Tarbell pleaded with New York Governor Mario Cuomo to order in the National Guard, as did Canadian Minister of Indian Affairs, Tom Siddon. On 25 April, a letter was sent to Major-General L.P. Flynn, commander of the New York Division of Military and Naval Affairs, from “all three of the governing Councils, acting on behalf of the Mohawk people of Akwesasne (Saint Regis Tribal Council, Mohawk Nation Council of Chiefs and the Mohawk Council of Akwesasne) urgently request emergency law enforcement assistance to restore peace and order...Immediate action is needed by appropriate law enforcement or military agencies.”²⁵³ Grand Chief Mike Mitchell wrote a similar letter to Prime Minister Brian Mulroney and Tom Siddon asking for “assistance in restoring Peace, Safety and Security for all citizens of Akwesasne by sending in Canada’s equivalent of the National Guard.”²⁵⁴

Governor Cuomo, who was making provisions to legalize gaming on the U.S. side of the Reserve, refused to activate the National Guard, believing that the reports of violence were overblown and exaggerated. Finally on 28 April, Cuomo, “directed the New York state Division of Military and Naval Affairs... to take steps to be prepared for that type of action” and the National Guard was readied for possible intervention. Cuomo added that, “There is a time for the use of military force but only after we have done everything in our power first to bring about a peaceful resolution.”²⁵⁵ According to Tarbell, “It was very clear that the Canadian government understood the threat to public safety, while Cuomo just shrugged.”²⁵⁶ Tarbell’s Canadian counterpart, Mike Mitchell, agreed: “The Warriors are terrorists and if they are going to have control of Akwesasne, then our land is not safe for anybody who wants gambling to stop and our people to lead normal lives.”²⁵⁷ Even George Erasmus, Chief of the Assembly of First Nations publicly, condemned the Warriors.²⁵⁸

Although criticism towards the governments of both countries from Mohawk Chiefs was mounting, political negotiations were taking place and there was an understanding that multi-national coordination was vital before implementing any operational components. Action on each side of the border required cooperation at all levels of policing and governance. On 30 April, representatives from the police forces of Ontario, Quebec, New York State and the RCMP met to discuss tactical options in an undisclosed destination in New York State. On 1 May, Canadian and American mediators met at the U.S. Embassy in Ottawa

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with a view to forming an agreement and a unified political stance. Tom Sidon and Governor Cuomo were in constant communication, as were James A. Baker III, U.S. Secretary of State and Joe Clark, Canadian Minister of External Affairs. These occurrences were never made public.²⁵⁹

The solution offered by American representatives was to legalize gambling with the protection of state police forces. The apparent flaw in this plan was that the Warrior Society was not to be included in negotiations and that gaming would still not be under community control. Even gambling opponents, such as Mike Mitchell, were willing to allowing gaming on Akwesasne if it was controlled by the entire Akwesasne Council (both U.S. and Canada), that the profits be used for the entire well-being of the territory and that these concepts were enforced. The obvious impediment to this arrangement was wrestling the monopoly on gaming and its profits away from the Warriors and their supporters. Governor Cuomo secretly admitted that he wished to maintain a distance from the issue for political reasons and in his opinion the worst case scenario was to disarm the Warriors by force, including the use of military personnel, a solution he would not endorse.²⁶⁰

Although military resources had yet to be deployed, police raids continued throughout the growing violence. During March and April, U.S. agents seized \$1.9 million in cash and 19 pounds of cocaine. Estimates reveal that the cocaine ring through Akwesasne to Montreal and Toronto was worth \$40 million per month.²⁶¹ On the Canadian side, teams of SQ, OPP and RCMP patrolled the roads, while the American side was curiously absent of any significant law enforcement. The editor of *Akwesasne Notes*, Doug George concurred: "It's a real good strategy to stick to the Canadian side, where our police have the authority and the provincial and federal governments have said they would support our police."²⁶²

Indeed the provincial and federal governments were preparing a military response to aid police forces if required. Contingency planning was initiated by National Defence Headquarters (NDHQ) on 25 April and three options were evaluated, complete with a needs assessment. The first option was simply to support police forces in their attempt to impose law and order by supplying equipment and military resources. This was seen as the most likely option. The second was the evacuation of innocent persons, should violence occur in the process of option one. The last option, regarded as the least likely, was a military intervention. All options were limited to the sovereignty of national borders and co-operation with U.S. forces.²⁶³

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Interestingly, contained in the original assessment was a clause to specifically “avoid, if possible, using 5 BM du CA....” It was 5 Brigade that was ultimately deployed to Kanesatake and Kahnawake for Operation SALON. There is no concrete evidence to suggest that NDHQ was withholding this brigade as a reserve force for Oka. However, with the construction of barricades on 11 March, the suspicion of weapons and with the situation and negotiations at Kanesatake deteriorating, it is feasible that NDHQ was aware that CF assistance might be requested.²⁶⁴

On 27 April, elements of 2nd Combat Engineer Regiment (2 CER) from CFB Petawawa and 450 Squadron (Ottawa), dressed in civilian clothing, conducted a reconnaissance of the Canadian portions of the Akwesasne Reserve. In addition, the Special Investigations Unit (SIU) was conducting its own intelligence gathering. The goal was to identify resource requirements and armoured personnel carrier (APC) fording sites between the mainland and Cornwall Island (Akwesasne) and helicopter landing zones on the Islands of St. Regis and Cornwall. Authority was also given to take aerial photographs and imagery of the Reserve with CF-5s in synchronization with U.S. forces and government satellites. Aerial imagery was considered of paramount importance.²⁶⁵ In addition, the RCMP emergency response team was scheduled for familiarization training with CF equipment including AVGPs and service weapons at CFB Petawawa.²⁶⁶

The following day, 28 April, Prime Minister Brian Mulroney secretly alerted Bill McKnight, previous Minister of Indian Affairs and now Minister of National Defence (MND), to prepare contingency plans to support operations by the RCMP, OPP and SQ, with the RCMP being the lead agency. It was stressed that no military intervention would occur unless these agencies could not handle the situation.²⁶⁷

Facing the prospect of a possible CF insertion on Akwesasne, thorough intelligence and threat assessments were conducted and liaison was established with OPP, SQ and the RCMP to determine the nature and extent of potential involvement. A summary of all gathered intelligence revealed that the number of Warriors and sympathizers at Akwesasne fluctuated between 300-500, as both Warriors and supporters seemed to come and go, including many from Kahnawake. Many were identified to have U.S. Marine Corps or Vietnam experience.²⁶⁸

It was known by Canadian and American security agencies that the Warrior Society was heavily armed. As of 27 April, the following weapons had

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been seen and identified (although at this point the quantity was unknown): reactivated grenades (inert grenades which had been refilled with black powder, rearmed resulting in the explosion of larger fragments), semi-automatic rifles (AR-15, M-16 and shotguns with 30-round barrel magazines), automatic rifles (AK-47 and 9mm Uzi) and revolvers (.357 Smith and Wesson and .223 Mini 14 Ruger). Ammunition was plentiful. 25,000 rounds of various calibres had been purchased through Canadian commercial sources and American commercial purchases were estimated at four times that amount. It was known that 500-800 rounds were fired daily, another indication that the Warrior's ammunition reserve was large. In addition to these weapons, the Warriors were in possession of, or could acquire on short notice, two .50 calibre heavy machine guns and M-72 light anti-tank weapons (LAW).²⁶⁹

Other equipment in the Warrior arsenal included a very sophisticated and expensive communications network. They were monitoring police frequencies and conducted successful jamming operations using white noise, Native music and threats. They also were in possession of at least two high-powered speedboats (Pride and Joy) outfitted with 265 hp inboard/outboard engines. There was a concern that if police or military intervention by force occurred that the use of these weapons by young men (ages 14-18) would be unpredictable, as would the reaction of the Native population.²⁷⁰ However, as of 30 April any CF involvement was still considered "unlikely" by NDHQ.²⁷¹ This changed literally overnight.

On 30 April-1 May, incidents on Akwesasne prompted the Canadian Government to act. Over the course of these two days, a nine-hour gun battle raged, marking the zenith of the Civil War. The principles of the Great Law were in tatters. Mohawks were fighting Mohawks. During the battle Doug George called a radio talk show, the guest of which was Governor Cuomo. After describing the violent situation, George got into an argument with Cuomo, who promptly hung up.²⁷²

In addition to superficial injuries, two Mohawks—Matthew Pike, an anti-gamer (22) and Harold "Junior" Edwards, a pro-gamer (30)—were killed by gun shots both on the Snye, Quebec land base of Akwesasne. Numerous houses were set ablaze and an estimated 3,000-4,000 rounds of ammunition were expended. An RCMP patrol boat also received direct fire from a high-speed power boat.²⁷³ Between 1-3 May, 500 police officers from six individual organizations converged on Akwesasne from both borders in a well-coordinated joint operation and sealed off all access to the Reserve. With their presence, an eerie calm descended over Mohawk country.²⁷⁴ This battle prompted the

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federal government to act and military resources were mobilized under the *National Defence Act* (NDA).

At 2045 hours (hrs), 1 May 1990, the Solicitor-General of Canada, Pierre Cadieux, asked the Minister of National Defence, Bill McKnight, to provide military assistance to the RCMP in and around Akwesasne. The request loosely hinted at amphibious armoured vehicles, secure communication systems and engineering assets (totalling roughly 100 personnel) to be in readiness for RCMP operations. However, this was not done under the traditional clause of *Aid to the Civil Power*. This request was done under *Provision of Armed Assistance*.²⁷⁵

A province can request, if necessary, the assistance of the Canadian Forces in managing riots and domestic disturbances without invoking *Aid to the Civil Power* under Part XI of the *National Defence Act*. The Solicitor-General of Canada can request armed assistance from the Minister of National Defence. The latter's response is discretionary. He/She can direct the Chief of the Defence Staff (CDS) to order deployment; however, control remains with the federal government.²⁷⁶ This was the scenario for the CF implementation and deployment of Operation FEATHER (renamed Operation AKWESASNE for obvious politically sensitive reasons) to Cornwall and Akwesasne. The creation and legality of this operation differs immensely from what would be labelled Operation SALON at Kanesatake/Oka and Kahnawake which followed the traditional *Aid to the Civil Power* skeleton.

The federal government could no longer ignore the violence plaguing Akwesasne and the Cornwall area. The Grand Chiefs of both the American and Canadian Band Councils requested intervention. They knew that the situation was well beyond the control of internal police forces and the band councils. The RCMP and OPP did not have the required equipment to carry out operations without the support of the Canadian Forces. Gathered intelligence also revealed that these LEAs did not have the capacity or weapon systems to suppress the Warriors if direct confrontation occurred. The result was the request for CF support under *Provision of Armed Assistance*. This legislation forced the CF to participate in operations in and around Akwesasne through the planning, initiation and deployment of Operation FEATHER. Although CF intervention at Akwesasne differed in both form and function from the future deployments to Kanesatake and Kahnawake, it no doubt served as an example and warning to the federal government, the Government of Quebec and the Canadian Forces to begin preparing for another possible request for *Aid to the Civil Power* for other domestic operations in Mohawk territory.

CHAPTER 9

The History and Framework of *Aid to the Civil Power* and Domestic Operation Legislations

In order to understand the deployment of the Canadian Forces to Akwesasne, Kanesatake and Kahnawake the framework of legislations relating to domestic operations must be detailed. In Canada there is only one “Armed Force,” this being the Canadian Forces controlled at the federal level. There are no provincial “armies” and municipal governments do not have the right, as the provinces do, to requisition the sole federal force under *Aid to the Civil Power*. Desmond Morton has written numerous articles on the history of *Aid to the Civil Power* in Canada. Briefly summarized, Canadian Militia was used on a frequent basis to enforce law in the period before regular or effective police organizations. The first appearance of the phrase “Aid to the Civil Power” appeared in the *1855 Militia Act*. The first post-Confederation *Militia Act* of 1868 clearly identified the requirement of a local militia commander to take action when a request in writing was promulgated by a local official such as a city mayor or a warden. The regular force replaced the militia in this function in an amendment of the 1904 act.²⁷⁷

According to Morton, there were 145 episodes of *Aid to the Civil Power* in Canada during the first century of Confederation. These served a broad range of functions from preventing boxing matches, guarding hangings, encouraging people to pay taxes, guarding the Welland Canal from Fenian threats, to quelling strikes and prison riots. Apart from the Riel Rebellions of 1870 and 1885 and the dispatch of troops to the Yukon in 1898 during the Gold Rush most circumstances were brief and relatively peaceful.²⁷⁸ In fact, 80 of these occurred before the Second World War. With the advent of modern and properly trained police forces, the involvement of the military in domestic affairs became relatively moot. Between 1933 and 1969, there were no requests for troops made during peace time (seven were made during WWII). The basis for the decline can be found in a 1924 amendment to the *Militia Act* whereby the authority to requisition federal troops rested with the attorney general of a province, thus reducing the potential for the application of military force.²⁷⁹ According to Morton, “The emergence of the ‘urban-guerrilla’ and the search

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for acceptable Army roles revived an old role in two new guises: low-intensity warfare and domestic peacekeeping.”²⁸⁰

Accordingly, the most recent cases of *Aid to the Civil Power* are the 1969 Montreal police strike, the 1970 October Crisis, and the 1976 Olympic Games in Montreal. The FLQ or October Crisis illustrates the various levels of domestic operations and their implementation, including the *War Measures Act*. The Front de la Libération du Québec (FLQ) embarked on a terror campaign to ignite ethnic revolution in Quebec. Formed in 1963, the FLQ followed a five-step Maoist revolutionary war doctrine which had been successful in Cuba and Algeria in the recent past: mass organization, political mobilization, armed resistance, preparations for mobile warfare and finally national liberation. Evidence also showed that members were trained and backed by the *Front de Libération nationale* (FLN) in Algeria, and had a broad-based network of terrorist support and perhaps affiliation to internationally recognized countries such as France.²⁸¹

Although the FLQ conducted 34 attacks in 1963, the pinnacle of activity occurred between 1968-1970, in the form of 137 attacks using increasingly sophisticated weapons on higher profile targets, including National Defence Headquarters in Ottawa. On 5 October 1970, British trade commissioner James Cross was kidnapped in Montreal by an FLQ cell (He remained in custody until December when a cordon and search operation stumbled upon his location). In exchange for Cross, the FLQ wanted their manifesto broadcast on national television. Prime Minister Pierre Trudeau refused. Similarly, on 10 October Pierre Laporte, Minister of Labour and Immigration for Quebec was kidnapped by another cell (He was eventually murdered on 17 October and his body found in the trunk of a car).²⁸²

After the Laporte abduction, newly elected Quebec Premier Robert Bourassa asked Trudeau to “send in the army [and] think about invoking the *War Measures Act*.” Trudeau directed the Vice Chief of the Defence Staff (VCDS) Lieutenant-General Michael Dare, who was in command at that point, to establish liaison with the Attorney-General of Quebec to develop a plan for *Aid to the Civil Power* when and if it was requested. This was called Operation ESSAY. Concurrently, the VCDS authorized Operation GINGER, which unlike ESSAY was not an *Aid to the Civil Power* deployment. Similar to Operation FEATHER in Akwesasne, the Solicitor-General of Canada was urged to request assistance to the civil authority. The 9,000 troops of Force Mobile Command (FMC) were tasked to assist the RCMP in guarding federal buildings, escorting dignitaries and government officials and if necessary provide a rapid reaction force.

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Both operations were authorized on 15 October 1970 when the formal request for *Aid to the Civil Power* was submitted by the Attorney-General of Quebec.²⁸³

Provincial Premiers do not possess their own military forces in the way that Governors in the United States have state-controlled National Guard units at their disposal. The legalities for *Aid to the Civil Power* operations are found in Part XI of the *National Defence Act*. Section 275 reads:

275. The Canadian Forces, any unit or other element thereof and any officer or man, with material, are liable to be called out for service in aid of the civil power in any case in which riot or disturbance of the peace, beyond the powers of the civil authorities to suppress, prevent or deal with and requiring that service, occurs or is, in the opinion of an attorney general, considered likely to occur.²⁸⁴

Thus, an Attorney-General of a province or territory has the right to request members and equipment of the Canadian Forces if they deem necessary. It is important to note that this request is a right and cannot be denied according to Section 277:

277. Where a riot or disturbance occurs or is likely to occur, the attorney general of the province in which the place where the riot or disturbance occurs or is considered as likely to occur is situated, on the initiative of the attorney general,...may, by requisition in writing addressed to the Chief of the Defence Staff, require the Canadian Forces, or such part thereof as the Chief of the Defence Staff or such officer as the Chief of the Defence Staff may designate considers necessary, to be called out on service in *Aid to the Civil Power*.²⁸⁵

Again it should be noted that the request circumvents all political authority such as the Prime Minister or the Minister of Defence and is submitted directly to the CDS. Once such a request is tabled in writing, it is at the discretion of the CDS or a designate to decide the weight and scope of the military force on loan to provincial police forces as formulated in Section 278:

278. On receiving a requisition in writing made by an attorney general under section 277, the Chief of the Defence Staff, or such an officer as the Chief of the Defence Staff may designate,

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shall call out such part of the Canadian Forces as the Chief of the Defence Staff or that officer considers necessary for the purpose of suppressing or preventing any actual riot or disturbance that is considered likely to occur.

280(4). A statement of fact contained in a requisition made under this Part is not open to dispute by the Chief of the Defence Staff.

283. The Canadian Forces...called out in Aid to the Civil Power shall remain on duty...until notification that the Canadian Forces are no longer required...is received from the Attorney General of the province concerned and, from time to time as in the opinion of the Chief of the Defence Staff the exigencies of the situation require, the Chief of the Defence Staff may increase or diminish the number of officers and non-commissioned members called out.²⁸⁶

Following this premise then, there is no discretion as to whether or not elements of the CF are deployed. Where there is discretion is in the number and amount of materials to be deployed. This is redundantly stated in 23.09(2) of the *Queen's Regulations and Orders* (QR&Os): "The composition of a force employed in *Aid to the Civil Power* shall be at the discretion of the Chief of the Defence Staff or of an officer designated by him for that purpose."²⁸⁷ The QR&O's also makes clear reference to the conduct of soldiers deployed in such a mission. Chapter 23, entitled, "Duties in Aid to the Civil Power" outlines the rules and orders that govern the behaviour of CF members:

Section 23.15, Note D: The law, that no more force may be used than is necessary, applies at all times; lethal weapons must not be used to prevent or suppress minor disorders or offences which are not serious, and in no case shall firearms be discharged if less extreme measures will suffice.²⁸⁸

With the formal 15 October request for *Aid to the Civil Power*, the Canadian Forces prepared to implement the previously constructed contingency plan. However, the following day Prime Minister Trudeau invoked the *War Measures Act*, which unlike *Aid to the Civil Power*, had jurisdiction across Canada and most importantly in Ontario which was also an FLQ target. Before 1988, aside from a special legislation for the federal government to assert dictatorial powers after a nuclear attack, the *War Measures Act* was the only mechanism

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by which the federal government could authorize the use of the military within Canada.²⁸⁹ Created in 1914 by Prime Minister Sir Robert Borden to meet the demands and turbulence spawned by the First World War, the act is applied nationwide and cannot be confined to a single province:

3.(1) The Governor in Council may do and authorize such acts and things, and take from time to time such orders and regulations, as he may by reason of real or apprehended war, invasion or insurrection deem necessary or advisable for the security, defence, peace, order and welfare of Canada; and for greater certainty, but not so as to restrict the generality of the foregoing terms, it is hereby declared that the powers of the Governor in Council extend to all matters coming within the classes of subjects hereinafter enumerated...²⁹⁰

These subjects named in the act include the deployment of military forces, imposing censorship, undeterred arrest and detention, banning subversive organizations, the expropriation of private and public property, and control of all transportation and trade. In short the *War Measures Act* imposed draconian principles and afforded the Prime Minister dictatorial powers.²⁹¹

In conjunction with the *War Measures Act*, the *Public Order Regulations* was also passed. Although not superseding either the *War Measures Act* or Part XI of the *National Defence Act*, these regulations gave CF personnel status as Peace Officers, and further rights to exercise greater functions: 1) maintenance or restoration of law and order; 2) the protection of property; 3) the protection of persons; 4) the arrest and custody of persons; 5) the apprehension of persons who have escaped from lawful custody or confinement; 6) the enforcement of warrants issued by the Minister pursuant to section 218 of the NDA; 7) enforcement of the Customs Act and regulations there under; and 8) the enforcement of the Boating Restriction Regulations and the Small Vessel Regulations.²⁹²

Due to the national nature of the *War Measures Act*, in theory, police in British Columbia could have used these extraordinary powers, even though the province faced no threat. In actuality, some police chiefs in western Canada used the suspension of civil liberties afforded by the *War Measures Act* to arrest and harass inoffensive left-wing hippie groups.²⁹³ It became obvious that the *War Measures Act* was too extreme. Therefore, in early December the *Temporary Measures Act* was introduced, nullifying both the *War Measures Act*

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and the *Public Order Regulations*. The enhanced powers did not change and were equally draconian, but were now limited to the Province of Quebec.²⁹⁴

What cannot be overlooked is that by invoking the *War Measures Act* and the subsequent *Temporary Measures Act*, Prime Minister Trudeau ensured that the federal government held the balance of power, removing it from the hands of Premier Robert Bourassa. The request for *Aid to the Civil Power* was nullified the day after it was received by Trudeau's actions. Both the military and police forces conducted operations that seriously deterred any further violence and the FLQ has not conducted any terrorist operations since. The military commitment which totalled 12,500 troops over the period of events was stood down in January 1971.²⁹⁵ Operation ESSAY was carried out so successfully that NDP leader T.C. Douglas compared it to "using a sledgehammer to crush a peanut."²⁹⁶

In 1973, a review was conducted on the provisions of internal security (IS) operations in light of the FLQ Crisis. It concluded that the system and legislative provisions were competent based on the fact that the federal government had means to limit the powers of requisition by provinces but also had the ability to act if the provinces did not. The *War Measures Act* and the *Temporary Measures Act* were the means in which to do so. However, a closer look at the legislation for domestic operations reveals both advantages and disadvantages.

The first advantage is that due to the circumvention of political organizations, *Aid to the Civil Power* reduces delay in deployment thus minimizing possible threats to life and property. Secondly, for the federal government, the responsibility for *Aid to the Civil Power* operations and possible negative impacts and repercussions rests solely with the requesting province negating any blame on the federal government.²⁹⁷ This scenario would play out in the Oka Crisis.

The disadvantage of *Aid to the Civil Power* is that a large scale CF deployment can be made without any federal decision or judgement. An Attorney-General of a province could promulgate political, military and policing policies which may be unacceptable to the federal government. Second, the CDS may be forced to make a military commitment without formal support of political figures. However, there is nothing in any law which prohibits the CDS from consulting with politicians either before or after a request for *Aid to the Civil Power*. It would be professional suicide not to do so. The only contradiction can be found in section 18 of the NDA which states that the CDS is subject to

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the direction of the Minister of National Defence. In part XI of the same act, the CDS is given exclusive authority. The latter seems more reliable for if a decision was left to the Minister, the inevitable delay in deployment due to political discourse could endanger lives.²⁹⁸

However, the nature of *Aid to the Civil Power* was drastically altered in 1988 when the *War Measures Act* was replaced with the *Emergencies Act*. The 1987 *Defence White Paper* had concluded that the *War Measures Act* was “too broad and too sweeping” and did not include enough “safeguards against abuse” in domestic operations. The new act identified four types of national emergency: 1) public welfare; 2) public order; 3) international; and 4) war.²⁹⁹ A national emergency is defined as:

3. For the purposes of this Act, a “national emergency” is an urgent and critical situation of a temporary nature that...

(b) seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada and that cannot be effectively dealt with under any other law of Canada.³⁰⁰

However, by leaving in Part XI of the NDA, legislators consciously made it virtually impossible for a Prime Minister to invoke the *Emergencies Act* for any Oka-type scenario. More importantly, Section 25(3) of the act specifically renders the federal government impotent in the ability to override a province determined to use Part XI, *Aid to the Civil Power*:³⁰¹

25.(3) The Governor in Council may not issue a declaration of a public order emergency where the effects of the emergency are confined to one province, unless the lieutenant governor in council of the province has indicated to the Governor in Council that the emergency exceeds the capacity or authority of the province to deal with it.³⁰²

In effect, during the Oka Crisis Prime Minister Brian Mulroney did not have the options that were available to Prime Minister Trudeau under the *War Measures Act* during the FLQ Crisis. Although the violence of Oka had the potential to spread and ignite Indigenous peoples across the country, the wording specifies that the “effects of the emergency are,” meaning current to the time. Future predictions or possible effects cannot be legally taken into consideration.³⁰³ These legal factors surrounding Oka will be dealt with later, but were

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no doubt influential to the decision-making process surrounding the events at Kanesatake and Kahnawake in 1990 which highlighted serious flaws within the *Emergencies Act* and IS legislation.

Most significantly, if Bourassa, who was the Premier of Quebec during the Oka Crisis, had ordered the CF to take direct lethal action against the Warriors at Kanesatake and Kahnawake the result could have been horrendous bloodshed. It could have sparked violent retaliation from Natives across Canada and the United States. It appears logical that the Prime Minister should have executive powers to intervene and legally commandeer control of the CF. This is not the case under the *Emergencies Act*.³⁰⁴

Another noteworthy amendment to the *Emergencies Act* according to Morton was that the new framework transformed the cost and payment attributes of *Aid to the Civil Power*. Under the new legislation all Canadians would bear the cost burden through the Consolidated Revenue Fund, which until 1988 had rested with the municipalities and the provinces. In Morton's words: "A free service is likely to be used."³⁰⁵

Therefore, by 1990, there were three circumstances which afforded the use of domestic military deployments. The first and most relevant to the topic is *Aid to the Civil Power*, which fundamentally had not changed since the FLQ Crisis. This is limited to a single province. The second is through the decree of the *Emergencies Act*, but as shown, this nationwide framework has serious flaws. The third instance, *Provision of Armed Assistance*, usually implies that the CF will be called out for non-combat or non-confrontational duties. These are usually for short time periods and follow pre-existing contingency plans. Operations include relief of natural disasters, fisheries and narcotic-trafficking surveillance, pollution monitoring and ice flow reconnaissance. However, this can also be used to request armed intervention.³⁰⁶

The deployment of the Canadian Forces in support of LEAs at Akwesasne was only guaranteed so long as an official request for *Provision of Armed Assistance* was submitted. The federal government was handcuffed in the sense that the violent situation at Akwesasne did not constitute a national emergency; therefore, the newly created *Emergencies Act* could not be invoked. Once requested, the CF had the ability to independently determine the commitment of resources necessary to fulfill its mandate and function in consultation with LEAs and as outlined in the formal request under *Provision of Armed Assistance*.

CHAPTER 10

Operation FEATHER/Operation AKWESASNE

The deployment of Operation FEATHER in May 1990 to Akwesasne was unique as it did not fit the typical *Aid to the Civil Power* construction; nevertheless, it was still an *Aid to the Civil Power* type operation. On 1 May, the request from Solicitor-General Pierre Cadieux for CF assistance to the RCMP was a shock to Lieutenant-Colonel Derald Prosser who coordinated the operation from the Regional Direction Centre in the Long Sault, Ontario detachment of the OPP: “Although I had met with the police the same day, there was no indication that the military would be called in to assist.”³⁰⁷

By the morning of 2 May, with the exception of certain service and support elements, all CF personnel and equipment were in their designated locations with the intent to complete this mission:

CF to provide armed assistance to RCMP to restore law and order on Canadian portion of St Regis Akwesasne Indian Reserve. CF assistance to be confined to provision of armoured vehicles for transport and protection of police personnel, mobile VHF/FM secure communications for LEA use and any non lethal operational support requested to ensure success and safety of personnel involved. Duration of Operation undetermined however commitment made for seven days. Contingency planning must take place to cater for any increase in scope of operations.³⁰⁸

The operation was strategically commanded by Force Mobile Command (FMC) with sub-command elements at HQ Central Region and HQ Eastern Region. Major-General Bob Stewart was the designated commander, while Lieutenant-Colonel Norris Pettis, commanding officer (CO) of 1st Battalion, The Royal Canadian Regiment (1 RCR) was appointed tactical commander. He was well aware of the jurisdictional intricacies of his command: “I can’t imagine a more complicated problem. We’re dealing with three police forces [SQ, OPP and RCMP], two provinces and two national governments. It has taken days to develop mutual trust and understanding.”³⁰⁹ To assuage miscommunication concerns between the various forces, a Joint Operations Centre (JOC) was set up at the OPP station at Long Sault, 19 km west of Cornwall. As of 2 May under command of Pettis, was the Special Service Force (SSF) made up of

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248 personnel, 81 vehicles, 3 rafts, various boats and 2 CH-135 helicopters. The deployment to Akwesasne reached its peak on 9 May after which time there were continuous reductions in both men and materials.³¹⁰

Table 3—Operation FEATHER—Peak Deployment, 09 MAY 1990³¹¹

Unit/Home Location	Officers	NCMs	Vehicles/Equipment
1RCR (1 st Battalion, The Royal Canadian Regiment) London	10	150	14 x AVGP (Grizzly) 2 x APC Dozer 1 x APC (ARVL) 2 x Husky 5 x Iltis (all equipped with VINSON Comms.) 33 x Support Vehicles
2 CER (Combat Engineer Regiment) Petawawa	2	41	20 x Support Vehicles 5 x Kenworth 4 x Assault Boat 2 x Power Boat 2 x Sealander Jetboat 8 x Dive Team Equipment 2 x Class 16 Raft 1 x Class 60 Raft
2 SVC BN (Service Battalion) Petawawa	1	14	8 x Support Vehicles
2 MP PL (Military Police Platoon) Petawawa		4	2 x Support Vehicles
2 FD AMB (Field Ambulance) Petawawa, Ontario	1	4	2 x Ambulances 6 x Support Vehicles
SSF HQ and SIGS (Headquarters and Signals)	14	17	10 x Support Vehicles
2 EW Sqn (Electronic Warfare Squadron) 1 Can. Div. Kingston	3	34	12 x Support Vehicles
1 Int Coy (1 Intelligence Company) 1 Can. Div. Kingston	1	6	2 x Support Vehicles
427 Sqn Petawawa	6	11	2 x CH-135 3 x CH-135 (8 hrs Notice to Move or NTM) 4 x CH-136 (8 hrs NTM) 1 X FARP (for refuelling)

cont...

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Unit/Home Location	Officers	NCMs	Vehicles/Equipment
430 Sqn Valcartier			3 x CH-135 (8 hrs NTM) 4 x CH-136 (8 hrs NTM)
450 Sqn Borden			1 x CH-147 (4 hrs NTM)
Other	2	18	
Total	40	299	161
Cornwall Armouries: Base Security Force		20-30 Reserve Pers.	All assistance was un-armed. Units: 28 Ottawa Service Bn, Stormont, Dundas & Glengarry Highlanders, Cameron Highlanders of Ottawa and the Brockville Rifles.

CF personnel had authority to carry weapons only when participating in active operations with deployed police forces. These soldiers did carry live ammunition; however, the magazines could only be loaded into the weapon on order or in self-defence and in accordance with the use of force guidelines provided in the QR&Os. Body armour and helmets were also mandatory. In addition, due to the Operation FEATHER mandate as an internal security mission, no foreign exchange officers were allowed to participate. This would hold true for Operation SALON (military operations at Kanasatake and Kahnawake) as well.³¹²

Having completed preliminary reconnaissance patrols and intelligence gathering in late April, in conjunction with intelligence reports from LEAs, Operation FEATHER commanders knew the capabilities of the Warriors. Bursts of gunfire continued to be discharged throughout 2-4 May and were identified as semi-automatic weapons. In addition, receipts from gun stores in New York and Vermont recorded Warrior purchases of many heavier machine-guns and RPGs (rocket-propelled grenades). However, no weapons were visible during joint police/military patrols and with no visual confirmation, the extent of the Warrior arsenal remained inconclusive. Two boat loads of weapons were seen being transported from Cornwall Island to St. Regis Island on 2 May. It was also ascertained that the Warriors had a mobile detection unit, which had the ability to intercept and jam the radio communications of LEAs.³¹³

To alleviate this concern, secure CF communications equipment was requested by LEAs. The CF acquiesced to the demand by deploying elements

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of 706 Communication Squadron from Borden. The CF thought it was also necessary to monitor Warrior message traffic (most of which was on cellular phones), to locate base stations and mobile parties, and if need be, jam Warrior communication in the event of hostile activity. Recent Warrior phone traffic had revealed an intention to resume armed operations once the CF and police effort declined. In addition, the Warriors were successful in short length jamming of RCMP and OPP communications.³¹⁴

To satisfy their perceived needs, 1st Canadian Division (Kingston) deployed 2 Electronic Warfare Squadron (2 EW Sqn) and 1 Intelligence Company (1 Int Coy) on 6 May, “to be kept to lowest profile possible.” However, due to complications over legality only radio transmission could be intercepted. Cellular communication was a new phenomena in 1990 and although intercepting and jamming radio communications did not contravene Part IV of the *Canadian Criminal Code* (under which the CF must operate), there was a question as to whether cellular phones were included in “radio communication.” As such, information from cellular phones was not divulged to third parties including LEAs. All lawful Signal Intelligence (SIGINT) was for use of the CF and LEAs with the “understanding that CF pers would under no circumstances be called upon to testify in a court of law nor would the source of product be used in formal court proceedings. Good Hunting!”³¹⁵

With the arrival of police and the ensuing CF deployment the situation at Akwesasne remained relatively quiet. Police presence on both sides of the Reserve seemed to have soothed the violence. The funerals of both Pike and Edwards passed without incident on 5 and 7 May respectively. This is not surprising as it is customary in Native culture to cease hostilities during periods of mourning. Those Mohawks who had fled Akwesasne in the wake of the gaming violence slowly began to return to their homes with support from governmental agencies and LEAs. As of 6 May it was estimated that only 215 Mohawks remained in the Cornwall shelters, the number lessening to 125 the following day. All schools reopened on 9 May.³¹⁶

Human intelligence sources (HUMINT) also reported that the police presence on the Reserve, “is deeply felt by the Warriors as it has cut their main sources of income, which are the gambling and traffic of cigarettes across the border to Canada. This lack of money gain is also felt severely at Kahnawake Reserve by Warriors there, as this police presence has curtailed many main source of income...forcing many Kahnawake Mohawks to close their illegal tobacco stores.” Canada Border Services Agency at Cornwall required the use of the

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Cornwall Armouries in order to store an estimated \$3.1 million worth of cigarettes sequestered at the border crossing over the past two months.³¹⁷

It also appeared that the Warriors were using the influx of media to Akwesasne to convey the message that they believed the police presence was a form of occupation of their territory. They also indicated that they were the victims of a disinformation campaign portraying them as oppressors to the Mohawk Nation and terrorists to the Canadian and American public. According to a 6 May intelligence report: "The request for withdrawal of all white police from Akwesasne Reserve by Warriors and their supporters will soon become the main topic in this conflict."³¹⁸

Up to this point, the primary functions of the CF were limited to service and support elements such as the feeding and canvas tent housing of LEA personnel. The CF also supplied secure communication assets, intelligence cells and night vision equipment. 2 CER had ferried police and military vehicles, including a helicopter from Cornwall to Cornwall Island and St. Regis on rafts in order to conduct joint mobile patrols on the islands and main land of Canadian Akwesasne. Each military patrol was accompanied by one or more police officers, to avoid a situation where CF personnel were required to make arrests. Concurrently, the New York State Police and the FBI conducted patrols and searches in American Akwesasne.³¹⁹

Having already been deployed with no foreseen extraction in the near future, and facing a relatively low immediate threat, elements of the CF took advantage of the situation to conduct training. Joint infantry/engineer rafting and amphibious insertion training were conducted throughout the operation, including night movements and the recovery of a sunken OPP patrol boat. Between 6-8 May, float tests and swim tests were conducted with the Grizzly AVGPs. After completing successful float tests with the aid of a cable, the AVGPs were loaded with troops to conduct swim tests. These were accomplished with various successes, with at least one Grizzly sinking almost immediately after entering the frigid St. Lawrence River.³²⁰

As CF training continued, a joint patrol on Cornwall Island raided a home in the early morning of 10 May seizing over \$1 million worth of cocaine (4 lbs) and 12 weapons. With the arrests stemming from this raid, the total for the operation was 14.³²¹ On 13 May, five more arrests were made in conjunction with the murder of Harold Edwards. Those arrested were: Ken Lazore, Roger Mitchell, Steve Lazore, David George and Doug George, with the latter two being formally charged. A truck rented in the U.S. was intercepted illegally

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crossing the border near Sutton, Quebec carrying 350 cases of cigarettes headed for Kahnawake.³²² (It should be noted that on 16 May, Operation FEATHER was renamed Operation AKWESASNE by the CF and will now be referred to as such).

As the overall threat to LEAs was believed to be reduced through patrolling and checkpoints, the supporting role of CF commitment was reduced. By 25 May the CF commitment at Akwesasne consisted of 89 personnel (all trades), 35 vehicles (all models) and 9 marine vessels.³²³ All but three personnel from 2 EW Sqn and 1 Int Coy returned to Kingston between 13-16 May, and most of the secure communications equipment was withdrawn on 18 May. However, the threats to both LEA personnel and the Mohawk inhabitants was not completely negligible thus, “the continued requirement for CF SP [support] was confirmed...However, in view of the current comparatively quiet situation on the Reserve...it is appropriate that a prudent and gradual thinning out of CF resources be undertaken. Strength has now reached bare minimum to meet mandate.” It was felt that the CF was still required to provide immediate armed assistance resources, in addition to, offering operational equipment and administrative support.³²⁴

Although the overall atmosphere at Akwesasne was calm, there were still instances of violent episodes. Gunshots were still heard during the nights and unmanned roadblocks were frequently erected to impede police activity. Cars raced towards police roadblocks with the intention of ramming them and quickly braked before skidding to a halt and racing away. On 19 and 22 May, Molotov Cocktails were hurled at New York Police checkpoints. Another box of 10 Molotov Cocktails was discovered on Cornwall Island and 6 more were found in a parked car. There were two reported incidents of bomb threats in Hogansburg, New York. On another occasion, a cache of weapons was seen being thrown overboard into the river. 2 CER conducted combat dive training in the area of the drop but did not recover the weapons. An OPP raid on 24 May uncovered, “6 misc. weapons and ammo including an AK-47.” On 28 May a hostage-taking incident occurred, which ended without injury.³²⁵

Information for conducting searches and raids came from the joint intelligence cell operating out of the Long Sault HQ, and mobile command post units made up of three members of 2 EW Sqn and 1 Int Coy as well as RCMP, OPP intelligence officers, DND analysts and SIU agents. They received and analyzed information from numerous sources including intercepted communications, visual observations by forces in the field, aerial and maritime observation,

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media reports and imbedded human intelligence agents. After compiling the data, field operations were planned or adjusted accordingly.³²⁶

During a 24-hour period, this cell intercepted an average of 21 Warrior transmissions citing that on certain occasions “net [radio network] discipline seemed to be poor. There were indications that those participants [Warriors] were intoxicated and this could explain the lapse in discipline.” As the police and CF posture became more relaxed and numbers began to diminish, the intelligence cell reported an increasing number of smuggling related incidents. Warriors and smugglers were still monitoring police frequencies and had determined the pattern of police presence and movements and consequently changed their routes. Smugglers and Warriors also used wooded area and holes in fences to bypass police checkpoints.³²⁷

Compounding the already volatile environment in Akwesasne was the fact that an election for Grand Chief of the American St. Regis tribal council was scheduled for 2 June. Anti-gambling supporter and incumbent Grand Chief Harold Tarbell was being challenged for leadership by a pro-gambling Norman Tarbell (no relation). Harold was the only anti-gamer on the council and if he was defeated, the St. Regis Tribal Council would be made up of all pro-gambling supporters. Demonstrations of support for both men were frequent throughout late May. The outcome of the election would no doubt have an effect on Warrior intentions. Also, the Akwesasne Police Force (APF) returned to active duty on 28 May under protest from groups of Mohawks who believed them to be corrupted by pro-gaming supporters.³²⁸

Norman Tarbell won the election over Harold Tarbell 637 votes to 538 votes. The only eligible voters for the election were American Mohawks (roughly 3,500 eligible) as ruled by a New York State judge. Anti-gambling factions were quick to begin protesting the manner in which the election was conducted and also its outcome. In relation, threats to LEA officers and damage to police vehicles increased as pro-gamers wanted to rid Akwesasne of outside forces. In fact, Norman Tarbell who was to take office on 2 July made campaign promises to reopen the casinos and remove non-Native police forces from Akwesasne.³²⁹

On 18 June, the Bingo Halls of Akwesasne reopened without incident. The casinos remained closed. Governor Cuomo and the New York State Legislature were negotiating the legalities of gaming on tribal land. While Cuomo sought to legalize gaming, most members of the Legislature were of the opinion that

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keeping the casinos closed was essential to a continuing peace on Akwesasne in conjunction with continual police patrols.³³⁰

Although elements of the OPP, SQ and RCMP remained in Mohawk territory, they all agreed that CF support was no longer required provided that the personnel and equipment as of 6 June (87 soldiers, 33 vehicles, and 11 marine vehicles) could be redeployed within six hours. As a result, on 7 June Operation AKWESASNE was withdrawn leaving behind a small rear party and 9 intelligence personnel. By 25 June the CF commitment was limited to 12 personnel (two from 2 EW Sqn), eight vehicles, and seven marine vessels.³³¹ If the operation was prolonged, 2 Royal Canadian Horse Artillery (2 RCHA) was to provide relief in place on 3 July.

The lack of CF support had a negative effect on policing operations and violent activities increased almost immediately. On 11 June the Warriors held a meeting at The Bears Den as was observed by the SQ and OPP. Most if not all casino owners were present. Use of electronic communication devices by the Warriors ceased almost completely, cutting off a vital supply of information to LEAs. The Warriors also continued to monitor police movements and numbers.³³²

On 15 June, 42 rounds were fired at an RCMP roadblock, with ten near misses reported. This incident was repeated at an SQ checkpoint on 17 June. This was believed to be in retaliation for the arrest of prominent Warrior spokesperson Christine King for impaired driving on 15 June. Sporadic gunfire still plagued the Reserve and counts of petty crimes and vandalism were rising. This was attributed to the beginning of summer vacation for school students. On the nights of 15, 16 and 19 June, police responded to shots fired. Upon investigation, members of the Warrior Society were conducting target practice.³³³ An intercept by elements of 2 EW Sqn revealed the following conversation:

Navajo: One of them state troopers that were out yesterday said well if he's in his own yard he said we can't do a damn thing about it and they went over there and I guess he couldn't do nothing.

UM1: Who was shooting around?

Navajo: ...My young Warriors were testing out the new machines that what it was...They were checking out the new artillery... probably start again tomorrow....

UM1: Probably get a new lot tomorrow.

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UM2: Save your ammo.

Navajo: We've got about 75,000 rounds just waiting to be used.

During the same conversation, a bazooka was also mentioned.³³⁴ Analysts were cautious with the information received from monitoring Warrior communication. The Warriors surely knew that they were being screened and conversations could be phoney as part of an overall disinformation campaign. Another furtive action of the Warriors was to handsomely pay non-Natives to smuggle weapons over the border.³³⁵

Nevertheless, police presence continued to deter any escalation of violence and patrols frequently uncovered caches of cigarettes, weapons and other contraband. LEAs all cited the CF existence and support had a positive impact on their mandate. In view of the LEA's protracted commitment, they agreed that CF men and materials could be withdrawn completely, provided assistance could be quickly redeployed. Accordingly, as of 5 July, only three CF members remained: a liaison officer and 2 members of 2 EW Sqn. Equipment was reduced to three vehicles and one raft.³³⁶

The involvement of the Canadian Forces in support of LEAs appeared to have a calming effect on the condition of Akwesasne. The violence had subsided and for the CF, Operation AKWESASNE was thought to be nearing completion. However, the circumstances that transpired at Kanesatake and Kahnawake throughout the month of July prolonged CF intervention at Akwesasne. The negotiations concerning the land dispute at Kanesatake were at a standstill. Neither side was willing to compromise their positions. As Akwesasne was continuously monitored and patrolled by police forces, the Warriors slowly began to infiltrate the peaceful Mohawk camp at Kanesatake. Warriors and weapons began to appear behind the barricade in the Pines creating divisions between all elements in the Pines but also between the members and organizations in the community itself. Frustrated by the Mohawk position, the Municipality of Oka secured court injunctions for the forceful removal of these Mohawk elements by the SQ, which had been closely observing the situation; one that was heading towards confrontation.

CHAPTER 11

Protest in the Pines at Kanesatake

Although CF involvement at Akwesasne was diminishing due to a decrease in overall violence, NDHQ was keeping a close watch on the events at Oka knowing that, “concerns about the situation at Oka could make its way to Akwesasne Reserve.”³³⁷ The environment at Oka was becoming increasingly hostile and negotiations over the expansion of the golf course were floundering. With the advent of the Mohawk’s watch and picketing of the Pines beginning 8 March, the relationship between the Municipality of Oka and those Mohawks who supported the action weakened. The Regroupement des Citoyens d’Oka (RCO), which had protested the construction of the drug rehabilitation facility, also began to protest the actions of the Mohawk. In addition, with the influx of Warriors and radical elements, the Pines were transformed into a defensive fortification.

However, not all Mohawks agreed with the decisions of those protesting in the Pines and the fishing shack was set ablaze in early April. There were continuous disagreements among the Kanesatake Mohawks over the course of action to be taken to protect the Pines and the Mohawk cemetery. Thus far, no barricades had been erected and although weapons were at the camp, none were visible. Dan Gaspé, Kanesatake band administrator from January to 9 March 1990 suggested in his evidence to the Standing Committee on Aboriginal Affairs that, “On March 8, I co-chaired a meeting. About 10 people decided that there would be an occupation of the territory.... We tried to set some rules about how this project was going to go forward, we lost the argument as to whether or not arms were going to be used.”³³⁸ Having no official Warrior Society of its own and unfamiliar with confrontational tactics, these demonstrators sought advice from the leadership of the Kahnawake and Akwesasne Warriors on how to best patrol, construct barricades and maintain surveillance on the Pines. It appeared that certain members of the Kanesatake community were prepared to use weapons to defend their land and agenda.

According to Ellen Gabriel, “The barricades didn’t start going up until the snow melted, maybe the end of March, the beginning of April, so that the non-Native people of Oka would understand that your Mayor is doing this to us, so we are not letting you come through. We are not holding this against you but this is the principle of the claim, we don’t want our trees to be cut so we

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are only allowing our people to go through.”³³⁹ Although the exact date differs according to sources, during the time period mentioned, a barricade was erected blocking access to Chemin du Milieu, a dirt road heading north off of Highway 344, running along the western boundary of the golf course. Gabriel insists that it was not, “344, but on a dirt road that nobody uses, but they made an excuse that the ambulance needed to be able to go through, but it never went through because the road is so bumpy and they always use the highway or the paved roads. There was a lot of propaganda going on against us. The closing of the highway was after we were attacked on July 11th.”³⁴⁰



Figure 3: Map of Oka. The Oka Golf Club is marked by the gray (20) diamond. The original barricade was immediately to the left at the junction of du Milieu and Highway 344. (Information touristique d'Oka).

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On 26 April, the Superior Court of the district of St-Jérôme issued a provisional injunction as requested by the Municipality of Oka forbidding Mohawk demonstrators from impeding the movement of any traffic, including the Chemin du Milieu, and from posting signs on neighbouring properties. Failure to comply could result in forceful intervention by the SQ. The month of April had already seen members of the SQ in Kanesatake. On 6 April, supporters of dehorned Chief George Martin occupied the Band Council office. Acting Chief Clarence Simon called in the SQ, which forcibly removed the crowd.³⁴¹

The serving of the injunction changed the representation of the Mohawks manning the barricades on the north and south entrances to the Pines along Chemin du Milieu. During late April continuing into early May, the RCMP and SQ tracked the movements of many Warriors from Ganienkeh, Kahnawake and Akwesasne to Kanesatake. Warriors from the three sister territories began to pour into Kanesatake armed with their support but also with truckloads of camping equipment, food, communication devices and weapons. During this time period CF intelligence at Akwesasne noted that the Warriors were “conspicuous by their absence.”³⁴² When asked if he saw the Warrior Society taking over the legitimate land claim grievances at Kanesatake for their own interests, Harold Tarbell replied:

I see that happening. For example, this started over a land claim dispute in Oka, in Kanesatake, and I think every Indian and probably most of the people in North America agree with the Kanesatake Mohawks on their land dispute. But clearly with this promotion of a trans-Mohawk agenda that’s coming forward about, for example, one of the demands in Kanesatake being the removal of the police from Akwesasne. It’s clear that somebody else is promoting a different agenda, and it’s clear that that agenda is beyond, I think, the desires of the Kanesatake people. I would encourage the Canadian federal government to actively engage in that process. I think that it’s important that they do it, but if they do that and do that with the Warrior Society, they will in effect give the Warrior Society recognition as being the de facto Mohawk nation....My view on this has always been that the Mohawk people...can win this situation in Parliament, in court, in political and public relations issues...I don’t think we gain with the long term philosophy that is promoted in our culture by force of arms or by having everything resolved at roadblocks.³⁴³

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Since the Natives refused to co-operate and adhere to the injunction, on 1 May the municipality asked a contractor to remove the barricades consisting of cement blocks, trees and other materials. The SQ detachment in Oka was monitoring the situation very closely and was ready to intervene if necessary. On 1 May SQ patrol cars made frequent passes along Highway 344 and a helicopter made routine passes over the area of the Pines. On 2 May a planned SQ raid was called off on the advice of Quebec Minister of Affairs John Ciaccia. The barricades remained.

On 2 May, representatives of the municipal, provincial and federal governments met with the two rival Chiefs, Allan Gabriel (who had been the unofficial leader of the movement) and other Longhouse members at the Kanesatake Longhouse roughly one kilometre northwest of the Pines. According to Mayor Ouellette:

The Indians raised issues that went beyond the question of the barricades and local territorial claims to include the vast issue of self-government for the Mohawks in Canada. It should be said that the representatives of the Department of Indian Affairs and the Native Affairs Secretariat were duped by the radical natives and the Warriors, who had virtually carried out a coup d'état by neutralizing the Band Council and its Chief as well as the great majority of right-thinking Natives....They [Warriors] quickly realized that with the co-operation of the media, they could successfully destabilize the status quo so as to have a chance of achieving their objectives.³⁴⁴

The talks were broken off when two Mohawks riding an all-terrain vehicle (ATV) burst into the Longhouse claiming that they had witnessed police trucks dropping off wooden boxes in a shed behind the clubhouse signalling a potential police raid. Although both negotiating teams went to investigate, nothing was ever found to substantiate this claim. Mayor Ouellette and others later testified that this was a ploy by militant Mohawks to sabotage negotiations. Afterwards, roughly 100 Mohawk, including armed Warriors descended on the Pines. Distress calls were made to the Warrior Societies of Kahnawake and Akwesasne. Although it was the wishes of the Clan Mothers to have the weapons remain hidden, many were visible to onlookers and the media.³⁴⁵

Included in the crowd of onlookers were SQ personnel. The rotation of SQ members at Akwesasne in early May was perceived by the CF liaison elements, "as a step towards a future intervention at Oka. The troops used presently at

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Akwesasne are trained members of the Unité d'urgence who would be used for any type of intervention at Oka. It is therefore logical to conclude that concrete plans are being made for a future intervention." It was also addressed that any small incident at the two roadblocks could rapidly degenerate into a conflict, "so the Quebec Provincial Police (SQ) is monitoring the situation very closely."³⁴⁶ The CF unit FMC Headquarters located in St-Hubert was also concerned with the prospect of violence at Oka and on 4 May requested, "air photos of the Oka and Kahnawake Indian Reserves for possible contingency plan.... This HQ considers that some disturbance might occur..."³⁴⁷ Canadian Forces contingency planning for Operation SALON occurred much earlier than previously thought or recorded.

While negotiations continued on the political front with meetings held on 7 and 8 May, the Warriors and their supporters began digging trenches and fortifications in preparation for a raid. Even though John Ciaccia had convinced Mayor Ouellette to postpone the development of the golf course indefinitely, the Oka Town Council refused to endorse this idea unless the barricades were removed.³⁴⁸ The barricades remained. Mayor Ouellette made a second request for SQ intervention on the 7th. Correspondence received from human intelligence sources revealed that 60-100 Warriors were conducting training at both Ganienkeh and Kahnawake. This was confirmed by both the SQ and the NYSP.³⁴⁹

Although the Six Nations Traditional Hereditary Chiefs supported the picketing of the Pines, those in the Pines began to distrust Chief Martin and his non-Native lawyer Jacques Lacaille. They thought he was trying to usurp their role, even though they knew that the federal government recognized only this council as being legitimate. There was also growing discord between the members of the Longhouse. Longhouse Chief Samson Gabriel had asked Allen Gabriel, Curtis Nelson and Marshall Nicholas to represent the Longhouse, in conjunction with Linda Cree, Ellen Gabriel and Debbie Étienne.³⁵⁰

However, on 14 June the women publicly severed their ties from the other members of the Longhouse, citing the Great Law, believing that they were not being consulted on key decisions and meetings: "Women shall be considered the progenitors of the Nation. They shall own the land and the soil." Although an uneasy peace was restored and an effort was made to adhere to decisions by consensus, this example demonstrates the divisions within the community despite the public façade of a "unified front." Marshall Nicholas also began to remove himself from the situation after weapons and armed confrontation

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entered the agenda. The disparate groups within the Longhouse were the traditionalists and the moderates; those in favour of the principles of the Great Law and those who skewed them to promote their advantage and agenda.³⁵¹

There was a clear difference in opinion within the Longhouse over the critical issue of bearing arms. While some occupants of the Pines supported the use of arms, Ellen Gabriel and others did not:

We really felt like we were set up by people from our community, who knows maybe Kahnawake, but I know there was. Allen Gabriel was working with the RCMP without our information. He was one of three men that originally brought in weapons and shouted and decided that this is what they wanted. We said we don't want weapons here, take them out, take them out, and yet they walk around with their guns. They had already created in the public sense that there were people there with weapons, when the perspective of the group was no weapons. He was one that we suspect helped set us up. The Longhouse people stand in the way of the moderates and these moderates are now the ones that control the community.... There was someone working on the inside to set us up, to de-legitimize our claims to the land.³⁵²

By this time there were over 100 people in the Pines and cars bearing licence plates from various American states and Ontario. With the attitudes of the Mohawks becoming more militant and with an increase in Warrior participation, Longhouse Chief Samson Gabriel, his wife Ida, Curtis Nelson and others left the Pines. Allen Gabriel claimed that it was never intended to become a Warrior action and denied any link to the presence of arms. The departure of Chief Gabriel was significant in that as leader of the Longhouse, this institution did not support the extremists' concept of "stand and fight."³⁵³ The confusion of politics within the Pines was clarified by Ellen Gabriel:

Allen, Samson Gabriel and his son David, Curtis Nelson and some women who followed Samson, came to us in early July to say that we should bring the blockade down and that they disagreed with what was going on even though it was they who officially invited the 'Warriors' and it was Marshall Nicholas, Curtis and Allen who encouraged and carried guns early on in the movement. The 'People of the Pines' were a group of people in the community of Kanesatake who decided that all members made

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up of Longhouse and Christian members would put away our differences and that we would unite to fight the expansion of the golf course. I include myself in this group.

The remaining occupants described themselves as traditionalists but were in effect acting contrary to the “be of one mind” principle of the Great Law. The departure of those who brought in the weapons and Warriors, but now were seemingly opposed to the use of weapons, made it more difficult for the remainder to make unanimous decisions over the course of the Oka Crisis. In fact, partially based on the fact that support from their own Longhouse Council was withdrawn, the occupants gave themselves the name “The Longhouse People of the Pines,” creating further divisions within the political community of Kanesatake.

Although there was disagreement among the Mohawk themselves about weapon use and armed resistance, negotiations were still taking place. On 21 June members of the Longhouse and the Band Council met with Tom Siddon in Ottawa. The meeting did not go well. Siddon concentrated on the unification proposal to grant the Mohawk a land base and Reserve at Kanesatake, the same proposal which had been rejected by the Mohawk in 1989. In addition, he focused his delivery on the Band Council representatives and refused to acknowledge the Longhouse People. He, in keeping with government protocol, did not recognize them as the legitimate voice of Kanesatake. Had he negotiated with them, he would have indirectly legitimized their claims and those of the Warrior Society. After talks stalled, the Mohawks tabled their own agenda, the points of which all involved implicit assumptions of Mohawk Nation sovereignty. Again, Siddon, as a representative of the Canadian Government, would not endorse a sovereign Mohawk Nation within Canada. These refusals were taken as insults by the Longhouse Mohawks who left Ottawa even more disillusioned about reaching an agreement.³⁵⁴ When asked if the government’s refusal to recognize and negotiate with the Longhouse hindered a settlement, Ellen Gabriel simply replied, “It hindered everything.”³⁵⁵

On 28 June Siddon met with Mayor Ouellette and the Oka Town Council. Siddon assured them that mediation was still possible and that he would never negotiate with “terrorists” and that the Band Council was the only representative in his opinion. His advice was not heeded as the following day, another injunction requested by the Municipality of Oka for the removal of the barricades was granted by Judge Anthime Bergeron of the Quebec Superior Court in St-Jérôme. While Bergeron described the situation at Oka as anarchy, he

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also advised the municipality against using his judgment as a means to promote the golf course expansion: “No golf project is valuable enough to necessitate the wiping out of an important forest, especially in the context of the evidence I’ve heard.”³⁵⁶

The injunction was served to Chief Martin in the Band Council office. However, he admitted that he was powerless to order the barricades down, even if he wanted to. The Longhouse People did not recognize his authority and he refused to do the “dirty work” of the municipality. Although Martin made a feeble attempt to order the removal of the barricades, this was a gesture of lip-service to DIAND, as he knew full well that his voice would be ignored by the people of the Longhouse.³⁵⁷

On 5 July, Sam Elkas, Quebec Minister of Public Security, issued public statements that the injunction would be enforced warning the Mohawks to remove the barricades by 9 July (expiry date of the injunction) or face the possibility of an SQ intervention. On the expiration day, John Ciaccia sent a letter to Ouellette to suspend the golf course construction indefinitely to allow the barricades to be dismantled and negotiations to resume. Ciaccia argued that this particular situation involved many more facets than strictly legal rights. The Municipality of Oka interpreted this plea as evidence that Ciaccia had been influenced by the radical Mohawks.³⁵⁸

On 10 July, The Oka Municipal Council requested the assistance of the Sûreté du Québec by addressing the Director-General of the SQ, Robert Lavigne:

We ask you...to put a stop to the various criminal activities currently taking place on the Chemin du Milieu and to arrest the authors of the crimes so that we can proceed with the re-establishing the recreational use of the occupied lands... but we will not be able to do so until you have restored public safety in the occupied territory. We are counting on you to settle the issue without further delay and without further requests from us.³⁵⁹

Upon receiving this letter, Lavigne sent a requisition for equipment to NDHQ/FMC on 10 July. This application was not considered *Aid to the Civil Power* since it was limited to equipment and not CF personnel (save for vehicle drivers). According to Brigadier-General Armand Roy, Commander of 5 Canadian Mechanized Brigade Group (5 CMBG or 5 GBMC):

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[The] assistance was a technical one which means that we provided them with C-7 type weapons that the Sûreté du Québec did not possess and that they thought they would need to counter the arms that the Warriors had turned on to them. We lent them some equipment that allowed them to see by night.... We lent them bullet-proof jackets...and provided them with 18 armoured vehicles...that were never used, but they were...in Longue-Pointe during the month of July, so that the Sûreté du Québec could use them if need be.³⁶⁰

With these requests, it appeared that the SQ was ready to act.

With increased numbers of Warriors and supporters in the Pines, the defensive perimeter became more complex. The strategic organization of the site relied on two barricades and fences along the north-south axis, strategically located surveillance posts along the east-west axis, a communications post and rendezvous points (RV). Along the north-south axis (from Highway 344 and the intersections of Chemin des Gabriel and the Chemin du Milieu) the only two passable approaches by vehicle were heavily barricaded and under constant surveillance. Roughly 25m from the southern barricade a fence was built out of logs.³⁶¹

The defensive organization along the east-west axis of approach was less evident; however, it was no less developed. The plan to guard this axis of advance was one pertaining to specific reference points and a functional defensive arrangement from these locations for the purpose of observation, resistance and retaliation. The Mohawks dubbed the western edge of the Pines "Flower Pot." A covered trail connected this point to the intersection of Chemin des Gabriel and Chemin du Milieu dubbed Sector 5 by the Mohawks. Discreet movement along this trail "Ho Chi Minh" could be conducted. Another fence was erected near the lacrosse field to serve as an obstacle and observation post (OP). In the centre of the Pines were rendezvous locations called "AB" and "MP". At AB, a communication post (CP) was set up by Dennis Nicholas, nicknamed "Transformer." According to Mohawk testimony, the radio system was used for communications between Kanasatake and Kahnawake. From this post, Warriors were also able to intercept SQ communications. Moreover, walkie-talkies were used to communicate between the respective defensive positions.³⁶²

Further to the east, a trench dubbed "China Beach" was dug in a tactically sound position to monitor the golf course. Another trench at the extreme

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right (east) of the Pines was constructed and given the name “Hell Hole.” In addition to the defensive fortifications mentioned, other trenches and low walls had been constructed using sand bags and logs. It is quite evident that the Mohawks concerned had constructed a tactically competent defensive perimeter from “Sector 5” in the north to “Sector 4” in the south. The Pines had been transformed into an armed fortress in anticipation of a police raid.³⁶³ On the night of the 10th, barbed wire was added to the perimeter and the number of masked Warriors increased. To combat the wire, the SQ received 20 pairs of wire gloves and five wire cutters from Force Mobile Command that same night. Intelligence also revealed that on this night a large number of weapons were smuggled into the Pines disguised as a load of gravel.³⁶⁴ CF intelligence revealed that Warrior meetings at Akwesasne and Kahnawake occurred simultaneously on the night of the 10th.³⁶⁵ According to testimony and as stated by York and Pindera, the Mohawks had been tipped off that evening about the raid which came the next morning.³⁶⁶

The Warrior influence had increased and those in the Pines were prepared to take a hard stance. The stance taken by the Municipality of Oka was no less firm. The SQ had been keeping close watch on the protest in the Pines and was being pushed to forcefully intervene through court injunctions. The first violent episode in the clash of cultures at Kanesatake took place on 11 July.

CHAPTER 12

The Sûreté du Québec Raid at Kanesatake

Shortly before 0530hrs on the morning of 11 July members of the SQ emergency service unit and three SQ SWAT team groups (five men each) assembled at the edge of the Pines in order to conduct Operation DORE 90-4. They quickly realized that the occupants of the Pines were armed and proceeded to negotiate, thus deviating from the planned intervention mandate as was presented the day before. However, the log book revealed that shots were heard around 0545hrs and were not fired by SQ members. Confusion prevailed as to who was speaking on behalf of the Mohawks; nevertheless, it was made clear that the occupants of the Pines were not prepared to leave and that they would remain past the SQ deadline to evacuate the premises.³⁶⁷

At 0755hrs a message was received from Assistant Director General Lizotte for “intervention with chemical irritants or otherwise as quickly as possible.” Two canisters of tear gas were fired into the southern barricade in order to disperse the large crowd which had been amassing along the southern perimeter. This process was mirrored at “Hell Hole.” At 0847hrs, more gas was released along the southern barrier, in addition to a stun grenade. As SWAT teams entered the Pines, shots rang out at 0853hrs and a 20-24 second shoot-out ensued during which an estimated 93 rounds were expended (51 by the SWAT teams and 42 by the Mohawks).³⁶⁸

There has been much debate concerning the events of 11 July. Who fired the fatal bullet that killed SQ Corporal Marcel Lemay? Which side fired the first shot? The coroner’s report was made public in 1995; hence, “facts” written in books prior to this date were pure speculation. There are two points worth mentioning. The first is that forensic experts and investigators could not enter the Pines to conduct research until September 1990, as it was continuously occupied by the Mohawks until 3 September. This no doubt hindered the eventual investigation. Secondly, although policy, curiously, SQ radio transmissions were not recorded for the events of 11 July. Nevertheless, the coroner’s report is incredibly detailed and included 22,000 pages of stenographic notes from video and audio testimonies of journalists, witnesses and both SQ and Mohawk participants, all under oath. The shoot-out was in fact video taped by Guy Cote of CBC and recorded on three other audio devices.³⁶⁹

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Based on the entirety of the evidence coroner Guy Gilbert came to the following conclusions:

1. Corporal Lemay was struck by a 5.56mm (.223Rem.) full metal jacket projectile equipped with a penetrator. It was an American made round manufactured specifically for military purposes.
2. The Mohawks in The Pines had armour piercing and tracer rounds confirmed by forensics and audio tape: "I got armour piercers and tracers, can I whip at them?"
3. On 11 July 1990, the SQ was not using such projectiles.
4. Corporal Lemay could not have been struck by a round from members of his own SWAT team or his own weapons (as the Mohawks claim).
5. The pathology of the lesion caused at the point of entry excludes all possibility of a ricochet or a stray bullet (as Mohawks claim).
6. Corporal Lemay was the victim of an intentional shot fired by someone who was aiming at him.
7. The fatal shot was fired from the weapons of one of four unidentified Mohawks located near the lacrosse field.³⁷⁰

Although nowhere in his report does Gilbert actually state who killed Lemay, the implications are obvious. Corporal Marcel Lemay was killed by a projectile fired from a weapon in possession of one of four Mohawks near the lacrosse field, one of which can be heard on audio recording shouting, "We've got one, we've got one...."³⁷¹ As no single shooter could be delineated, no charges were ever laid in connection with the shooting of Lemay who left behind a wife and two daughters. The report also revealed, "beyond a shadow of a doubt that the first shot was fired by the occupants [Mohawks]," at the request of Warrior, Dennis "Psycho" Nicholas.³⁷² Gilbert concluded in his report that, "it was a mistake to intervene on the morning of July 11, 1990."³⁷³ In the words of a CF intelligence liaison to the SQ at the time, who wished not to be named, "The SQ raid turned into a comic opera farce. It is one thing for a police SWAT team to corner a couple of punks in the corner grocery. It is another thing to take on determined men who are fully armed and prepared to defend themselves. The Mohawks routed the police, there is no question."³⁷⁴

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The consequences of the raid were immediate and multiple. By roughly 0915hrs, the wind had changed direction blowing the tear gas towards SQ lines as Corporal Lemay was being evacuated by ambulance. The SQ unprepared for and staggered by the violence and resistance, retreated down Highway 344 to the village of Oka. The Mohawks had commandeered three SQ patrol cars. The SQ front-end loader that had been brought up to dismantle the barricades was now being used to construct a barrier out of the abandoned SQ cruisers, logs and stones at the top of the hill along Highway 344. Two more barricades were hastily constructed. One was erected on the western portion of Highway 344 leading into Kanesatake and another at the northern entrance on Sainte-Germaine. All three paved roads leading into Kanesatake were now under armed control of the Warriors and their supporters.³⁷⁵ The SQ responded by assembling barricades opposite those of the Mohawk.

Support for the defiant action had also filtered into Kahnawake. At 0545hrs, the Mercier Bridge, a vital lifeline connecting the suburbs of the south shore to Montreal, had been blocked at the intersection of Highways 132 and 138 at the base of the bridge by Mohawk sympathizers. The Mercier Bridge was the commuting link for over 60,000 vehicles per day, amounting to roughly 200,000 passengers.³⁷⁶ According to participant Cookie McComber, the action was done without the consent of the Kahnawake Warrior Society or the Band Council: "We did it on our own. We figured on taking the bridge to protest the SQ attacks and tell them that they had to deal with us as well...."³⁷⁷

Immediately after the raising of the initial barricade, Warriors assembled barriers at Highway 138 directly opposite the town of Chateauguay, at the southern entrance to the Reserve on Highway 221 and a third at the eastern entrance at Highway 132. According to Kahnawake Warrior Society spokesperson Kenneth Deer: "There was no plan, no coordination.... We had to stand behind them, but we didn't have any idea what it would mean."³⁷⁸ Many residents of Kahnawake immediately challenged the Warriors actions and vocally condemned the operations. These dissident voices were ignored and many revealed publicly after the crisis that they had been threatened with their lives.³⁷⁹

Although the radical Mohawk of Kahnawake claim that the barricades were a reaction to the SQ raid at Kanesatake, there are considerable flaws in this explanation. The most striking is that SQ intervention at Kanesatake did not begin until 0755-0800hrs. The original barricade blocking the Mercier Bridge occurred at or shortly before 0545hrs. News stations were reporting this incident as early as 0600hrs.³⁸⁰ In addition, there were direct communication links open between those in the Pines and their supporters at Kahnawake,

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including the Warriors. Lastly, by all accounts the occupants of the Pines knew of and expected the SQ raid on 11 July and that negotiations in the early morning of the 11th had been hindered and delayed for as long as possible. Given this information, the seizure of the bridge was not a reaction to the events of 11 July. Rather, it was a stratagem and an action designed to support Kanasatake, while providing more negotiation leverage through the importance of the bridge itself.

Inexorably, these actions affected the already tumultuous state at Akwesasne. Intelligence from 2 EW Sqn elements still present in Akwesasne revealed that, "Akwesasne Reserve is being used as a rear supply/support base for activities taking place on other Reserves. There is evidence of communication between Oka and Akwesasne. Information is passed on and assistance is requested." In addition, it was noted that a "deliberate yet disorganized psyops campaign is being waged against authorities."³⁸¹

Warrior activity increased immediately after the raid. A meeting was held at the residence of War Chief Francis Boots at 0930hrs on 11 July. Threats were made about occupying the International Bridge. Warriors were observed purchasing large amounts of canned goods in Cornwall and eight VHF marine radios in Messena, New York. Two cars driven by Akwesasne residents were stopped near Kahnawake carrying hundreds of pounds of food. Gunfire and protests occurred throughout the week following the SQ raid on Kanasatake. In addition to supplies, Warriors from Akwesasne were routinely observed travelling to and from Kahnawake and Oka. As a precautionary measure and due to increased movements within and from Akwesasne, CF commitment to Operation AKWESASNE was increased in both men and material in order to facilitate the evacuation of LEA personnel if necessary. The extraction was dubbed Operation CROSSBELT.³⁸² However, the focus of Warrior activity had shifted from police patrolled Akwesasne to its sister Reserves near Montreal.

The effects of the July raid went well beyond the Kahnawake blockades and a potential escalation at Akwesasne where CF numbers fluctuated between 15-25 in support of LEAs. For those Mohawks who believed in the use of force to promote their agendas, it united them in resistance, but also fuelled the belief that the governments would if necessary use excessive force to end the standoff, especially since Lemay had been killed. CF intelligence revealed that, "There was a lot of resistance to the Warriors within the Mohawk Nation, and they needed some kind of catalyst to get the support they did get and were able to hold on to for a certain period. 11 July was that catalyst. We had found evidence that the closure of the bridge was already planned and 11 July

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hastened it or was the perfect excuse.”³⁸³ The raid helped the Warrior Society garner support for, and promote, its revolutionary doctrine.

The intention of the governments was not to show signs of weakness or allow the insurgency to remain or spread to other Native groups in Canada. Even more eye opening for the government negotiators, who had already attempted to diffuse the situation, was the realization that the Oka Crisis could result in serious bloodshed if confrontational tactics were solely adhered to.³⁸⁴ For the moment, it appeared that the first action was to seal off Kanesatake and Kahnawake and hope negotiations could produce a peaceful solution.

The failure of the 11 July SQ raid was a victory for the Mohawks involved and hardened their stance against government incursion onto Mohawk territory. It stimulated a renewal of violence at Akwesasne and spawned resistance at Kahnawake in the form of barricades. More importantly for the Mohawks it brought their concerns over the land claim at Kanesatake to the forefront of media consideration. Canadian and international media began to report on the protracted conflict over the Pines. In actuality, apart from the meetings at Oka, national negotiations and contention between the federal and provincial governments and Native groups had been at the forefront of federal politics and media coverage throughout the spring and summer of 1990 in the form of the *Meech Lake Accord*.

CHAPTER 13

The Meech Lake Accord and Elijah Harper

Shortly before Oka received national media attention, Canada's Indigenous peoples were receiving notice across the country within the context of the *Meech Lake Accord*. The new attitude and innovative tactics of the Native movement were illustrated in the spring of 1990 during the Meech Lake constitutional negotiations. This constitutional document signed by Prime Minister Brian Mulroney and ten Provincial Premiers in 1987, perpetuated the national myth that Canada had two founding cultures—French and English—and promulgated undefined “distinct-society” status for Quebec. Native leaders viewed this as another indication of the federal government's continuous refusal to address the concerns of Aboriginal Canadians and were adamantly opposed the principles of the Accord. Native leaders were also worried that Quebec could use its “distinct-society” clause as a guise to override Native rights within that Province.³⁸⁵

The three-year period for final approval of the Accord had dwindled down to a few precious days in June 1990, the Provincial Governments of Manitoba and Newfoundland had not yet voted on a decision.³⁸⁶ However, the Accord could only pass the Manitoba Provincial Legislature if it had the unanimous approval of its members. One member of the Manitoba Legislative Assembly was not prepared to endorse. Elijah Harper, a member from the riding of Rupertsland in northern Manitoba and a former Chief of the Ojibwa-Cree community of Red Sucker Lake was an obscure member when the controversy began. However, he became the spokesperson for all Native Canadians as the negotiations progressed. Armed with only an eagle feather and the staunch support of Native Chiefs, Harper quietly shook his head every time the council asked for undisputed consent to introduce the Accord into the legislature.

The *Meech Lake Accord* collapsed in the face of one man who instantly became a national hero to the Aboriginal population of Canada.³⁸⁷ Harper later said that, “We blocked the accord because it posed a threat to aboriginal people. Aboriginal people have no quarrel with Quebec. But we are a distinct society too, and we've fought for many years for the basic rights that Quebec takes for granted, such as participating in constitutional talks.”³⁸⁸ The death of *Meech Lake* was hailed as a major victory by Aboriginal Canadians and strengthened

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their unity and militancy. Harper and his dismissal of the Accord laid the foundation for the national support the Oka Mohawks would receive from Native Canadians throughout the summer of 1990. Phil Fontaine, leader of the Manitoba Chiefs remarked that, "Harper represents the collective will of the Indian peoples of Manitoba and Canada...There is greater unity among us since Meech Lake."³⁸⁹

The Native opposition to the Accord represented resounding frustration and anger over a neglectful governmental policy toward Native rights. This frustration would manifest into violence in Quebec but also in and around Native communities throughout Canada shortly thereafter. Ovide Mercredi commented on this scenario: "Had our issues been dealt with then, we would not have seen the defeat of the *Meech Lake Accord* and we would not find ourselves in the position we are in now with the Province of Quebec."³⁹⁰ Less than one month after the quashing of *Meech Lake*, the world would again be reminded of Canada's unsettled business. In turn, the Oka Mohawks used the international coverage which *Meech Lake* attracted, to bring the same global coverage to their own plight.

With Harper and *Meech Lake* already attracting journalistic consideration to Native rights in Canada, the violence and barricades of 11 July only intensified media interest. The earlier events at Akwesasne and Ganienkeh received little press attention outside of local media publications. The Oka Crisis did not dominate the Canadian and international media until after the 11 July shootout with the SQ.³⁹¹ As the SQ continued to tighten the perimeter around Kanasatake and Kahnawake the media presence intensified. Pressure on the Province of Quebec to end the standoff and reopen major traffic routes including the Mercier Bridge also escalated.

CHAPTER 14

The Cordoning of Kanesatake and Kahnawake

Following the events of 11 July, the SQ quickly sealed off both Kanesatake and Kahnawake by erecting their own barricades. Checkpoints for both cars and pedestrians were maintained on a 24-hour basis to ensure no contraband and weapons were entering to resupply the armed Mohawks. As mentioned, the SQ had already secured CF resources from the 10 July request. These 37 vehicles, 151 personnel, 113 C-7s (22,000 rounds 5.56mm), NVGs, vests and helmets from the 3rd Battalion, Royal 22^e Régiment (3 R22eR) arrived at Longue-Pointe on 12 July, under command of Lieutenant-Colonel Robin Gagnon. His superior was Lieutenant-General Kent Foster, commander of Eastern Region and also commander of FMC. At the same time, 515 RCMP officers were involved with operations in Mohawk territories and the SIU was rigorously, yet secretly, taking pictures of Mohawk defensive positions on all three Reserves. A CF liaison officer was immediately dispatched to plan for joint operations with the SQ and RCMP.³⁹²

On 19 July most of the equipment and personnel, save for 25 soldiers, were withdrawn to CFB Valcartier and placed on 4 hours NTM. That same morning elements of 2 EW Sqn and 1 Int Coy arrived at CFB Montreal to begin compiling an intelligence portfolio for Kanesatake and Kahnawake in support of Operation SALON. With another 2 EW Sqn/1 Int Coy post still involved at Akwesasne, a complete representation of Warrior movements and communications could be obtained and shared. Later that day, Lieutenant-General Kent Foster, commander of Force Mobile Command, met with Brigadier-General Armand Roy, commander of 5 CMBG, to discuss contingency plans for future operations.³⁹³

The SQ established and maintained a perimeter around both Kanesatake and Kahnawake. In the course of isolating both territories, the SQ came under scrutiny for allegedly denying the entrance of food stuffs, clothing and medicines. The Canadian Red Cross had analysts and medical teams on the ground in both Kanesatake and Kahnawake by 17 July. The first Red Cross report from 23 July states that there were “major gaps in certain basic food groups and sanitary articles” at Kanesatake. At Kahnawake, the food banks, commercial stores and the Kateri Hospital were all found to have adequate resources.³⁹⁴

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Interestingly, Francine Chartrand, Director General of the Quebec Division, wrote to Grand Chief George Martin at Kanesatake complaining that the Red Cross office had been contacted by at least five other individuals claiming to be the spokesperson for the Mohawks: "We have also been told that Ellen Gabriel has been identified as the spokesperson for the Mohawk Warriors Society. We would appreciate your assistance in identifying the respective roles of these parties...should we need to enter into discussions...we will know who will be the spokesperson(s) for the native community."³⁹⁵ The Red Cross, like governmental negotiating teams, was also at a loss to identify a clear structure and voice within the Mohawk Nation.

In addition to the Red Cross, the Commission des droits de la personne du Québec had representatives behind the barricades at Kanesatake as of 5 July. However, the Commission states that it had "been following the situation in the region since 1986." The Commission's findings outline numerous examples of Mohawks citing incidents of racial slurs and allegations of the denial of the entrance of food and other materials while the SQ was monitoring the perimeters.³⁹⁶ However, the commission also received numerous calls from Chateaugay residents upset by the closure of the Mercier Bridge which they deemed to be a violation of their human rights. Two-hundred such calls were received on 25 July alone.³⁹⁷

The situations at Chateaugay and Sainte-Cathérine were becoming volatile. Residents upset by the long commute, due to the closure of the bridge, began to gather at the barricades and protest against the Warriors by taunting and jeering. Throughout July and into early August, nightly riots broke out between angry residents, supremacy groups, including members of the Ku Klux Klan, and the SQ. On numerous occasions, the SQ were pelted with bricks, rocks, bottles and vegetables, in addition to the odd Molotov Cocktail. They responded with tear gas and clubs, donning full riot gear.³⁹⁸ Although no one was seriously injured in these frequent exchanges, the racial tension was obvious to all. During one such riot, a Mohawk effigy was hung from a traffic light and burned. The validity of the Warrior's claims was only strengthened in the eye of the public by the loutish behaviour of a minority of hate-mongers. In relation, the actions of the SQ and the decisions of the Quebec Provincial Legislature were coming into question.

The tactic by the SQ of using limited resupply was overcome with great determination on the part of all supporters of the Mohawk. Food and water were smuggled in using a variety of different techniques. Women and men

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walked through the bush at night to deliver parcels. Native and non-Native supporters dropped off care packages at the barricades. Vehicles smuggled in supplies, the drivers hiding goods in various places in their automobiles, to avoid detection at SQ checkpoints. Red Cross and Salvation Army workers transporting supplies in trucks pleaded with the officers and were allowed to deliver their goods.³⁹⁹

The “Mohawk Navy” operating in small crafts would venture out at night amidst police patrol boats and ferry provisions from Hudson, on the south shore. They knew the shoals and rocky coves and safely navigated around them delivering much needed supplies. The Six Nations Reserve also secretly sent two boatloads of camping equipment.⁴⁰⁰ Even the leader of the New Democratic Party, Audrey McLaughlin came to Oka with a boat load of food-stuffs.⁴⁰¹ According to the Director of the Kateri Hospital at Kahnawake: “We have been getting food by boats.... Most of us are stunned that this could happen in this day and age. I used to think Canada was a good country, now it is no better than South Africa.”⁴⁰² John Ciaccia agreed, later admitting that, “I still could not believe that an agency of the government, the SQ, would actually attempt to starve an entire community into submission, and refuse them medical necessities...the world was watching.”⁴⁰³ Furthermore, the Mohawks even obtained permission from Ciaccia’s son to use the family dock at Dorval as a landing site for boats trafficking food, medical supplies and aid workers to Kahnawake: “I didn’t want politics to rob him of his ideals. I didn’t have the heart to say no. ‘You’re doing the right thing,’ I told him.”⁴⁰⁴

Although tension undoubtedly increased after the 11 July raid and the ensuing barricades, negotiation was still seen as a viable solution. On 12 July, John Ciaccia was sent to Kanesatake. He assured the Native community that there would be no more police attacks as long as the lines of negotiation remained a possibility. On the following day, he again met with members of the Warrior Society led by Loran Thompson and appointed spokesperson for the Mohawk at Kanesatake, Ellen Gabriel. The Mohawks demanded amnesty in the death of Corporal Lemay and refused to negotiate so long as the heavy police presence remained.⁴⁰⁵

The radical elements at Kahnawake refused to open the bridge until the situation at Kanesatake was resolved. The bridge was seen as the top bargaining chip. Throughout July, talks stalled as demands were rejected by both sides. Though DIAND had been asked to intervene, Tom Siddon believed that federal mediation would only complicate the matter. However, by the end of July, the

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Mohawks demanded that negotiations only take place between the Mohawk Nation as a sovereign entity and the federal government as outlined in the *Proclamation Act*.⁴⁰⁶

By 24 July a political framework had been developed at both the provincial and federal levels. Both were based on a three tiered approach. Tier one for the province of Quebec (Cabinet Crisis Committee) was primarily made up of Sam Elkas, Minister of Public Safety and Security, Chairman Claude Ryan, and John Ciaccia, Minister of Native Affairs. The second tier was headed by Alex Patterson, chief Provincial negotiator. Lastly, the third rung within Quebec was the tactical level, involving the SQ director, Robert Lavigne.⁴⁰⁷

The hierarchy of the federal government was headed by an Ad Hoc Ministerial Committee. Its membership reflected the responsibilities of the Ministers most directly concerned with the crisis: Tom Siddon (Indian and Northern Affairs), Kim Campbell (Justice), Bill McKnight (Defence), the Solicitor-General Pierre Cadieux, and in the Chair, Deputy Prime Minister Don Mazankowski. The second level was invariably connected to the first and consisted of the Privy Council Office, the Prime Minister's Office and head negotiator Bernard Roy. Lastly, the administrative level rested with the RCMP and DND which was required to call federal level one at 1100hrs daily for updates on policy and operations and again at 1400hrs daily for communication/public information matters.⁴⁰⁸

The first meeting of the federal level one committee took place on 24 July. It concluded that the first order of stratagem was to brief all foreign embassies in Ottawa to get the "international word out," as well as communicating with the United Nations Committee on Indigenous Population in Geneva. The occurrence of information leaks was also addressed, urging all levels to treat information as "very sensitive." There was confirmation from CF and RCMP intelligence sources that an unidentified mole existed within the circles of Ottawa. On 27 July, the first federal Cabinet meeting took place, the details of which are still classified.⁴⁰⁹

By 25 July, DIAND was in final negotiations in a bid to buy the private land from Mr. Rousseau and the Municipality of Oka. Although Mr. Rousseau who owned most of the land in question agreed, the municipality tabled a counter offer that was judged to be too high by governmental representatives. The following day DIAND submitted a subsequent counter offer. Rousseau, who had been flown to Ottawa from France, sold 18 hectares of land for \$70,000 to the town of Oka as had been previously arranged. DIAND then purchased

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the remaining land in his possession (12 hectares), which was to be used for the condominium development, for an inflated \$1.44 million. Mayor Ouellette and the town of Oka were offered \$1.34 million for the remaining 28 hectares (including the land it had just purchased from Rousseau) by DIAND. This offer was rejected on 31 July after a town council meeting. In early August, DIAND made it very clear that the land would be expropriated if a deal was not reached in the near future. On 8 August, the town council begrudgingly accepted a deal for the land worth \$3.84 million, including \$2.5 million in compensation for foregone taxes and lost revenue from the expansion of the golf course. The tiny Mohawk cemetery directly west of the parking lot was also purchased for one dollar.⁴¹⁰

The purchase of land did not placate the Kanesatake Mohawk. They insisted that it was rightfully their land and it was impossible for the government to purchase land that already belonged to the Mohawk Nation. Negotiations were suspended on 27 July and the barricades remained. While the arrangements for the purchase of the land were being settled in early August, the SQ was realizing that the situation at Kahnawake and Kanesatake was more than they could handle. With rumours of the sophisticated Mohawk weapon arsenal, the SQ could not and was not trained to counter such resistance.⁴¹¹

In light of failed negotiations and the presence of barriers, the SQ advised the provincial government that it did not have the resources necessary to achieve the forcible dismantling of the barricades, given the weapons visibly available to the Warriors, and the muscle of the fortified defensive positions which they had developed. According to General John de Chastelain, Chief of the Defence Staff, "In this assessment they were supported by the RCMP."⁴¹²

The events leading to the deployment of the Canadian Forces at Kanesatake and Kahnawake were numerous. The failed SQ raid of 11 July strengthened Mohawk resolve to resist forceful attempts to remove them from the Pines. Not only did they maintain a presence in the Pines, Kanesatake and Kahnawake had been transformed into fortified positions. Secondly, the long-standing animosity between the Mohawk population and the SQ, made worse by the alleged denial of foodstuffs, would be a severe detriment if another SQ operation was undertaken. Moreover, the SQ did not possess the firepower needed to confront the Warriors if a firefight resulted from any further encroachment onto Mohawk land or any attempt to remove the barricades by force. Hence, the employment of the Canadian Forces to terminate the standoff was seen by the Government of Quebec as the court of last resort.

PART III

The Clash of Cultures

With the erection of barricades at Kahnawake and the violence in the communities surrounding the Reserve, the Province of Quebec was forced to act. The SQ had been accused of human rights violations and unnecessary aggression and provocation. With the ingress of more Warriors and highly sophisticated weapons behind the barricades at Kahnawake and Kanesatake, the SQ was in no position to attempt another operation. The already unstable situation was made worse by an accumulating presence of media and non-governmental organizations. The scenes of Oka were being broadcast nationally and internationally.

The Province of Quebec needed to act and find a way to end the crisis. Accordingly, a request for *Aid to the Civil Power* was submitted to the Chief of the Defence Staff for assistance in ending the standoff. Although CF elements were still active in Akwesasne, the mission at Kanesatake and Kahnawake was more extensive and precarious. There was jurisdictional confusion between the levels of government, law enforcement agencies and the CF. Military operations were limited by an absence of rules of engagement (ROEs) and the inability to use force against Mohawk positions. In addition, the continual negotiations between Mohawk representatives and all levels of the federal and provincial governments curbed what the CF wanted to show as an initial strong show of force and its psychological impact upon deployment.

As the crisis wore on, and with CF initiative hampered by negotiations and jurisdictional confusion, the radical remnants of the dwindling collective of Mohawk supporters were content to remain behind the reduced perimeters, continuing to draw media attention to their plight. They bought time by continuously changing their demands and agenda, the most stubborn of which was that they would not lay down their weapons unless they were given criminal amnesty. They also insisted that the Mohawk Nation be given sovereignty. Neither demand was acceptable to the federal government.

In attempts to end the crisis, reopen traffic routes and reintroduce an environment of security to the areas, the CF thought it necessary to conduct

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numerous operations and raids with varying degrees of success and instances of violent repercussions. Yet in doing so, the CF, most notably at Kahnawake, in a sense replaced the civil authority. 2 RCR and 3 R22eR found themselves performing the role of a police force by having to conduct crowd control operations and cordon and searches. The CF was not equipped or trained for such tasks. Nonetheless, the 4,500 soldiers deployed in Operation SALON under *Aid to the Civil Power* ended the crisis without any further loss of life. However, the clash of cultures did not end with the conclusion of the Oka Crisis.

CHAPTER 15

Operation SALON

The Province of Quebec invoked Part XI of the *National Defence Act* on 6 August. Sam Elkas, acting as Attorney-General, issued a requisition for the assistance of the CF in *Aid to the Civil Power* to, “repress the troubles which subsist at this moment in Oka and Kahnawake to secure the protection of works, public and private, which are essential to the general welfare and to the security of the population of Quebec.”⁴¹³ The official written demand was received the following day by the VCDS, Vice-Admiral C.M. Thomas, as General de Chastelain, the CDS, was in Russia. The VCDS immediately informed FMC commander, Lieutenant-General Kent Foster, to identify the CF allocations needed for this task.

FMC had previously been tasked to maintain three battalion-sized units (600 personnel each) on 12 hours notice to respond to any defence or civil emergency. Each of these units maintained a company-sized (100 personnel) sub-unit on eight hours notice as a vanguard or advance force. Thus in an emergency, FMC could quickly muster 1,800 personnel for tasks within Canada. In extreme emergency, it had been designed for 5,000 personnel to be committed if required. Air, maritime and other CF resources had similar frameworks in place.⁴¹⁴ On 8 August, Foster met with Premier Robert Bourassa to discuss possible approaches and to ensure that the Premier was aware of the extent of the operational capabilities of the CF. Bourassa was fully cognizant of the CF’s role and abilities. After all, he had requested *Aid to the Civil Power* for the FLQ Crisis in 1970.⁴¹⁵

The following day, Foster, in consultation with Brigadier-General Armand Roy, issued orders to begin the preliminary stages of battle procedure to include briefings, reconnaissance, and the establishment of liaisons with all cells of the SQ and RCMP currently deployed. He also authorized the use of Primary Reserve personnel within the CF. Lastly, all individuals of 5 CMBG were recalled from leave to begin unit briefings, training and full scale rehearsals with the strategic mission to:

1. Remove all barricades in the affected areas;
2. Restore freedom of movement on all roads and bridges;

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3. Remove all strong points;
4. Restore normal conditions of public order and security.⁴¹⁶

For his part, the VCDS sat in on daily meetings with the Privy Council Office and the Prime Minister's Office from 6-10 August until de Chastelain's homecoming.⁴¹⁷

Upon his early return from Leningrad, the CDS was given a private briefing by Foster at 1300hrs on 10 August. Later that night a special briefing was given by Foster to a larger audience. In attendance at this meeting were 21 officers representing the highest appointments in the CF, in addition to the Deputy Minister of National Defence, Mr. R.R. Fowler. Foster briefed his audience on the situation and his analysis of the requirements. Planning was deduced for a maximum 30-day operation.⁴¹⁸

The CF chain of command for what they termed Operation SALON was as follows: The Chief of the Defence Staff, General John de Chastelain, was the strategic commander. His immediate subordinate and operational commander was Lieutenant-General Kent Foster, commander of Eastern Region and also Force Mobile Command. Brigadier-General Armand Roy, commander of 5 CMBG, was charged to carry out the tactical scenario.⁴¹⁹ Once assigned this role, one of Brigadier-General Roy's first actions was to talk to the equivalent commander during the 1970 FLQ Crisis to obtain the lessons learned from those operations and, where relevant, apply them directly to Operation SALON.⁴²⁰

During the 10 August meeting, the political/military fellowships were also generated. For the CDS, his political counterpart was Premier Bourassa, although it was specifically stated that Foster would maintain contact on his behalf. De Chastelain himself was to sit in on Cabinet meetings and the assemblies of the Privy Council Office and the Prime Minister's Office. This circumvented the traditional *Aid to the Civil Power* relationship whereby the CDS was under the chain of command of the Attorney-General of the province, in this case Sam Elkas. Although acting as the medium between Bourassa and de Chastelain, Lieutenant-General Foster's political contact was Sam Elkas. At the tactical level Brigadier-General Roy's equivalent was Robert Lavigne, Director of the SQ.⁴²¹

On 8 August, Prime Minister Brian Mulroney publicly announced that he had personally appointed Alan Gold, Chief Justice of the Superior Court of

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Quebec, as the federal negotiator and mediator between all parties concerned. Mulroney also made reference to the possible intervention of the CF. Chief Justice Gold was to liaise with both de Chastelain and Foster, as the events which transpired during negotiations would have direct influence on military operations.⁴²² This was reiterated to the public in the first CF press conference held by Lieutenant-General Foster on 9 August: "The army's deployment is contingent upon the state of negotiations between Chief Justice Alan Gold and the Mohawk negotiators... If Mr. Gold would feel that the military presence would be necessary to help...we would immediately respond."⁴²³

On the evening of 10 August, de Chastelain spoke with Premier Bourassa. As Foster had done two days earlier, the CDS confirmed that the Premier was aware of the tasks at hand, the actions the CF was prepared to take to accomplish this mission and the political ramifications inherent to IS deployments:

I have instructed General Foster to commence his actions with an open and frank discussion with the Mohawk leadership of his plan to restore normalcy. This is to be followed by the interposition of the Canadian Forces between the SQ and the Mohawks and, hopefully, the peaceful dismantling of all barricades and associated strong points. The final stage will see...the restoration of a normal, peaceful state. Each stage will be preceded, as necessary, with public statements of our intentions... Once the Canadian Forces have declared publicly the intention, for example, to dismantle the barricades, precisely that will be done—with or without the agreement of the Mohawks..... Accompanying this authorization will be firm instructions that the use of these weapons...will be the minimum necessary and will be used only in the event that the Mohawks open fire on my troops first.⁴²⁴

Although in principle, the CF commanders were constructing their concept of operations, deployment of their forces to the actual areas of operation was not yet solidified. On 12 August, Justice Gold met with Foster and, as a result, the restriction on military deployment was maintained. The same day, both Foster and Roy met with Premier Bourassa, who agreed that if CF intervention was required, the inter-position option was the best approach.⁴²⁵

Prior to the dialogue with Foster, Justice Gold had met with Mohawk negotiators on 10 August under a media blackout. Both sides appeared pleased with the discussions. The Mohawks contented that by extension of Gold, the federal government was involved in the efforts to end the standoff with the

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Mohawk Nation on a nation to nation basis. However, the Mohawk representatives were displeased by the apparent connection between Gold and the CF. He had the ability to empower military intervention if he deemed the negotiations futile. This was seen as a furtive threat by the Mohawks not to disagree or argue with him.

On 12 August, the situation appeared to be nearing an end. Tom Siddon, Alan Gold and John Ciaccia met with Ellen Gabriel and other negotiators, in the Pines, to sign a three point precondition agreement to expedite negotiations for a peaceful resolution. The government negotiators conceded to the Mohawk demands that unhindered passage of food, medicine and other essential materials take place at Kahnawake and Kanesatake. Secondly, that spiritual and legal advisors have free passage through the barricades. Finally, the Mohawks proposed that an international observer force made up of non-Canadians be present as created by the Paris based International Federation of Human Rights. These observers arrived at both locations on 15 August. Mohawk representatives from each territory (Akwesasne, Kahnawake, and Kanesatake) were to sign the documents. Among the onlookers were many unarmed, masked Warriors.⁴²⁶

While the documents were being signed, a masked Warrior unexpectedly sat down and proceeded to sign his traditional Mohawk name on behalf of Akwesasne. Although Loran Thompson was present, 17-year-old Akwesasne Warrior “4-20” signed on behalf of his Reserve. After the ceremony, “4-20” handed a properly folded Warrior flag to Alan Gold.⁴²⁷ According to Ellen Gabriel, someone, who was never identified, wanted to make a point to show Canada that they had to legitimize the Warrior Society: “The presence of the masked Warrior, that didn’t help us, but that was not our intention either. We had our elder there and he was signing for us.” She also still maintains that someone on the inside was purposely trying to sabotage negotiations.⁴²⁸ Furthermore, there was also division within the Mohawk communities as to who had the right to sign on their behalf.

As a result of the ceremony, roughly 2,000 angry residents of Chateauguay and other supporters brawled with SQ police and riot squads throughout the afternoon and evening of 12 August. The mob smashed police cruisers, lit fires and opened fire hydrants. They threw golf balls, bricks and Molotov Cocktails at the outnumbered SQ personnel, many of whom were injured. RCMP reinforcements were called in and tear gas canisters were released in an attempt to disperse the crowd. Nevertheless, rioting continued until the night of 15 August, when local Chateauguay police officers, acquaintances of many of the

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rioters, wandered through the protestors chatting and diffusing the hostilities.⁴²⁹ The pressure for CF intervention was mounting.

Thus far, no direct CF intervention had occurred; however, the CF elements tasked to carry out the mission were by no means dormant. 5 CMBG consisted of three infantry battalions: 2 R22eR, 3 R22eR and 2 RCR. Intense training was conducted from 7-14 August at both Valcartier and Gagetown CF bases. As Colonel (then Major) Alain Tremblay, Commander of “C” Coy, 2R22eR remembered:

At that time we believed that if we were called upon it would be as the force of last resort, so all of the training was done at the upper end of the spectrum. Training for an assault using all military means available on the barricade in a non-permissive type of environment...focusing on assaults on barricades in the live-fire mode. From there we went through Platoon and Company attacks on mock-up barricades using the full fledged spectrum of military weapons.⁴³⁰

According to Lieutenant-Colonel (then Major) Colin Magee, Operations Officer for 2 RCR, this training was repeated within his battalion:

We had the Engineers and some of the intelligence community with photos and reports as to their [Mohawk] positions and barricades. We had information on how they were manned, what they were made with and how they were booby-trapped. We set up barricades to those specification, had the Engineers booby-trap them and then practiced various live-fire scenarios, including the use of Leopard Main Battle tanks, 105mm artillery in a direct fire role. The companies practiced mounted, dismounted, combined arms, by day, by night, noisy, stealthily, on the various barricades just to get our skills down.⁴³¹

Training throughout the Brigade was very similar to the accounts described above. The training was conducted at the highest level of the tactical and operational scale, with the idea that as a force of last resort. Failure was not an option. Training was conducted in order to be prepared for the worst case scenario: a conventional assault on the barricades during an armed confrontation. Consistent with this preparation Lieutenant-Colonel R. Landry, a Captain at 5 CMBG HQ during the crisis, recalled: “General Roy used to say, ‘We will deploy but we won’t go there in shorts; all or nothing.’ I think that was a

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surprise to the politicians. I don't think they realized until we were on the ground what they had signed up for."⁴³²

Conspicuously absent in the pre-deployment training was riot control and crowd confrontation techniques. No previous training had been conducted for IS operations since the Canadian Army eliminated this scenario from its mandate in 1985 and equipment for such operations was obsolete. Accordingly, very few soldiers were knowledgeable in tactics for crowd confrontation and the procedures of riot control. Those who had experience in these operations were veterans of the FLQ Crisis and those who had received training prior to 1985; however, these were, for the most part, senior NCOs and officers who would not make up the bulk of the force being deployed. The average private or corporal had no training in riot and crowd control operations. In addition, the CF's equipment for such tasks was generally in non-serviceable condition. This lack of knowledge, equipment and training would be costly during the events which transpired during Operation SALON.⁴³³

What was also lacking was a clear concept of the ROE for those soldiers involved. The framework for ROEs was in its infancy. The men and women of 5 CMBG did get a 45-minute briefing, by a lawyer, on the legal construct of the *Criminal Code of Canada* under which the troops were operating during Operation SALON.⁴³⁴ Simply put, there were no ROEs for Operation SALON other than two guiding principles: the use of minimum force and the much publicized directive that the CF would in no case fire the first shot. This declaration was modified during operations to include the disclaimer that the CF would take the first casualty. The concepts of ROEs did not evolve until after the Oka Crisis in subsequent CF deployments, most notably, those to Bosnia-Herzegovina and Croatia (1992-1995).

The insufficiency of ROEs during Operation SALON had three significant consequences. Firstly, it prolonged the crisis. Although it put the onus on the Native side not to initiate hostilities, the CF promise not to be the first to engage unarguably raised the bravado of the Warriors and their confidence was heightened by the removal of what usually is an unknown factor in military operations. As explained by Colonel (then Major) Jacques Morneau a staff officer at 5 BMC HQ: "There was [sic] never ROEs. When you have an unknown factor, the level of courage is impacted by that unknown. When you take away the unknown, people get more confident. So that psychological factor was never there. It makes your job more difficult to neutralize their [Warriors] will to fight because they don't feel threatened and their will to resist is preserved."⁴³⁵

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The second outcome was that the soldiers were unclear of what actions they were allowed to take when being physically assaulted or pelted with debris and objects. The definition of the use of minimum force was very vague which compounded the confusion. A senior CF intelligence agent mused over this predicament: “It was really quite an experience. We did not want to hurt anybody and we didn’t want our guys to get hurt. But we were told that we have to take casualties before we can shoot back which is a pretty grim thing to say and have to do. We are supposed to have the inalienable right to self-defence. There we did not. That is a hell of a thing to ask soldiers to do, but they did it.”⁴³⁶

Lastly, the tactics on the ground during operations were transformed into a reverse advance to contact structure. Due to the premise that the CF would take the first casualty before opening fire, instead of the section moving forward with the commander behind, the opposite actually occurred. Colonel Tremblay made reference to this point during his movements at Kanesatake with “C” Coy 2 R22eR:

We were moving forward with the section commander up front contrary to all of our basic principles. That is why at Oka you see the company commanders up front, the platoon commanders and the crowd behind—almost a reverse wedge, mainly because of the lack of ROEs and the high constrain that you cannot open fire until you have a confirmed kill or casualty on your [CF] side. The Sergeant is not keen on this coming from Germany and the Cold War ideals. So we moved forward in a follow me approach which sometimes made things on the ground awkward. Somebody had to fall first—the leadership. But that was the consequence of the ROEs we were dealing with—not even written.⁴³⁷

Although the lack of ROEs and crowd control training certainly had negative repercussions on the actual manoeuvres, valuable training was conducted prior to the deployment of 5 CMBG to the two distinct areas of operation.

All 5 CMBG training was conducted in secrecy so as not to give away CF intentions and contingency planning. For meticulous field exercises, the CF even quietly procured the use of two White Pine forests, hand planted in rows, identical to the Pines at Oka, from the Ministry of Natural Resources, which owned and operated both locations. The first near Eganville, Ontario roughly 40 km south of CFB Petawawa, with the second hugging the southwest border of CFB Borden near Barrie, Ontario.⁴³⁸

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Even more secretly, Lieutenant-General Foster had authorized the Canadian Airborne Regiment (CAR) to begin training for a possible deployment to Kanesatake. The paratroopers, like their counterparts, conducted training on mock-barricades in all possible scenarios. Foster was vehement that CAR's activities remain secret as he considered this elite unit his "ace in the hole."⁴³⁹ CAR members trained for six weeks during the Oka Crisis, but to their frustration, were never deployed.⁴⁴⁰

In addition to practical training, CF members also received cultural awareness and threat briefings on the state of affairs. For 2 RCR, the entire battalion sat in on a two-hour seminar: "We brought in one or two people to talk about the history of the Mohawk Nation, what was the Warrior Society, what were its ties to the community, how they viewed themselves and how the police saw them. They saw themselves as protectors of the Mohawk Nation. The police saw them as organized crime. We got into that piece of it."⁴⁴¹

While the combat soldiers of 5 CMBG were conducting exercises and receiving briefings, the intelligence community was assiduously amassing information and photographs on the threat possessed by the Warriors, their fortifications and positions. Intelligence was gathered through a variety of modes before and during CF deployments. Highly effective EW was used to intercept Mohawk transmissions on radios and cellphones. Aerial imagery was acquired by helicopters, CF-5s, and a jet ranger equipped with a WestCam system which monitored events on a 24-hour basis. Daily covert RCMP flights, at approximately 7,000 feet, gave updates on defensive fortifications, as well as CF locations. These flights also featured a real-time downlink, feeding analysis to the various CF headquarters as it was happening.⁴⁴² 5 CMBG signal squadron, with the aid of Bell Canada, also installed 211 regular telephone lines, 25 secure lines, several hotlines and land lines linking the command posts and intelligence cells.⁴⁴³

HumInt personnel from the CF, the RCMP, the SQ, the SIU and CSIS were also very active. A joint intelligence cell (JIC), or Intelligence Collection and Analysis Centre (ICAC), was created at FMC HQ in St-Hubert, where members of the aforementioned intelligence agencies could report and conference. At least three highly trained intelligence members fluent in Mohawk dialect posed as journalists and were behind Warrior lines at both Kanesatake and Kahnawake. Mohawks at all three territories opposed to the Warriors' motives also supplied the CF with leads and tips on weapons caches and Warrior activities and plans.⁴⁴⁴ According to an intelligence agent:

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It is very interesting to compare the Mohawk Warrior Society and the people associated with the smuggling and Bingo Halls with somebody like Hamas or the PLO because they were business men but were also fairly radically politically motivated and they used the Native revival movement as a mask. Certainly not everyone on their side agreed with this confrontation and these people provided us with very useful inside information.⁴⁴⁵

However, dealing with so-called “insurgents” with no set doctrine or fixed military organizations but rather blended into a civilian population in a domestic setting, was new for the CF and the intelligence cells. Thankfully, many senior officers and intelligence agents had previously worked with the British Army and devised intelligence operations based on British doctrine from Northern Ireland. 2 RCR intelligence officer Major (then Lieutenant) David Lambert correctly pointed out that at that time, “Focus was very much on the Cold War, insurgency operations were not on the radar screen. Oka was an insurgency. What General Frank Kitson wrote in the 1970s after Malaya and Kenya applies to this scenario in varying degrees.”⁴⁴⁶ Kitson described guerrilla warfare as, “A weapon of protest employed to rectify real or imagined wrongs levied on a people either by a foreign invader or by the ruling government.”⁴⁴⁷ The Oka Crisis certainly adhered to this definition.

Lambert also stated that the intelligence assets were quite aware of the danger of the CF being used by Natives as a tool to do “their dirty work.” The threat existed that Mohawk sources would leak information to set the CF up or to get at someone within their own community: “We had to be careful that it wasn’t a set-up or ambush or that it wasn’t someone hacked off at a neighbour. That threat is always there.”⁴⁴⁸ Nevertheless, intelligence cells were able to get a fairly lucid picture of Warrior strengths and positions.

Original CF estimates placed Warrior/supporter strengths between 150-250 at Kanesatake, with another 300-500 at Kahnawake. It was assessed that the more radical members were prepared to stand their ground to oppose any military action. Among the insurgents, there were at least 20 who had seen combat action in Vietnam. Another six were ex-members of the CF. In addition, there were between 10-20 Mohawks who had more recently received military training with U.S. forces, most significantly the U.S. Marines. There were also confirmed reports that many Mohawks with no professional experience had been pseudo-trained in basic military skills at Ganienkeh.⁴⁴⁹

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According to York and Pindera, active Mohawk members of U.S. military forces took their annual leave to return to Kahnawake, where they helped man the barricades, initially still wearing U.S. service camouflage uniforms. This was confirmed by an SIU intelligence report that revealed, “10 x U.S. Marines home on leave in Akwesasne on 17 July. Have contacted U.S. Consulate Montreal for help in getting them RTU [Returned to Unit].” Another 12 Mohawks quit their CF Reserve training in Longue-Pointe to return home. York and Pindera also make reference to 100 Oneida Warriors arriving in Kahnawake in the middle of July after a “request for assistance” was sent to Oneidas in Ontario, New York and Wisconsin by the Kahnawake Longhouse.⁴⁵⁰ What was clear is that the Mohawks relied on those with military background to design the extensive defensive fortifications and positions in both territories. The defensive perimeter at Kanesatake has already been described. However, after the 11 July raid aerial imagery revealed that the fortifications, trench systems, anti-tank ditches and obstacles had all been enhanced.

At Kahnawake, the defensive perimeter was designed in three concentric rings (consisting of 10 sectors) of field fortifications from the outer edge of the Reserve back into the inner core. In addition, there were barricades on all roads leading into Kahnawake, an OP on the permanently raised railway bridge, in conjunction with trenches and positions along the railway itself and patrols along the north bank of the canal. Essentially, all likely approaches into Kahnawake were covered. 5 CMBG had created a detailed target list of 42 individual targets. Each individual target had its own comprehensive brief or “analysis of area of operation” including numerous aerial and ground level photographs.⁴⁵¹

Like neighbouring Kanesatake, the defensive perimeter at Kahnawake included 14 bunkers, trenches, anti-tank ditches and other obstacles including booby-traps both homemade and commercial.⁴⁵² Cans filled with rocks were strung through the bush acting as early warning devices, fish hooks were hung from trees and large latex balloons were placed in areas perceived to be probable landing zones for helicopter insertions. The Warriors also possessed trip flares and flare guns and constructed homemade mines. Colonel Tremblay summarized the arrangement at Kanesatake:

Nasty booby-traps. Fish hooks hanging from trees, holes and spikes. Soldiers were injured by kneeling on nails in planks of wood and getting fish hooks in their face at night. Basic booby-traps, no different from unconventional war anywhere else. There is no doubt that they had some level of military

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expertise when you look at the trenches they dug, mutual support, mutual firing positions and firing ports. Some of the systems they built were well planned. They built an entire defensive posture on a wedge from the golf course to the club house to the junction of the roads, with extensive trench networks, bunkers with overhead cover and so on. Too long and difficult to man but well done; they did very well from that perspective. Some of them had training. You could see it in their personal movements and how a soldier would behave on the ground, handling weapons and so on. Despite all their planning and training, and the ex-militaries that came up from Akwesasne and that they had a decent array of weapons, they were no match.⁴⁵³

The Mohawks had also established an excellent command and control network at both Kanesatake and Kahnawake. Both territories were divided into sectors or areas of operation. They created squads of 12-20 men with a leader to maintain tactical control. They had a shift schedule and rotated squads through the barriers on 8 to 12-hr intervals, to allow for rest and personal maintenance. Never more than 38 armed Warriors were seen at one specific occasion, excluding major operations. The Warriors and supporters also maintained constant surveillance at the barricades, were intercepting police transmissions with some success, and had scouts outside of the Reserves reporting on police and CF movements.⁴⁵⁴

The Warriors also had a sophisticated communication network consisting of cellular phones, band radios, very high frequency marine band radios and a secure fax link. The presence of an ICOM Receiver was confirmed at the Warrior command post (CP) at Kanesatake, which permitted the Warriors to eavesdrop on unsecure military communication networks. They also possessed commercial encryption devices and used low level codes on air. Their radio nets were generally operated in a professional manner.⁴⁵⁵ They had code names and code words for different sectors, RVs and locations and often transmitted in Mohawk thinking the CF and other intelligence agencies could not decipher. This assumption was wrong; the intelligence HQ had members who were adept in the Mohawk tongue.⁴⁵⁶

SECRET

OF NAVAL TARGET LIST

KAWNAWAKE

01 00 000000 000 00

1	XF00800001	JONES'S BEACH
2	XF00800002	CHINA OLD CONTAGUAY
3	XF01102565	CP
4	XF00800003	RAILROAD STRONG PT
5	XF012290	MARINA
6	XF009702649	CP
7	XF01302530	FRON CP
8	XF01067484	STRONG PT HWY 132/138
9	XF02732969	CANOE CLUB
10	XF02412815	STRONG PT INTERCHANGE
11	XF01072446	BARRICADE
12	XF03122180	CP
13	XF03412974	VARRIOR OFFICE
14	XF044275	LONG HOUSE
15	XF04002201	RADIO STATION/BOSS CP
16	XF01432919	FILTRATION PLANT
17	XF047291	LEFT BRIDGE
18	XF049291	NECKLIN BRIDGE
19	XF032250	HINCO HALL
20	XF04954583	BARRICADE
	XF05752319	BARRICADE
	XF04402883	FRENCH BRIDGE APPROACH
23	XF070281	BARRICADE
24	XF064282	STRONG PT
25	XF05302303	BARRICADE
26	XF05862282	BARRICADE
27	XF076282	BARRICADE
28	XF07102810	STRONG PT
29	XF09062815	BARRICADE
30	XF08592664	BARRICADE
31	XF09232660	BARRICADE
32	XF08802760	BARRICADE
33	XF09272860	BARRICADE
34	XF09232860	BARRICADE
35	XF08922759	BARRICADE
36	XF00902505	PYLON CP
37	XF00922911	CHINA BEACH
38	XF069243	CP
39	XF094289	UNMANNED ROADBLOCK ON ISLAND
40	XF071275	FLYA MARKET
41	CP 000 0266	Barricade
42	CP 000 0285	Barricade

RE: KAWNAWAKE WAS TEMP GIVEN W/ W TOT # 10 3, THIS IS NOW CANCELLED.

SECRET

000489

Figure 4: Kahnawake Target List, 26 August 1990. (Canada. DND ATI).

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Figure 5: 2 RCR/3 R22eR tactical map of Kahnawake showing Mohawk barricades, observation posts, strong points and command centres, 20 August 1990. (Private Collection).

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Communication was frequent between the triangle of Akwesasne, Kahnawake and Kanasatake. All three territories were on a coloured alert system devised to designate threat levels and possible actions: "You could tell there was a high level of planning and knowledge. They did have a great information processing capability. The Warrior Society was able to surge people into locations very quickly, until their influence started to decline."⁴⁵⁷

Completing the Warriors defensive perimeter was a vast array of weapon systems which were transported between all Mohawk territories. Both Canadian and American security agencies had long been monitoring the weapons purchases made by Mohawks, most notably at Akwesasne. Between January 1988 and December 1990, over 800 weapons had been legally purchased by Mohawks. On the other hand, the international transport of certain weapons was by no means legal. Fifty per cent of these weapons were military assault rifle variants (21 different models), including many semi-automatic weapons that could easily be converted to fully automatic weapons with little skill or resources.⁴⁵⁸

Included in the list of weapons purchased by Warriors were: at least 164 variants of the AK-47 (7.62mm), 82 Mini-14 Ruger Rifles (5.56mm), 6 Uzi Ingram M9-M10-M11 submachine guns, 5 Barrett 82A1 .50 calibre long-range sniping rifles (bipod) and one .50 calibre HMG (heavy machine gun, tripod). Other assault weapons included: AR 15/M-16s, RPKs (7.62mm, bipod), Ruger Mini-30s (7.62mm) and FN Browning 125Ss among others. The Warriors also possessed 87 hunting rifles, 109 shotguns and 203 handguns of various makes and models. They had also legally purchased over 50,000 rounds of various calibre ammunition and 400 magazines during this time period. Warrior acquisitions prior to 1988 were unknown.⁴⁵⁹

In addition, to weapons, the Warrior arsenal also boasted over 400 grenades, dynamite, homemade Molotov Cocktails and pipe bombs. Other equipment included night-vision devices and police scanners. Unconfirmed weapons included: mines, Claymore mines, M-60 General Purpose Machine Guns (GPMG, 7.62mm bipod), M-72 LAW, RPG 7 and 8s and light and-or medium mortars.⁴⁶⁰ The purchase of these weapons was explained by a federal intelligence officer:

A lot of things were illegal on the Canadian side but not on the American side. All you had to do was get it across the border. Now at Akwesasne that is not hard. They had a real smuggling network. Everything came down that net. When the wars in

LIST OF WEAPONS PURCHASED BY WARRIORS

WEAPON	KNOWN
NORINCO 165 7.62 mm A semi-automatic rifle manufactured in China. It is a civilian pattern of the Type 56 assault rifle, which is a copy of the Soviet AK-47.	11
AK-47 7.62 mm The AK-47 assault rifle is a Soviet-designed automatic weapon firing 7.62 mm rounds. It has an effective range of 300 metres and a rate of fire of 600 rounds/minute. It has become the weapon of all the Eastern Bloc countries and most communist countries elsewhere.	160
.45 automatic .45 calibre automatic pistol	3
7.62 mm Ruger Mini 30 rifle The Ruger Mini 30 is an American-produced semi-automatic rifle capable of firing a 7.62 mm round.	2
5.56 mm Mini-14 Ruger rifle The Mini-14 is an American-produced semi-automatic rifle capable of firing a 5.56 mm round.	82
Mossberg 500 An American-produced, civilian-pattern 12 gauge shotgun.	4
Ross 44 Magnum Handgun	40
Uzi B 9 mm An Uzi pistol, which is a modification of the Uzi sub-machine gun, capable of semi-automatic fire, using a 9 mm round.	3
Luigi French 12 ga. An Italian, civilian-pattern 12-gauge shotgun.	2
AR-15 5.56 A semi-automatic, civilian pattern weapon, similar to the American M-16, which fires 5.56 mm rounds.	2
Remington 870 A civilian pattern shotgun firing a 12 gauge cartridge.	1
Gaif 308 An Israeli-produced assault rifle, capable of automatic fire using a 7.62 mm round.	2
Polytech AK-47 7.62 Similar to the AK-47 noted above	2
AK-M47 Similar to the AK-47 noted above	2
.44 Magnum revolver An American-produced double-action revolver firing a 44 Magnum cartridge	5
.22 semi-automatic pistol A civilian pattern semi-automatic pistol, which may have been manufactured by one of many manufacturers in various countries. American producers include Colt and Smith and Wesson.	1
Uzi submachine gun An Israeli-produced submachine gun firing a 9 mm round, capable of automatic fire up to 600 rounds per minute	6
9 mm automatic Automatic pistol firing a 9 mm round, manufactured by several manufacturers in various countries.	3
.25 cal automatic Civilian pattern pistol firing a .25 calibre round.	1

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.22 cal Ruger Civilian pattern revolver.	1
Barrett .22A1.50 cal An American-produced semi-automatic rifle firing the .30 inch (12.7 mm) Browning heavy machine gun cartridge. It is intended as a sniping and long-range interdiction weapon.	3
31,000 rounds of 5.56 mm ammunition	
18,000 rounds of 7.62 mm ammunition (AK-47)	
magazines (Beriana style)	300
magazines (drum style)	75

Figure 7: List of Weapons Purchased by Warriors. (Private Collection).

With the perceived threat of Warrior motives and the known positions and sophisticated collection of weapon systems, the situation in Mohawk country was above the scope of the SQ. On 14 August, CF movements began to replace the SQ at the barricades in a situation described by Lieutenant-General Foster as, “completely different from any peacekeeping mission the Canadian Forces has participated in.”⁴⁶² According to de Chastelain, “The taking up of arms by an individual or any group to right their causes or to settle their perceived wrongs must be countered by the forces of law and order or else anarchy in this country will prevail.”⁴⁶³ The CF was, in the view of the Province of Quebec, the court of last resort in an effort to restore law and order.

In order to achieve the missions previously outlined, Foster, in consultation with both the CDS and Brigadier-General Roy, intended to deploy resources exceeding 4,400 soldiers accompanied by all the resources available to them. The strong CF representation was deemed necessary for two reasons. The first and most obvious to all three commanders in the words of the CDS was that, “If we failed, what next? It is anarchy. If we failed there was no one left to call. Armed Forces are only called out in the last instance, and at the last resort.”⁴⁶⁴ By virtue of the overwhelming numbers the impression was given to both the Warriors and the Canadian public that CF was there to do its job and was prepared for such a task. In addition, the psychological impact on the Warriors of having to face such a large force was also a conscious factor in the initial concept of operations.⁴⁶⁵ Colonel (Major) Jacques Morneau, an officer with 5 CMBG G3 (Operations), outlined: “As history shows, when you have overwhelming force you don’t need to use that force, but when you have more or less equal force, the other side believes that they have a chance and they will try you on. Also, basic tactical doctrine states that if you attack you should have a 3:1 ratio.”⁴⁶⁶ Secondly, the perimeter at Kahnawake was roughly 20km and that of Kanesatake was in the region of 15km. In Foster’s words, “What

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would it take me to put a net around both these areas?” A certain amount of waterfront also had to be included. Relief in place of front-line soldiers on a 24-hour basis at what was estimated to be 75 soldiers per kilometre was not an option: “The number of troops we used was smaller than that required to put entire nets around the entire area at those distances.”⁴⁶⁷

On the night of 14 August, the entire 5 CMBG moved from their locations, predominantly from Valcartier, to their designated staging areas. Again, the move was designed to show overwhelming force; to induce an element of shock on the Warriors who were monitoring CF movements and deployments.

Table 4—Operation SALON, 14 August 1990⁴⁶⁸

UNIT	LOCATION
FMC HQ	St-Hubert
QGET 5 BMC (Headquarters and Signals Squadron)	Longue-Pointe
2 R22eR	St-Benoît
3 R22eR	St-Rémi
2 RCR	Farnham then Delson
5 RALC (Light Artillery)	Blainville
5 BSC (Service Battalion)	St-Hubert
430 ETAH (Tactical Helicopter Squadron)	St-Hubert
5 AC (Field Ambulance)	St-Hubert
5 PPM (Military Police)	Longue-Pointe
W Battery and Cougar Troop	Farnham

By the morning of 15 August, all elements had completed initial deployment. Reconnoitring began on all SQ locations to be relieved by CF elements. 2 R22eR quickly realized at Kanasatake that the SQ-controlled perimeter was not tactically sound and could not hermetically seal off Mohawk movement through the perimeter. Battalion and Company Commanders also met with Mohawk leaders at both locations to relay the intentions of CF operations at the barriers, as previously promised. Lieutenant-Colonel Robin Gagnon, CO of 3 R22eR at Kahnawake recalled his first meeting on the night of 18 August:

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I brought along my three rifle company commanders and met with three Warriors...Red Turtle, Skywalker and Omega Man, as well as a political representative of the Band Council Irwin Goodleaf. The aim of the first meeting was to lower tension, in order to allow a situation of dialogue and progress to develop. The aim of our first meeting was achieved.⁴⁶⁹

Also from this meeting came the agreement that neither side would point weapons at the other. A phone line running directly from Mohawk spokespersons to FMC HQ in St- Hubert was installed as well.⁴⁷⁰

While both R22eR battalions were planning for the occupation of the barricades at their respective locations, 2 RCR, the designated reserve battalion, arrived from CFB Gagetown to Camp Farnham on 17 August, some 40km southeast of Chateaugay. Indication was given to the Mohawk negotiators that 2 RCR would be called in to assist 3 R22eR at Kahnawake if all of the barricades were not removed.⁴⁷¹

General de Chastelain released a statement on 17 August declaring the blanket intentions of the CF to replace the SQ at the barriers, with emphasis placed on the concept of minimum force.⁴⁷² At 0800hrs on 20 August, the 12 main SQ barricades at both Kanasatake (2 R22eR) and Kahnawake (3 R22eR) were manned by CF personnel in unison. Immediately, soldiers began to transform the barricades into military positions. Vehicles were tactically placed for observation and cover, trenches were dug and wire was strung along the perimeter "to protect both soldiers and civilians."⁴⁷³ These first stage positions were completed by 2000hrs that evening. SQ officers and liaison officers remained behind the CF barricades. It is important to note that the CF did not replace the civil authority (SQ) but was there to aid the civil authority.

At many barricades, Warriors and Platoon Commanders exchanged pleasantries and introductions and relayed intentions and possible approaches to their immediate tactical situation. No CF movement past the existing SQ barricades took place. At one barricade at Kahnawake, Warriors became aggressive as they believed the CF advanced past the line agreed upon. The CF withdrew to a position of mutual satisfaction. The replacement of the SQ by the CF occurred without any violent incidents.⁴⁷⁴

Initially, the involvement of the CF was seen as a positive step by the Mohawk community. They possessed a severe hate and distrust for the SQ and the military was seen to be more disciplined and professional. The cordial

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handshakes at barricades and the open dialogue between the Warriors and CF commanders, which had not existed with the SQ seemed initially to de-escalate the volatile situations and allow governmental negotiations to transpire.⁴⁷⁵

Although negotiations had been ongoing and resolution was in sight, meetings on 21 August severely hampered a final arrangement. The Mohawk negotiators at Oka tabled a three-point proposal and greatly extended their bargaining demands. The first point was the acquisition of the disputed lands at Kane-satake. This was not an issue as the federal government was already buying up the land in the hopes of creating a Reserve for the Mohawks in the region. The second was that the governments of Canada and Quebec recognize a unified Mohawk Nation consisting of six Mohawk territories in Quebec, Ontario and New York State. All future negotiations and land claim issues would be negotiated by this nation to be known as *Kanienkaha*. To the governmental negotiators, this was an untenable proposition and went well beyond the issues at hand. Mohawk concerns about the expansion of the Oka Golf Club had now evolved to demands and recognition of sovereign nationhood within North America. How could the negotiators from Ottawa and Quebec possibly have jurisdiction and authority to negotiate such a claim without consultation with Ontario and the United States? This demand was viewed by governmental negotiators as absurd, prompting Prime Minister Mulroney to openly declare this demand to be “bizarre.” The third demand was for a guarantee that the SQ and other Quebec authorities not to interfere with gamblers and occupants of the high-stakes bingo facility at Kahnawake.⁴⁷⁶

Obviously those trying to protect the Pines were no longer formulating the Mohawk agenda and were relegated to the background. The Oka Crisis was now about sovereignty whereby outside police forces could not disrupt the lucrative smuggling and gaming operations. The Oka Crisis was now about securing the right to operate bingo parlours and casinos without any form of government reprisal. The Oka Crisis was now about power and money and a struggle for those in possession to maintain and increase their shares. The crisis was no longer about saving a small patch of White Pines on the western edge of a tiny golf club at Oka, Quebec. The Warriors felled 155 of these sacred trees to build barricades and bunkers.⁴⁷⁷ The Pines were being used to protect profit.

Immediately after the meetings of 21 August, Premier Bourassa hinted at other options and wanted to put pressure on the Mohawks to remove the barricades, specifically the ones impeding movement over the Mercier Bridge.

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Sam Elkas insisted that the Mohawks were negotiating in “bad faith,” and regarded military pressure as a means to ensure that the Mohawks did not alter negotiating demands even further. On 22 August, detailed aerial reconnaissance was conducted over both territories revealing remarkable improvements to Warrior trench systems, anti-armour ditches and route obstacles which would force infantry to dismount. This intelligence and the drastic alteration of negotiations on 21 August were the catalysts for direct CF operations in Kanesatake and Kahnawake.⁴⁷⁸



Figure 8: Tactical Map Kanesatake and Surrounding Area, 2 R22eR. (Private Collection).

At 0800hrs on the morning of the 23rd, elements of “C” Company, 2 R22eR moved to establish a forward position in front of the previous SQ barricade

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along Rang Sainte-Germaine. Soldiers advanced 1,500m until reaching the vacated Warrior barricade, which was soon dismantled. Although not intending to advance this far, the commander pushed onward to gain a more tactically advantageous position where a CF barricade was erected.⁴⁷⁹ According to Colonel Tremblay, who commanded the operation: “One lesson we learned following this first gain on the ground highlights certain principles of war; surprise and force concentration. The massed arrival of the 14 Grizzlys armed with two machine guns was the best deterrent. While uttering their death threats, the Warriors nevertheless realized that they would never come out on top in an exchange.”⁴⁸⁰

Following the first military advance, General de Chastelain initially briefed the Minister of National Defence, Bill McKnight. At 1800hrs on the 23rd, the CDS held a private briefing for Prime Minister Mulroney. The Prime Minister held a press conference later that night urging patience but was adamant that the “situation would be resolved at all costs.” During the following two days of negotiations, optimistic talks resumed. However, the situation broke down again when the Mohawk negotiation team insisted that the Warriors had to have criminal amnesty and would not lay down their weapons or remove the barricades until the CF and police presence dispersed.

This was not an option for either the government of Canada or Quebec, as seen through the medium of negotiators Bernard Roy and Alex Paterson respectively. In their opinion everyone was equal under the laws of Canada, despite the fact that the Warriors believed these laws did not apply to them. On 27 August, Premier Bourassa ordered all negotiations to be terminated in light of the increased and unreasonable Mohawk demands and an impulsive agenda that seemed to change with every progressive negotiation.⁴⁸¹ General de Chastelain publicly stated that, “Premier Bourassa has now directed the Canadian Forces to proceed with the mandate [four points] given to them by the Quebec Government.... The Canadian troops will not use force unless obliged to do so by the Warriors.”⁴⁸²

While negotiations were stalling, FMC HQ was increasing military resources throughout the areas of operation. SQ and RCMP naval vessels had been active on the river systems, as aquatic reinforcement was known to be the Warriors main network. However, on 27 August, the HMCS *Acadia*, a 65-foot patrol boat belonging to the HMCS *Donnaconna* began patrolling the waters of the St. Lawrence, specifically in the Lac Saint-Louis area near Kahnawake.⁴⁸³ To compliment marine surveillance, covert shore-based SIU detachments

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were deployed along the St. Lawrence River. To aid aerial reconnaissance 10 sets of "14- power gyro-stabilized binoculars for the use of G2 Intelligence and G3 Aviation staffs," were acquired from Fuji Photofilm Canada at a price-tag of \$89,000.⁴⁸⁴

The increased low level flights of helicopters and CF-5s not only enhanced CF presence but also provided daily intelligence of Mohawk positions. Reconnaissance patrols increased at both Kahnawake and Kanasatake, where 2 R22eR employed a squadron of soldiers on horseback to patrol areas where military vehicles could not venture, due to thick vegetation, thus countering the Warriors' extensive use of ATVs.⁴⁸⁵

In preparation for military intervention, 2 RCR moved from Farnham to the train museum grounds in Delson, east of Kahnawake on 28 August. Three Leopard main battle tanks (MBT) equipped with dozer blades were also brought under command of FMC HQ at St-Hubert after being authorized directly by the CDS. These were to be kept under "low profile to give negotiations every possible chance." These tanks did not have 105mm ammunition on board although rounds were stored for use at ammunition points.⁴⁸⁶ They were equipped with two 7.62mm machine guns, as was the standard, and were to be used as mobile strong points and, if needed, to take down the barricades by force.

On 28 August, news conferences were held by Lieutenant-General Foster and Brigadier-General Roy, in keeping with the CF's policy to disclose operational plans. This transparent approach did not include statements which would jeopardize tactical operations or essential elements of tactical doctrine such as concentration of force, surprise and security. Both Foster and Roy relayed to the Mohawk Nation and the population of Canada that the CF would fulfill its mandate and the barricades would come down either through co-operation or through force. Foster then pleaded for the Warriors and supporters, "not to force my soldiers to resort to the use of force as the army moves to carry out its orders. We will not fire the first shot."⁴⁸⁷ He closed his press conference with the statement that "the consequences of an attack are unthinkable...the implications of our actions are grave indeed." However, forebodingly, he mentioned that those civilians in the affected areas may be evacuated and those "within a danger area will be asked to remain indoors, away from windows and preferably in their cellars."⁴⁸⁸

Immediately following the briefings by Foster and Roy, DND, under direction of spokesperson Colonel Alain Forand, released a videotape complete with

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aerial photos, television footage and still photos highlighting Warrior positions, fortifications and weapon systems to justify the forthcoming intervention to the Canadian public. Included in this video were RPGs, M-72 LAWs, .50 calibre heavy machine guns and mortars.⁴⁸⁹ The Warriors denied having any of these heavier weapons.

They claim that they made homemade devices out of sheet metal, pipes and plumbing tubes to imitate the weapons the CF thought they had. These mock weapons included the aforementioned heavy weapon systems. They also climbed the rafters of the Mercier Bridge with packs on their back to simulate the planting of explosives. They used welding torches on scrap iron to simulate cutting the bridges bolt pins. At both Kahnawake and Kanesatake, Warriors tiptoed through fields looking at maps to insinuate that they were weaving their way through minefields. The Warriors claim this was all part of their psychological manipulation against the CF which included references to those weapons over their communication means hoping the CF would be listening. When the 28 August video was released, according to York and Pindera, the Warriors roared with laughter.⁴⁹⁰ Cookie McComber relayed this tactic: "We played on their fears and let their imaginations play games with them. It was paranoia. They took themselves so seriously."⁴⁹¹

There can be an argument that not all Warriors, Band Council members and Mohawk negotiators knew what weapons were actually at their disposal. However, there were confirmed sightings of an M203S Grenade Launcher, an M-60 machine gun and RPKs. In addition, at Kahnawake, visual contact and HUMINT confirmed one M-72 at the barricade along Highway 132 (KW35) and also a .50 calibre HMG at the barricade along Highway 207/221 (KW26). Furthermore, a HUMINT source within Warrior circles confirmed that, "Warriors in Oka/Kahnawake have 500 to 1000 weapons including AK-47s, 2,000 grenades, 300 Mini-14 Ruger rifles, and a large quantity of mines."⁴⁹² Aerial photographs and covert patrols also revealed mortar plate positions and "the likelihood of explosives, with remote detonation devices, having been placed on the Mercier Bridge." While the wiring of the Mercier Bridge was unconfirmed, trip wired booby-traps were confirmed underneath the bridge and on the railway bridge. None of this information was ever made public.⁴⁹³

As shown, the Warriors were in possession of most of these weapons or these arms were close enough for immediate employment. In affect, it does not matter if they had them or simply made mock replicas to dupe authorities

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into believing they possessed them. Both scenarios ultimately hurt their attempts to persuade the larger audience to sympathize with their cause and gain credibility in accordance with the revolutionary model. The threat of these weapons was real and the public was made aware that they were in the hands of radical insurgents, thereby legitimizing the involvement and future actions of the CF and the governments instead of the Warriors. The CF could have knowingly allowed the Warrior disinformation campaign to achieve this exact result.

2 RCR Intelligence Officer, Major David Lambert recalled that, "Air photos showed mortar positions. When we actually got there they were stovepipes in spare tires, so had they originally been there or replaced with dummy positions we really don't know conclusively, but it isn't really important. The perceived threat was there, so you must plan for that on the tactical level."⁴⁹⁴ Realistically then, one could hypothesize that had the Warriors not showcased their weapon systems or feigned to have them the CF deployment might have not been as substantial and extensive.

Later on the night of 28 August after the briefings by the CF commanders and the showcasing of the Warriors' arsenal, Prime Minister Mulroney held a national press conference on CBC to solidify the CF's justification to intervene: "They [Mohawks] have put on the table a series of totally unacceptable claims, including immunity from criminal law.... In short, they have sought to give themselves the status of an independent nation within the boundaries of Canada.... Obviously there will be no pleasure in this task but the Canadian Forces will do their duty and the barricades will come down."⁴⁹⁵ Prime Minister Mulroney also methodically reiterated the quantity and types of weapons in the Warriors possession, their illegal smuggling enterprises and the fact that many Mohawks did not condone the rhetoric and violence of the Warrior Society.

The Canadian Forces was collecting intelligence and delivering press conferences to validate their operations by detailing the threat to the Canadian public. Although they had officially taken over responsibility from the SQ, no major operations had been conducted. The CF wanted time to construct positions and gather intelligence before actively engaging the Warriors at the barricades. Another reason for the delay was to give negotiations every chance to diffuse the situation. However, the CF commanders at the strategic, operational and tactical levels had announced, after failing negotiations, that operations would commence and that the barricades would come down.

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This point was corroborated by Prime Minister Mulroney during his 28 August press conference. Although Mulroney was directly addressing the Mohawk communities and the front-line radicals at Kahnawake and Kanesatake, he also appealed to the larger Aboriginal population of Canada not to view the Warriors as the rightful voice of the Mohawk Nation. In reality, the Prime Minister was worried that the violence of Oka could spread to other Native communities across Canada and also about the subsequent national and international reactions.⁴⁹⁶

CHAPTER 16

The Oka Crisis: Native Nationalism, Internationalism and the Media War

The Canadian Prime Minister called upon Natives across the country for calm and understanding and not to take Warrior rhetoric as a legitimate voice for national Aboriginal grievances and rights. He was worried, as were his top Ministers, that the situation at Oka could ignite the frustrations of Natives across North America producing continental pockets of resistance and violence. If this not unlikely scenario occurred, the Prime Minister could not avoid taking responsibility and would have to invoke the *National Emergencies Act*. As it stood, under *Aid to the Civil Power*, the responsibility rested with the Province of Quebec and Premier Bourassa. Mulroney could avoid getting “egg on his face” and any repercussions for Operation SALON could legally be passed to Quebec’s use of *Aid to the Civil Power*.⁴⁹⁷ Mulroney had a reason to be worried.

The shock waves from Oka had reverberated across Canada, even trickling into the United States. Marches, protests and pickets were just as common as violence and vandalism. Numerous Reserves produced “copycat” barriers across bridges, roads and rail lines, the majority occurring after the 11 July raid. Many also threatened the use of arms. It went so far that Natives incarcerated at Headingley Prison in Winnipeg went on a fast. A group of 250 Natives, with help from AIM members protested in Belleville and then proceeded to block the Causeway leading to the Royal Military College of Canada and CFB Kingston. They were removed with force by OPP and Kingston Police.⁴⁹⁸

In late July demonstrations took place near Nipigon, Thunder Bay and Longlac, Ontario. A main railway blockade and a barrier across the Trans-Canada Highway were established by Ojibwas of the Longlac, Pays Plat and Pic Mobert bands in northern Ontario. They were removed only after local negotiations on 20 August. Canadian National Railway estimated losses at \$2.6 million per day in commercial backlog due to the Longlac barricade. Natives near Matepédia, Quebec blocked a rail line and began digging up portions of the track with a hydraulic shovel. Five hydro towers were toppled outside of London, Ontario and a bridge was set on fire nearby.⁴⁹⁹

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Protestors picketed the provincial legislatures in Regina, Winnipeg, Edmonton, Yellowknife and Vancouver. Demonstrations also took place in front of CF bases in Saskatoon, Moose Jaw, Calgary and Oromocto. A bridge was set on fire near CFB Cold Lake in protest of CF involvement. On 23 July, 200 Micmacs from the Indian Brook Reserve marched in Shubenacadie, Nova Scotia. Micmacs in Halifax organized a food bank for the residents of Kanesatake and Kahnawake. A similar event took place on Manitoulin Island. At least 30 Micmacs from the Atlantic Provinces travelled to Kahnawake on 26 July. The Mohawks at Tyendinaga were actively recruiting men to go to Oka and blocked three routes into their Reserve. Oka Park became the rallying point for over 2,000 Native and non-Native protestors.⁵⁰⁰

The most significant demonstrations and actions transpired in British Columbia, which refused to negotiate Aboriginal land claims. It was the only government in Canada that rejected any concept of land title, as outlined in the comprehensive land claims process. In July, blockades set up on seven roads and railway lines across the province created commercial losses in forestry, tourism and transportation. British Columbia Rail was losing \$750,000 per day. Originally designed in support of the Mohawks, these barricades were soon used as a tool to force the provincial government to recognize land rights.⁵⁰¹

Carter Camp, an original AIM member and AIM chairman at the time of the crisis, released a statement on 30 August revealing that Natives from Oklahoma were on their way to Oka: "Canada must realize that an attack on Oka will engulf the entire country in flames. Our people are going to fight alongside the Mohawks...they joined us at Wounded Knee and we're going to reciprocate."⁵⁰² Other supporters came from inside the political arenas of Canada. Both George Erasmus, National Chief of the Assembly of First Nations and Dene Liberal MP Ethel Blondin now refused to denounce the Warriors.⁵⁰³

The federal government was so gravely concerned with the national situation that they had initiated steps to monitor Reserves and Natives across the country. Airlines were required to submit passenger lists directly to federal intelligence agencies in order to monitor patterns and movements of the Native population. Arms and ammunition dealers in Canada were also obliged to contact authorities about any irregular or large purchases by Natives and non-Natives. The VCDS questioned banning the sale of weapons and ammunition indefinitely but could not do so under the current gun control legislation. However, many retailers in Montreal and Quebec voluntarily restricted these purchases. In addition, Reserves in "critical locations" were being examined

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and the CF was ordered to conduct “overall plans for military involvement in expanded Indian disruption in Central Region.”⁵⁰⁴

The federal government and the CF were both worried about the control of public perception. They, like the Warriors, needed to control the media in order to draw sympathy and support for their actions. In the war of words, the media was an important propaganda tool. Both the Natives and the CF learned to appreciate the significance of the media in the formulation of public opinion and support, and tried to use it to their advantage. The Warriors and their supporters, both Native and non-Native, presented the actions at the barricades as the last resort of a systematically oppressed nation rebelling against a political system based on a legacy of broken promises and bad faith; the Mohawk David against the governmental Goliath. This was a propaganda ploy to bring the Mohawk plight to the attention of the media, the peoples of Canada and the rest of the world. A plan to embarrass a government and country which prided itself on the cultural mosaic ideal, human rights, socialist policies, democracy and peacekeeping. To further the embarrassment, the Mohawk used the fact that Canada pledged a fledging force of 800 personnel to Operation FRICTION as part of the UN-sanctioned, U.S-led coalition in the First Gulf War, while it deployed over 4,000 troops, armour and air support to quell an uprising on its own soil.⁵⁰⁵

The manipulation of the media was directed by a network within the Mohawk community and the Mohawk Nation Office in Kahnawake. These Mohawks understood the politics, impact and power of television and newspapers. Journalists remained with the Warriors and Mohawks behind the barricades, often presenting biased reports which were printed in leading newspapers across the country. These reporters were often criticized by their peers for less than impartial journalism.⁵⁰⁶ An example of the less than honourable tactics and reporting used to defame the CF occurred on 23 September when a man dressed in a CF uniform with 2 RCR insignias, claiming to be an active member, addressed a demonstration and journalists criticizing the actions of the CF.⁵⁰⁷

In addition, in order to put greater pressure on the Canadian government, the Mohawk control group also systematically tried to acquire the help of international lobby and legal groups and support from countries around the world. Believing they were a separate sovereign nation, the Mohawks sought the help of the World Court at The Hague and also the United Nations.⁵⁰⁸ As the number of educated Native Canadians increased, a new generation of

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activists emerged, well-versed in the tactics of modern political warfare, legal principles and the land claims process.⁵⁰⁹ While the Warriors manned the barricades with guns, these activists tried to use the legal system to authenticate the Mohawk grievances.

With this in mind, the Mohawks drafted a demand to the Canadian government that current and all future land claims be referred to the Permanent Court of Arbitration at the World Court. What started as a disagreement over a tiny patch of land had transformed into a question of sovereignty or the creation of a “nation within a state.” On 21 August, Mohawk negotiators met with government officials and submitted a six-page report citing their position on sovereignty. It included quotes from the Great Law, colonial era treaties, the UN Declaration of Human Rights, The Hague Conventions, and the Geneva Convention.⁵¹⁰

The international public was already being inundated with media reports coming out of Oka. The Mohawks used the SQ’s blockade of food and aid, and the accusations that the CF continued this practice, as a means to expose to the world the slow, relentless genocide that was being inflicted upon them in order to gain global support and humiliate the Canadian government. While there is evidence that the SQ did deny the entrance of foodstuffs, the same cannot be said for the CF. Putting pressure on the Warriors and Mohawk communities by denying food and other requirements was never mentioned by any level as part of the strategic, operational or tactical planning of the CF.⁵¹¹

News of the events sped around the globe and the Oka Crisis received front-page coverage in newspapers as far away as China, Italy, England and France.⁵¹² Even the master of the “Photo-Op,” Reverend Jesse Jackson, came to Kanestake to film a documentary on the Mohawk Crisis.⁵¹³ The world was indeed watching and listening as demonstrators marched in such places as Oslo, Sydney, Berlin and Rome.⁵¹⁴ In Washington D.C., Natives picketed the Canadian Embassy and in Minneapolis, 40 AIM members invaded the Canadian Consulate, seized the official flag and burned it on the street.⁵¹⁵

Despite the worldwide attention, the Mohawk media group still communicated their situation directly to leaders of countries and organizations around the world. Among the organizations that sent observers after being contacted by the Mohawks were: the Paris-based International Federation of Human Rights, which is recognized by the UN, the Red Cross, S.O.S. Racism, the Quebec Human Rights Commission as well as dozens of smaller church and human rights lobbyists.⁵¹⁶ Ed Broadbent, former head of the New Democratic Party,

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and the director of the Canadian Human Rights Commission urged the government to act, insisting that the deliveries of the Red Cross were not enough.⁵¹⁷ He was worried that Canada would lose international credibility when trying to raise human rights issues abroad: "Countries will be saying to me, 'What about aboriginal rights in Canada?'"⁵¹⁸

In addition to these organizations, numerous countries and factions granted their support after being summoned by the Mohawks. The Canadian office of the African National Congress, representing Nelson Mandela, acknowledged a letter sent to them and assured the Mohawks that "Your struggle is our Struggle..." Nobel Peace Prize winner Desmond Tutu, who was on a visit to Toronto trying to bring the apartheid in South Africa to the attention of the world, was also summoned for support by the Mohawks. The possibility of a meeting with the Mohawks was raised but never arranged.⁵¹⁹

The Mohawk Nation Council of Kahnawake also invited the World Health Organization in Geneva to send observers and summoned the Secretary-General of the UN through a letter, requesting that he "stop Canada's genocidal war against the People of the Mohawk Nation.... At the moment our people are penned up behind barbed wire, like animals. The army has already fired shots at our people there."⁵²⁰ This greatly exaggerated letter with false accusations toward the CF and the federal government also made allusions to the massacres of Shabra and Chatilla Palestinian Refugee Camps, Soweto in South Africa and Mai Lai in Vietnam. The Mohawks urged the UN to send peacekeepers and observers but it immediately declined, insisting that only recognized member nations could request such a force. The UN Sub-Commission on Human Rights did however communicate that "non-violent negotiations will continue" and closely monitored the situation but asked only the Canadian government for situation reports. Obviously, both decisions illustrated that the United Nations did not view the Mohawk Nation as a sovereign nation and rejected this claim.⁵²¹

On 30 July, Oren R. Lyons, a Mohawk who had been behind the barricades, went to Geneva and addressed the 8th Session of the Working Group on Indigenous Populations of the UN. He made reference to other injustices taking place around the world, including the Navajo and the Indigenous populations of Australia, Central and South America.⁵²² On 13 September, the European Parliament adopted a resolution and criticized the governments of Canada and Quebec, asking them to initiate 10 steps to end the conflict. This communication was voiced in unusually harsh diplomatic language. After the crisis, between 13-18 January 1991, a group of Members of the European

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Parliament (MEPs) carried out a “fact-finding mission on the situation of the indigenous peoples of Canada.” The final report noted little of significance.⁵²³

Like the Mohawks, the governments concerned and the CF realized the importance of the media. While the CF realized that the presence of reporters on the “front-lines” reduced the likelihood of violence and the use of arms, the media presence also contributed to prolonging the crisis since the Warriors could use these mediums to advance their agendas. While the media certainly gave the Mohawks the avenue to garner First Nation support across Canada, it also had consequences.

Decima Research, an independent survey organization, conducted polling across Canada throughout the months of July, August and September. Its findings revealed that public support for the Mohawks in Canada progressively decreased as the crisis dragged on. Support for the Mohawks fell by 20 per cent over the course of the three months while support for the federal government increased by 17 per cent over the same time period. By 12 September, 73 per cent of those polled thought the CF was performing a helpful role in decreasing tensions. The study also concluded that although most Canadians sympathized with the Mohawks and the land claim issue, most Canadians did not support the actions of the Warrior Society.⁵²⁴

In an attempt to destroy the Mohawk’s credibility government officials repeatedly referred to the Warriors as terrorists or insurgents. On CBC Tom Siddon announced that, “as a matter of principle we cannot negotiate behind barricades, and we cannot negotiate under threats of intimidation by people carrying guns.”⁵²⁵ Harry Swain, the Federal Deputy Minister for Indian Affairs, in an interview with the *Globe and Mail*, referred to the Warriors as, “a criminal organization...it is a potent combination of guns, cash, and ideology. They are pretty successful in cloaking themselves in the guise of Indian Rights.”⁵²⁶ By portraying the Warriors as terrorists breaking the rule of law, the Canadian government was successful in gaining the support of the Canadian public.

In reality, the Warriors were terrorists according to the FBI’s definition of the term. Indeed, they were guilty of “the unlawful use of force or violence against persons or property to intimidate or coerce the government, civilian population, or any segment thereof, in furtherance of political or social goals.”⁵²⁷ There was also proof that they were funded by, supported or had communicated with other international terrorist organizations such as AIM, the IRA, Libya and numerous black activist groups, most notably the All African People’s Revolutionary Party.⁵²⁸

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For the CF, the large media representation so close to the areas of operation was a hindrance. However, it was realized early on that it was in the CF's best interests to remain as transparent as possible and to provide the media with information good or bad rather than have them "digging around for it." It was also ascertained that timely correspondence with the media was essential and by releasing information before the Warriors, credibility and support was heightened for the CF.⁵²⁹

In fact, the concept of embedding reporters, which received so much acclaim during the 2003 U.S.-led invasion of Iraq, was actually initiated by 2 RCR during Operation SALON. The Regiment's Deputy Commander, Lieutenant-Colonel (then Major) Rusty Bassarab, articulated this novel idea: "Did we have the idea of embedded? Absolutely. 2 RCR took an embedded reporter from the *Fredericton Gleaner* and he stayed with us all that time we were in Farnham training and awaiting deployment. Unfortunately he left four days before we got called out. Was the concept there? Yes. Did we encourage it? Yes. We would have been happy to have one because then you get someone who sees your perspective."⁵³⁰

Media centres were established at Oka and Chateauguay under control of FMC HQ. These facilities, operating 24 hours a day, were responsible for all media queries, briefing CF commanders of aspects of public affairs, and developing news releases. In accordance, operational components of the CF's planning were always relayed to the media. The CF held briefings by operational commanders twice a day and arranged for interviews with tactical officers. The information and press releases would be coordinated at these media centres and then passed to NDHQ for approval. They would then be disseminated across the entire operation to ensure that all CF spokespersons and commanders presented unified opinions and statements. The CF also provided transportation to journalists, media tentage and telephone lines to facilitate reporting.⁵³¹

In terms of impact on military command and control, print media played less of a role than television. In fact, although the live feed from the WestCam, Skyguard and television news reports had advantageous qualities as far as tracking movements of weapons and Warriors, they also had repercussions on the command and control integrity of Operation SALON. It was also the first operation in which the CF used cellphones. According to Colonel Tremblay:

You have to remember there were company commanders on the ground that chose orders. I am the senior commander on the ground; it is my call, my decision. I am fully aware of company

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commanders on the ground refusing orders from FMC commanders. You had FMC commanders calling company commanders on the ground short circuiting the entire chain of command. We were learning on the fly some very important lessons. Because of the news and all of those T.V. cameras it was almost real time. FMC commanders could sit in HQ and see actions on T.V. and pick up a cellphone and call any commander on the ground, involved, and say, 'What the hell are you doing? Move that vehicle.'⁵³²

Field Marshall Bernard Montgomery's dictum, "Do your estimate, make your plan, give your orders and go to bed," became during Operation SALON, "Do your estimate, make your plan, give your orders and then watch T.V."⁵³³

Television reports also played a key role in discrediting the Warriors. Average Canadians saw first-hand the weapons in possession by the masked Warriors. These frightening scenes, in conjunction with timely CF releases detailing the quantity and capacity of the Warriors' arsenal, successfully damaged the public standing of the Warrior Society. Under the scrutinizing eye of the media, numerous reports and video clips showed the Warriors hurling insults, rocks or pieces of wood at the soldiers, who remained calm and poised. Television reports and pictures also discounted the Mohawk claim that the CF was withholding food and supplies. Soldiers were frequently videotaped or photographed passing boxes of food and supplies across the barricades. The reputation of the Canadian Forces was enhanced in the public eye through its calm and methodical intervention in a highly volatile situation.

Throughout August, negotiations were given priority to rectify the standoff. However, both sides accused one another of negotiating in bad faith and talks were broken off. In light of the unsuccessful negotiations, the CF was directed by the Province of Quebec, on 27 August, to initiate operations to force the barriers and restore law and order on the Reserves and their surrounding areas. On 28 August, through numerous press conferences both the CF and the governments involved stated firmly that direct CF intervention was to occur and that the barricades would be removed. The standoff needed to be settled. The longer it dragged on, the more the Warriors could use the media to support their agenda and retain the status quo that thus far secured their positions. It was also worried that this in turn could ignite other Native communities to take militant action. In addition, the stagnant situation did not favour the CF. Although the discipline of soldiers had been commendable but the likelihood of soldiers retaliating in the face of provocation would no doubt increase. The barricades needed to come down.

CHAPTER 17

The Canadian Forces: Operations in Kanesatake and Kahnawake

On 28 August, all political and military echelons had publicly declared that the CF would satisfy its four point mission through operations beginning the following day. An event on the night of the 28th solidified the need for a quick solution to the closure of the Mercier Bridge at Kahnawake. After hearing the CF's intentions, roughly 100 Mohawks—mostly women, children, the elderly and those requiring advanced medical attention—scared for their safety evacuated Kahnawake crossing the Mercier Bridge in a mobile convoy. Arrangements had been previously designed with the SQ, RCMP and the CF.

When the convoy reached the northern side of the bridge (Montreal side), there were not enough police officers to hold back the angry mob that had collected to protest the closure of the bridge. Bricks, rocks and other objects were hurled at the cars crawling along amongst the swarming crowd. At least six Mohawks were injured in the scuffle. A soldier who wished to remain anonymous remembered: "Something went through a windshield and hit an old man [71 year old Joe Armstrong a WWII veteran] in the chest and he subsequently died. The cops didn't do anything or wouldn't do anything. The amount of hatred was just incredible. Once a cycle of conflict starts it is hard to dampen it. You need to use more force to end it and it was strange to do it in our own country."⁵³⁴

The tension over the closure of the Mercier Bridge was at a breaking point. Groups of angry residents from the communities of Chateauguay and Sainte-Catherine, straddling the Reserve, were becoming increasingly hostile toward, not only the Mohawks, but police and CF members. These dissident citizens thought the CF was moving too slowly and could not understand why they had not already forcefully advanced on the barricades. In reality, CF action was limited in order to protect these people and their fellow inhabitants of the surrounding communities as well as the Mohawks.

In his initial evaluation Lieutenant-General Foster assessed the level of weaponry possessed by the Warriors and the CF resources needed to neutralize these weapons with as little loss of life as possible in the event of a firefight.

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This analysis included the civilian population of Kahnawake and surrounding suburbia. Foster concluded that:

A 50-calibre bullet's effective range is two kilometres, but it can travel nine kilometres. So if you are talking about the possibility of someone firing those kinds of rounds at you, you must take appropriate action But if you take a 10-kilometre circle and draw it around the end of Mercier Bridge, there are many thousands of people who would be in that danger area.... That brings you very quickly to the price you would have to pay to execute whatever wishes you desired and how fast you wanted to end a circumstance like that...we were not ready to do that, and as it turned out it was not necessary.... [I]t is absolutely essential that everybody in the country understand that is the kind of weaponry we are talking about to play on the streets of Canada.⁵³⁵

This statement does not take into account larger projectiles fired from APCs, Leopard tanks or artillery pieces. Even firing smoke-based extraction rounds from artillery guns could be hazardous as the canisters could end up in civilian neighbourhoods.

Daunted by the prospect of a military invasion, the Warriors took action to avoid legal repercussions. On the night of the 28 August low level flights of light planes were observed by 3 R22eR Observation Posts flying in and out of Kahnawake, the first flight occurring at 2015hrs. These flights were also tracked by ADATS (anti-aircraft missile defence system) located at St-Hubert and by U.S. Customs in New York State.⁵³⁶ The Warriors and Mohawks emphatically deny that any such flights took place claiming that it was a hoax to create the impression that Warriors had fled Kahnawake.⁵³⁷ However, these flights were confirmed by a senior level intelligence agent:

It is not a rumour. It occurred. People tried to play it down. The Canadian Government will always try to wait to dissipate things. I remember when the reports came in. They were light planes; they flew at tree-top levels and were easy to see. There were eye witness accounts from Vandoo outposts. We believe that they got out the crew served and heavy weapons as well as a number of Warriors, mostly to New York State. How many flights were there? The reports varied but there were multiple flights, no more than 12. We knew at Akwesasne there were a couple of sea planes and we linked one to a retired Canadian

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Forces Captain who was a Mohawk. There was a link that this plane was used. After that we deployed the Skyguard, but the horses had already bolted.⁵³⁸

Other CF personnel interviewed also confirmed the existence of these flights. In the words of Lieutenant-Colonel (Captain) Landry a Staff Officer at 5 CMBG HQ: "They were reported because they happened."⁵³⁹ On 3 September, the 5 CMBG issued a press release describing, "an unknown number of light aircraft made 15 landings and takeoffs on a roadway in Kahnawake between 8:15 p.m. and 9:35 p.m.... The aircraft were not using instruments which would have allowed the Dorval or Saint-Hubert airports to record the flight path of planes flying at such a low altitude."⁵⁴⁰

Regardless of the removal of heavy weapon systems and a number of Warriors, the barricades were required to come down. On the morning of 29 August, APCs and soldiers approached the Mohawk barriers as negotiations were taking place at all levels. On the ground the commanders of 3 R22eR, led by Lieutenant-Colonel Robin Gagnon, talked to their Warrior counterparts and discussed the appropriate actions for the removal of the barricades:

It took nine days, from the 20th to the 29th...to convince them to co-operate in lifting the barricades. We gave, in return, our word that we would: first respect the Mohawk people; and, secondly, that we would not use the press or make statements to place them in a situation where they would lose face. They gave credibility to our engagement and, on the afternoon of the 29th, we lifted the first row of barricades. By 1 September, the Mercier Bridge was in our hands.⁵⁴¹

Negotiations had stalled during the morning at Kahnawake. In order to increase the pressure, 2 RCR relieved 3 R22eR positions on the eastern portion of the perimeter around Kahnawake supported by artillery ("W" Battery). Having already publicly stated that 2 RCR would only be moved forward in the need for direct action, many reporters and Warriors believed that the swelling in CF numbers signalled an assault. The movement of 2 RCR put pressure on Mohawk negotiators and Band Council Chief Joseph Norton to co-operate in hopes of resolving the problem. By 1900hrs, the blockades on Highways 132 and 138 were peacefully removed in a joint effort.⁵⁴² That night, Lieutenant-General Foster announced that, "Army units, in co-operation with the Mohawks, will open the principle routes leading to, and including the Mercier Bridge.... The situation at Oka remains unchanged."⁵⁴³

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The following morning Lieutenant-Colonel Gagnon met with Mohawk representative Jack LeClerc to solidify the arrangement which included:

1. No more than groups of 10 military personnel on Reserve;
2. All barricades to be inspected for booby-traps and military engineers will supervise all road work;
3. Routes will be patrolled by military personnel including unarmed Mohawks;
4. APCs less .50 calibre machine guns can move onto Reserve;
5. No SQ on Reserve; and
6. Supplies must be allowed to pass through freely.⁵⁴⁴

By the morning of 31 August, all barricades had been removed or were in the process of being dismantled save for the Mercier Bridge. The Warriors were reluctant to give it up. They knew that once vacated, their comrades at Kanesatake would be in a drastically different situation and would have no leverage in further negotiations. However, the population of Kahnawake was suffering emotionally and economically. CF intelligence received message traffic from the Kahnawake Peacekeepers (Reserve Police Force) suggesting Warriors were threatening those Mohawks who wished to leave the Reserve until normalcy returned. The Warriors said they would allow women and children to leave but threatened to burn the houses of all Mohawk men who evacuated.⁵⁴⁵

The hard stance taken at Kahnawake over the clearing of the bridge affected operations at Kanesatake. To put pressure on both locations and to send a message that CF operations did not revolve around the Warrior agenda, Brigadier-General Roy authorized the movement of 2 R22eR to capture and dismantle both western Mohawk barricades on Highway 344 (there were two: OW1 and OW2) and also the northwest barrier at the junction of Rang Sainte-Germaine and Chemin du Milieu (OW3).⁵⁴⁶

Although Warriors were still present, most of the Mohawks at the barricades were women and children. This replacement of personnel had been progressively taking place at Kanesatake and Kahnawake since the CF announced its intentions to remove the barricades on 28 August. At this time, 10 per cent of the population of Oka and Kanesatake had been evacuated.⁵⁴⁷ Lieutenant-Colonel (then Lieutenant) John Fife had an explanation for the withering support: "The people manning the barricades were not always the same,

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most of them were teenagers, 15-19 years of age. It was summer employment. Believe it or not they were getting paid. When the school year started up and the weather began to change things changed. It was no longer fun to sit up at night at a barricade when it is freezing cold. Much of the enthusiasm went.”⁵⁴⁸

At 1300hrs on 1 September 2 R22eR initiated its encirclement operation. “A” Coy was to maintain a blocking position starting at the golf grounds to the eastern barricade along Highway 344 (OW6), while “B” and “C” Coys advanced supported by reconnaissance platoons, APCs and helicopters. “B” Coy’s objective was to advance on the two western blockades along Highway 344 (OW1 and OW2), while “C” Coy was given the most difficult task of clearing the Pines while advancing to the rear of the original barricade on Chemin du Milieu. Upon completion, the perimeter and Warrior positions would be greatly reduced.⁵⁴⁹

The advance was rapid and on site commanders decided to maintain pressure, taking advantage of the element of surprise and the confusion among Warrior ranks. “B” Coy advanced in unison with six APCs and found a solitary Warrior manning the barricades in a camouflaged golf cart. Robert “Mad Jap” Skidder—whom Colonel (then Major) Tremblay described as the rather rational leader of the Warriors at Kanesatake—and lawyer Stanley Cohen were soon on the scene. After negotiation and the realization that “B” Coy intended to advance, the Warriors vacated these positions. “B” Coy pushed east along 344.⁵⁵⁰

Major Tremblay was leading “C” Coy through the Pines along the back roads with APC support. Warrior resistance was first encountered at a bunker at the edge of the golf course in “Sector 5.” In spite of Warrior threats and the discharge of warning shots, “C” Coy pushed forward to “exploit the situation and terrain,” as remembered by Tremblay:

Mad Jap was basically commanding their troops, he was the one calling the shots. There were a lot of youngsters in the armed Mohawks at Oka and it was very difficult for them to maintain control. By using some of the elder women which were very well placed, and they are key from the Mohawk point of view, they always managed to diffuse the situation before it reached the point of no return. When we closed in we went much farther than forecasted. We decided to maintain pressure and ended up pushing them back to the lacrosse arena.⁵⁵¹

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By 2030hrs 2 R22eR was in control of all barricades less one (OW6), the eastern barricade atop the hill on 344 facing down towards the village of Oka. A temporary perimeter was fabricated around the last Warrior position and “C” Coy remained at stand-to. At 2230hrs three gun shots were heard coming from the woods south of 344 towards the Treatment Centre. Three hours later a Warrior message requesting advice from Akwesasne as what to do with weapons was intercepted. The answer was to burn or bury them. The CF took this as a sign that at least a portion of the Warriors were “fading into the woodwork to fight another day.”⁵⁵²

When dawn broke on 2 September, elements of “C” Coy 2 R22eR, including three APCs advanced slowly toward the last barricade on 344 and began to seal it off using razor wire. Although 20-30 Warriors were actively shouting and yelling, they retreated to the Rehabilitation Treatment Centre (TC) in the woods south of Highway 344 towards the river. The soldiers quickly began checking the overturned cars, logs and debris for booby traps and explosives. This final barricade at Kanesatake was completely dismantled by 1800hrs that night.⁵⁵³ By 0800hrs on the morning of the 3rd, a perimeter had been established by 2 R22eR around the TC. On 3 September the perimeter of some 500 square metres was tightened around the TC with “B” Coy to the west, “C” Coy at the centre—to the north of Highway 344, and “A” Coy to the east. Here the perimeter would remain until the final stand on 26 September.⁵⁵⁴

The situation had Kahnawake was no less volatile during the removal of the barricades. All had been removed save for the barricades blocking the entrances and the south side of the Mercier Bridge. Major routes were being patrolled by mounted and dismounted elements of 3 R22eR in the western area of operation and 2 RCR on the eastern sector of the perimeter. CF and SQ roadblocks were maintained to control movement on these axis routes in and out of the Reserve. A WestCam was mounted on the bridge and was used as a standing OP by 3 R22eR.⁵⁵⁵

At 1530hrs on 1 September with 2 R22eR advancing on the barricades in Kanesatake, an urgent message was sent to the Kahnawake Warriors ordering them to blow the bridge. This did not happen and it is still not known if the Mercier Bridge was wired for demolition. The Warriors certainly had enough explosives and the expertise to do so (steel workers experience). No wiring or explosives were ever found on or adjacent to the bridge, except for minor trip wires and booby-traps.⁵⁵⁶

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After lengthy negotiations between Lieutenant-Colonel Robin Gagnon and Chief Joe Norton, the bridge was vacated by the Warriors and their supporters 20 minutes after midnight on the night/morning of 1-2 September. "A" Coy of 3 R22eR secured the bridge and waited for demolition experts and engineers to begin the arduous task of clearing the bridge of any suspected mines, wires and explosives.⁵⁵⁷ Although the bridge was not open to the public just yet, both 2 R22eR at Kanesatake and 3 R22eR and 2 RCR at Kahnawake had completed the first task of their four point mission statement—remove all barricades in the affected areas—without the use of extreme measures.

The realization of the second assignment, to restore freedom of movement on all roads and bridges, was within grasp. The closing two charges would be more difficult to accomplish: remove all strong points and restore normal conditions of public order and security. In order to achieve these goals entrance onto the Reserve was necessary, as many weapon caches and "strong points" were well into the heart of Kahnawake.

Entrance into the Reserve itself did not take long to manifest and was reactionary on the part of the CF. As the perimeter at Kanesatake was tautened on 3 September, a group of roughly 30-50 Mohawks including Warriors, women and children in addition to vehicles, erected a makeshift sandbag blockade at the southern end of the Mercier Bridge as a show of support for their kin at Kanesatake. The Kahnawake Mohawks claimed that it was intended to be peaceful and was hijacked by the Warriors who showed up bearing arms including a .50 Calibre machine gun. The initial Warrior blocking moves occurred at 1042hrs. These quick reaction barricades were all removed by 1420hrs.⁵⁵⁸ During this attempt to retake the Mercier Bridge, most armed Warriors fled when 3 R22eR quickly redeployed APCs and soldiers across the bridge. On the authority of a senior intelligence officer:

We received a tip-off that they were going to re-occupy the bridge on EW. The intercept was simply, 'Deploy five security teams.' We put the WestCam over it and caught them in the act. It came close to confrontation in my opinion but the internal politics within the Mohawk diffused it. No matter who was in front of the camera, unless the women backed it, it didn't go. When the women shut it down, they shut it down. When they dismantled everything we followed the armed Warriors with a WestCam both in a school bus and in a van to the Longhouse on Highway 207 which we knew to be the location of their communications

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network. There was one lad that went into the bush with a long, heavy barrelled system which resembled a .50 calibre.⁵⁵⁹

Brigadier-General Roy ordered 2 RCR and 3 R22eR to enter the Reserve to control the main access points. Thus far no CF personnel had actually entered Kahnawake proper. "G" Coy (2 RCR) commanded by Major Lawrence O'Neill moved forward toward the Longhouse expecting resistance from armed Warriors. "K" Coy (2 RCR) moved into a reserve position to support "G" Coy. "G" Coy was met by 30 women who blocked the progress of the APCs. The forward Platoon dismounted and struggled forward on foot. At this point 50-60 more Mohawk women arrived. Pushing forward "G" Coy reached the Longhouse by 1750hrs and was met by a hostile crowd of roughly 100 Mohawks, mostly women.⁵⁶⁰

Although SQ members were present they could not be used for crowd control under Brigade orders. As "G" Coy and elements of "K" Coy set up a cordon around the Longhouse, 5 SQ officers, with a legal search warrant were "assisted into the Longhouse by rugby-style tactics." The crowd was held back and slowly dispersed as SQ and CF personnel began to uncover numerous weapons and ammunition. While the search was conducted, a vehicle with two armed passengers trying to transport additional weapons out of the area was intercepted. One passenger pulled a knife and was quickly subdued by a soldier and subsequently arrested with his fellow traveller by the SQ. The operation was completed by 2230hrs.⁵⁶¹ Weapons sequestered during the Longhouse search included: three AK-47's, a Ruger Mini-14 Assault rifle, an FNCL, an M-16 and a .50 Calibre 82A1 Barrett sniper rifle.⁵⁶²

Brigadier-General Roy stated that the new barricade temporarily erected violated, "Our understanding with the Mohawks.... In response to this, I ordered that patrols be increased."⁵⁶³ These increasing patrols entered the Reserve. "H" Coy (2 RCR) Commander Lieutenant-Colonel (Major) Bradley Boswell recalled the events of 3 September and his advance into Mohawk territory:

Rock Bass and War Pig rushed up to me and said, 'You can't do this, don't do this.' I told him that we had our own job and that these routes had to remain clear. Things were getting tense and you were not sure if the heavy weapons were being placed again. Luckily Lieutenant-Colonel Mitchell [2 RCR Battalion Commander] arrived by Kiowa helicopter and walked over calmly to Rock Bass and War Pig and he pointed at me and said, 'This man is going onto the Reserve today.' Colonel Mitchell left after

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giving me some direction and I then chatted to Rock Bass. He told me to wait for awhile until he could go talk. Obviously there was a chain of command. He came back 20 minutes later and said that we could move as long as they could escort. I agreed. We moved our four vehicles onto the onramp of the Highway inside the Reserve. When my vehicle was in position, Rock Bass came up and tapped on the hull and said, "Yeah we can't get through that!" At that point he took off his mask and we talked for 45 minutes sitting on the guard rail. He told me that he was coerced into taking a leadership role by the Warriors. We had our .50 calibres mounted and part of the original agreement was that they would not be seen as they said they were scaring the children! We covered them but had a quick release system so that they could be effective in seconds.⁵⁶⁴

The tightening of the TC perimeter also affected the relative peace at Akwesasne where elements of the Royal Canadian Dragoons (RCD) were now part of the CF contingent of 40 persons and nine aquatic vessels. On 3 September, a group of Natives led by four Warriors attempted to block the Cornwall Bridge to no avail. Later that day two SQ patrol cars were overturned and damaged by 80 Mohawk demonstrators. That night over 100 rounds of gunfire were heard throughout Akwesasne.⁵⁶⁵

At Kahnawake, the ongoing inspections of the Mercier Bridge were nearing completion. Lieutenant-Colonel (then Major) Boswell recalled this tedious task:

It took a long time because of the amount of garbage under that bridge. After awhile we were still at it, the Warriors who were escorting/watching us got fed up and I can quote them saying, 'There is nothing fucking here! It is just a pop can! It is just a piece of wood!' as they were kicking at all of the garbage. I said that we had a job to do and they seemed to understand that we had to take this seriously and I think they respected that professionalism.⁵⁶⁶

At 2115hrs on 3 September the Mercier Bridge was declared safe and devoid of any explosive devices.⁵⁶⁷

For the Mohawks of Kahnawake the incursion of the CF onto their land, accompanied by SQ members contravened the earlier principles established

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between Lieutenant-Colonel Gagnon and Grand Chief Joe Norton and his negotiators: “White man speak with forked tongue.”⁵⁶⁸ As far as CF commanders were concerned this agreement in trust was violated by the attempt to recapture the bridge and thus all points became moot.

Despite Mohawk objections, the CF had begun active operations to fulfill its four-point mandate. At Kahnawake, all major traffic routes had been cleared by 2 RCR and 3 R22eR. Although the raid of the Longhouse was a reaction to the re-barricading of the Mercier Bridge and the sight of heavy weapons, it did send a signal to everyone involved that the presence of weapons would not be tolerated and that the rule of law would be restored. At Kanesatake, all barricades had been removed and the remaining demonstrators had been cordoned in the TC.

CHAPTER 18

The Treatment Centre at Kanesatake

At Kanesatake, 2 R22eR continued to seal off the TC in an attempt to corral the last holdouts and force an end to the standoff. However, with the inability to use military means to solve the crisis, alternative methods were needed. The use of psychological techniques in combination with negotiations was the solution implemented by the CF and performed by 2 R22eR around the TC perimeter. However, this would take time and the longer it took the more likely an incident or escalation could occur whether instigated by the CF or the Warriors. The close proximity of soldiers, Warriors and the general population of Kanesatake produced frequent exchanges of verbal and physical confrontation.

After several shoving matches between soldiers, Warriors and Mohawk women, a second layer of concertina wire was ordered around the entire perimeter. In reality, after the erection of this second line, Operation SALON and Operation AKWESASNE had completely depleted the supply of concertina wire across the entire CF. Colonel Tremblay remembered using, “the entire barbed wire supply in the CF at the time. There was no more left anywhere in Canada. I have never put up so much barbed wire in my life; not in Bosnia or even Afghanistan. It was truly amazing.”⁵⁶⁹ In addition, the access to the river behind the TC was encircled by a log-boom placed by marine elements of the SQ on 5 September.⁵⁷⁰

In the background, negotiations continued. Tom Siddon met with the Chiefs from the Six Nations Confederacy. They told him that the military pressure was being felt by those remaining in the TC and that this could compromise a peaceful resolve. General de Chastelain and Premier Bourassa offered a settlement to those inside. If they laid down their weapons and exited the perimeter peacefully, they would be taken into military custody at Camp Farnham rather than be arrested on site by the SQ, whom the Mohawks despised. The legal framework for a detention centre at Farnham had been authorised by the CDS on 5 September. Those encircled in the TC refused this offer and submitted a counter offer insinuating that if the military withdrew they would vacate their position. This was flatly rejected.⁵⁷¹

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The government response centred around three important issues. The first was that all long-term subjects revolving around sovereignty and extended land claim issues would no longer be discussed. The second assured that all military and police forces involved had the powers to enforce the *Criminal Code of Canada* and that its statutes apply to all persons including the Warriors. This was a reminder not a new initiative as soldiers in *Aid to the Civil Power* operations are given the powers of a Peace Officer. Lastly, it was made known that both the federal and provincial governments were ready to discuss the possibility of a Native police force at Kanesatake similar to those already in operation on Kahnawake and Akwesasne.⁵⁷² On 9 September Minister of Justice Kim Campbell issued the following statement:

I'm making this statement today because I'm concerned that the Canadian people and the media misunderstand what is happening at Oka and the events involving the Canadian Forces and the Warriors.... But, let me be clear,--we must not confuse the highly legitimate concerns of the Indian people with the resistance of armed Warriors at Oka due to the due enforcement of law. The Warriors at Oka do not represent legitimate Native grievances. They carry guns...and we will not negotiate with them. They blatantly use the words of normal Indian claims to mask their true intent, just as they mask their faces... The Army's offer has been turned down...The Governments of Canada and Quebec cannot and will not accept that the Warriors are not governed by the laws of this country, including the Criminal Code. They receive full protection of our laws, including the Charter [of Rights and Freedoms]. Neither they nor anyone else in Canada can pick which laws to obey.⁵⁷³

In the event of these points and the Warriors' intransigence in rejecting the proposal, 2 R22eR proceeded to find a solution to end the crisis. The military operation at Kanesatake after reducing the perimeter on 3 September was fairly simple. Due to the resounding statement that the CF would not fire the first shot, it would have been difficult and precarious to remove those holed-up in the TC by force. There were reports in early September that the Warriors were ready to lay down their arms but changed their mind after Lieutenant-General Foster personally appeared at Oka to assure the Mohawk population, including the Warriors, that the CF would not initiate a conflict. The impact of this was that the standoff was prolonged indefinitely.

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It was clear that the environment around the TC could only be shaped with limited military means, so psychological operations using light and sound to induce sleep deprivation, thus unnerving the opponents, were used to put pressure on those inside. Three towers mounted with high powered search lights and speakers were built around the TC. Helicopters made continuous low level flights over the area. CF observation posts with TOW weapon systems were erected across the river near Hudson and 2 R22eR patrols were ever prevalent to unnerve the Warriors. Only the resupply of essential resources was allowed to the TC by outside agencies. Colonel (Major) Tremblay recalled the situation:

Then it became more of a PA game than anything else, by trying to paint us as the bad guy and how ill-treated they were. I think at that point they were more interested in gaining visibility with the entire crisis with the media to promote their agenda, to stretch it to maintain as many visibilities on their claims and issues. It was a matter of keeping them off balance and maintaining pressure without going to the point of somebody firing shots. They had a network of communication and we were never able to completely sever that line. They were still able to go into discussions with Kahnawake, Akwesasne and the States. They were resupplied by daily/nightly boat runs, speed boats. The spectrum of military resources we had, short of using fire arms, was limited, so psychological operations were conducted with light and sound and so on, to limit their sleeping time. Actually we were losing the sound battle because they had bigger speakers than us.⁵⁷⁴

Intelligence reports reveal that even though the TC was completely surrounded, the Warriors used the river with great adroitness to resupply the TC throughout the first two weeks of September. Interceptions of cellphone calls and radio traffic also indicate that the communications network, although limited, was still quite active. Warrior patrols outside of the contained area were reporting military movements and activity to the TC.⁵⁷⁵ They were also identifying military personnel, units and unit strengths through name tags, unit insignias and vehicle markings. Lieutenant-Colonel Rusty Bassarab, Deputy Commander for 2 RCR made reference to this point:

Lasagna, his brother was in 3 RCR in Germany. We had three Natives that were part of our battalion, one was a Cree. He had

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an awful hard time, including a woman who threw hot coffee in his face. I think that the Velcro name tags we have now is a direct result of that operation. We all had to put tape over our name tags, in order to protect all troops from being identified. They [Mohawks] viewed it as hiding our names so we could commit illegal acts. No we just don't think it wise to advertise their names, except for the officers, who wore berets not helmets like everyone else. Pretty good target indication. You can throw a rock pretty hard with a lacrosse stick. They were also driving golf balls at the helicopters, which is pretty ironic.⁵⁷⁶

As the pressure inside the TC mounted, troublesome occurrences began to take place along the wire perimeter. On 6 September a soldier accidentally shot himself in the foot. The Warriors responded by firing six high calibre rounds into the air. Three more shots were fired from inside the TC boundary later that night. The military moved the media centre established by the CF back 300m from the wire perimeter to stop interference with soldiers and also for the safety of the journalists. On the night of the 7th, Warriors in the Oka enclave erected a canvas screen behind which they proceeded to carry out a number of unknown activities. At 2154hrs, they adopted firing positions, aimed their weapons at the opposing soldiers and placed their front-end loader in a position to effect a breakout. 2 R22eR countered this move by blocking the exit with a D-6 Dozer. Later that night a breach in the wire was created by the Warriors which was quickly sealed off. Tempers flared as Warriors pelted soldiers with rocks. The situation was brought under control after the on-site commander ordered the troops to fix bayonets.⁵⁷⁷

Although threats and intimidation were ubiquitous from both sides, thus far no major injuries had been incurred. This changed on the night of 8 September during a situation that tarnished the reputation of the CF. In an attempt to unnerve the Warriors guarding the perimeter and to prevent them from sleeping, 2 R22eR conducted aggressive patrols along both sides of the wire perimeter. There were very few Warriors left and by conducting extensive patrolling, these Warriors were forced to remain in their positions for extremely long intervals. The CF believed that only 24 Warriors remained in the TC compound in addition to 10 women, 11 children and 23 journalists.⁵⁷⁸

At 0500hrs on the morning of the 8th, a four-man reconnaissance patrol crossed the perimeter to investigate the nature of work which had been taking place behind the large canvas screen during the past two days. A single soldier

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from the patrol met a Warrior, Randy “Spudwrench” Horne, and informed him of the nature of the patrol and that no weapons would be used. At this point a second soldier joined his comrade as “Spudwrench” appeared to be aggressive. This prompted Horne to draw a knife and slash one soldier across the face. While attempting to restrain Horne, the other soldier was stabbed in the abdomen four times. The soldiers retaliated using their rifle-butts to subdue “Spudwrench.” The situation concluded when the two other members of the patrol appeared along with four other Warriors. The patrol withdrew immediately.⁵⁷⁹

Horne was taken into the TC and using the “hotline” that had been established between the TC and 2 R22eR HQ, medical assistance was offered by the CF and was refused. Eventually a paramedic entered the TC to provide assistance. The Warriors called their own doctor, David Gorman in Malone, New York. He reached Oka at 0830hrs and was allowed inside the TC to see to the injuries of Horne. The Warriors distrusted the CF and thought that if he was put in the care of the CF or the SQ he would be arrested.⁵⁸⁰

At 1630hrs a private ambulance carried Mr. Horne out of Oka towards Montreal. On route to Notre-Dame Hospital in Montreal, the convoy of the ambulance, army and SQ vehicles and reporters was detoured as a bomb threat was called in to that hospital. After some deliberation the convoy, less reporters who had been lost in the trail, ended up at Hotel Dieu in the north end of Montreal. From there they proceeded to Montreal General Hospital. The injuries to the two soldiers were superficial as were those to Mr. Horne contrary to media reports.⁵⁸¹

On 12 September, Horne was taken into military custody at Farnham and was arrested by the SQ on five charges including possession of a dangerous weapon. After an investigation no charges were laid against any members of the patrol. “C” Coy commander, Colonel (then Major) Tremblay, who ordered the patrol insists that, “the soldiers on that patrol showed great restraint, because from a Criminal Code point of view they could have shot him [Spudwrench] right there. Obviously the guy was injured but this was not a game and the military was not there to play a game.”⁵⁸²

The version of the story forwarded by the Warriors differs immensely from that of the CF. They insisted that Mr. Horne was attacked unprovoked, that he was asleep in his sleeping bag. They are also very sceptical about the manner in which he was taken to the hospital.⁵⁸³ The CF press release concluded that, “The facts have been stated and obviously either side is going to

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interpret those facts as they see fit.”⁵⁸⁴ Like many other aspects of the Oka Crisis the unfortunate incident on the morning of 8 September is a matter of perspective. On 9 September, “A” Coy replaced “C” Coy at the perimeter at Kanesatake. This was seen by the Warriors as the CF saving face for being too aggressive when in reality it was the scheduled standard rotation of CF troop allocations.⁵⁸⁵

The potentially confrontational environment at Kanesatake did not dissipate after the events surrounding Randy Horne. A gap in the wire perimeter was found on 10 September that had possibly been exploited by the Warriors to transport weapons and persons in and out of the TC complex. A “journalist” inside the TC reported to CF intelligence that they had positively identified numerous cellphones, two RPK weapons, at least a dozen operational gas masks and a quantity of grenades. It was also relayed that Orders Groups were always carried out on the second floor balcony and during inclement weather in an office facing the water. From this he deduced that Robert “Mad Jap” Skidders seemed to be in charge of those inside the TC.⁵⁸⁶

On numerous occasions, Warriors aimed their weapons at soldiers and simulated firing. The Warriors were contacted through the “hotline” and made aware of the seriousness of these actions. By 13 September, only one “hotline” remained. On that day the other two telephone lines were cut to further pressure the Warriors into negotiating a peaceful settlement. It was also done to minimize the amount of communication afforded to the Warriors inside the TC. On the night of the 9th, 12th and 13th mysterious planes were again spotted near Kahnawake, with an OP from “H” Coy (2 RCR) confirming at least one successful landing on 9 September. Correspondingly, intercepted Warrior communications disclosed information about a possible helicopter extraction of those inside the TC.⁵⁸⁷

Giving credence to this message traffic, on 14 September, the FBI forwarded a receipt of and information about the purchase of two helicopters at an army surplus store in New York, New York by a reputed member of the Kahnawake Warrior Society. However, not much other information was forwarded except that the helicopters were black in colour and that the procurer had a pilot licence.⁵⁸⁸ FMC immediately implemented local measures to address this situation. Additional helicopters were ordered to patrol and AIRCOM (Air Command) provided the “necessary sources to allow for 24/7 radar surveillance and tracking.” These resources and personnel were deployed and operational by 1400hrs on 14 September. 1 Commando was also placed on 24 hours

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NTM.⁵⁸⁹ With the Warriors' aerial escape route cordoned off, a tunnel feasibility reconnaissance was conducted along the perimeter of the TC.

On 15 September, 2 R22eR personnel and all OPs were questioned about any unusual tunnelling activity or suspicious patches or colours of earth. There were no reports of these activities. FMC went so far as to remove soil samples from likely tunnelling routes around the perimeter at a depth of 15 metres. The test results from the soil plugs deduced that the ground around the TC was primarily made up of fine sand overlaid by roughly 10-20cm of organic soil and decaying materials bound by small unstable roots. Due to the soil's composition, tunnelling in the area was possible yet highly unlikely as a large amount of bracing was needed to make any tunnel solid enough to be utilized.⁵⁹⁰

2 R22eR at Kanesatake had thus far removed all barricades and restored freedom of movement on traffic routes. The only "strongpoint" and immediate threat to "normal conditions of public order and security" that remained was the TC. Elements of 2 R22eR continued to deny the Warriors any escape route other than leaving through CF lines. Psychological manipulation in connection with "hotline" negotiations was being used in an attempt to resolve the stand-off at Kanesatake without violent confrontation. The situation at Kahnawake was quite different. Here, there were many more highly used traffic routes, a much larger Mohawk population, a larger land base and correspondingly a greater perimeter, which was still flanked by hostile Québécois and other radical groups.

CHAPTER 19

Raids, Retaliation and Relationships

The Mercier Bridge and its on routes officially opened to traffic on the morning of 6 September. The bridge had been closed for 55 days. 3 R22eR and 2 RCR continued to patrol and maintain checkpoints on the major routes. They also began conducting patrols and weapon searches in Kahnawake to remove threats to themselves, LEAs and the Mohawk. Although the bridge was open, the angry protestors surrounding the Reserve continued to hold rallies and intimidate soldiers, Warriors and the Mohawk population.

Lieutenant-Colonel (then Major) Boswell will never forget episodes of racial hatred that serve as only two examples of the chaos surrounding Kahnawake:

The local population had erected a barricade and they used 40 gallon drums, lit fires and they also used a road chain to break tires. I never ran over it but I had the tires on my Iltis slashed on a daily basis. They were actually more abusive towards the soldiers than the Natives or the Warriors. They wanted us to get in there and clean it up, but it wasn't that simple from a political sense. I will never forget two events. One day, the first weekend after the barricades had been removed, a car, a little Omni full of Mohawk women were coming back after grocery shopping. The crowd was overpowering, they smashed out the back and rear windows and ripped out all of the groceries and terrified these three women inside. We managed to get them inside. One soldier began picking up the groceries and the local population started yelling and swearing at him for helping these women. I'll never forget his reaction and quote. He simply smiled and said, 'I do not speak French. Have a nice day.' He picked up the rest of the food and gave it back to the females there and off they went on foot.

He vividly recalled another frightening scene:

It was 2:30 in the morning and I was out visiting an OP of Lieutenant Fife's Platoon on the railway line entering the Reserve. It was 400m parallel to Highway 132. We heard a terrible noise

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and it was an old '77 T-Bird screaming down the railway line. It got to the wire and two young Mohawk guys jumped out and we lifted the wire to get them under it into the Reserve just as the local population got to the car and torched it on the spot with a Molotov Cocktail. The crowd had blocked 132 and chased them, so they had to use the rail line. It was scary stuff.⁵⁹¹

At another barricade on the night of 3 September locals were stopping vehicles before they reached the RCR checkpoint leading into the Reserve. Seemingly out of the blue, the RCR Regimental Piper began playing "Vive la Canadienne" and it completely distressed the civilian crowd. He then proceeded to cross the barrier and play for the Warriors. Lieutenant-Colonel (Major) Bassarab fondly remembers one of the Mohawks saying to him, "Yeah, the Jesuits used to do that to us too, but then we had to listen to them preach for two hours!"⁵⁹²

There were moments when tensions at the barricades relented and the soldiers and Warriors or civilians facing each other often communicated. Such was the case in a story told by Lieutenant-Colonel (Major) Brad Boswell: "'H' Coy had a tall, thick unmistakable black Sergeant in its ranks, Sergeant Welsh who was a terrific soldier. He went on leave for 3 days. When he wasn't at his usual barricade position, the kids in the house across the street put a huge sign up in their window reading, 'Where's Buckwheat?' The folks at those barricades got to know who each other were."⁵⁹³

The CF elements at Kahnawake had accomplished the first two objectives. All barricades had been removed and by 6 September all traffic routes and bridges were open to traffic. However, as the prior anecdotes illustrate, by no means were "normal conditions of public order and security" restored and a plethora of different intelligence sources revealed the existence of "strong points" and weapons caches on the Reserve. Over the next two weeks 3 R22eR and 2 RCR intended to fulfill the remaining two tasks to which they had been assigned.

At 1700hrs on 12 September, "G" Coy (2 RCR) had seen some weapons in a barn whilst setting up for dinner. The area was cordoned and the SQ was informed. "K" Coy was moved forward as a reserve. 60 SQ officers arrived to conduct the search but would not enter unless the building was cleared. Rather than wait for the SQ SWAT team, fearing that inaction might lead to confrontation with Mohawks, "G" Coy cleared the building by knocking out windows and hung glow sticks to report that the room was clear.

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The house owned by Peter Diome, one of the negotiators at Kahnawake, was searched and only two weapons and a small quantity of ammunition were found.⁵⁹⁴ However, what was also found was interesting and puzzling. Numerous boxes of recently dated governmental and CF paperwork was confiscated from the house corresponding to a variety of organizations and functions. Federal Cabinet documents were recovered. CF intelligence reports, unit strengths and fan-out sheets, some of which were stamped with confidential and secret classifications, were also recovered. The suspected mole and pipeline to Ottawa was confirmed, although no one was identified as a primary suspect.⁵⁹⁵

The CF and SQ efforts to restore safety and security to Kahnawake and the surrounding communities through cordon and searches for weapons and contraband continued two days later. Having received a tip from a Mohawk informant, cordon and searches were carried out by 2 RCR and the SQ at the Flea Market and the residence of Dan Delisle on 14 September. Several cases of cigarettes were seized at the Flea Market. The search of the Delisle house located on route 207 in Kahnawake was the result of "G" Coy (2 RCR) conducting a routine patrol and finding weapons in an orchard outside of the house. The SQ conducted a search of the house at 2000hrs under an official warrant, while "G" Coy provided the cordon. The result was the confiscation of \$500,000 worth of illegal tobacco products, eight boxes of various calibre ammunition, magazines for multiple weapons, including AK-47s, and 24 weapons including: revolvers, shotguns and semi-automatic machine guns.⁵⁹⁶

The following day another raid on an unidentified private home yielded 60 boxes of assorted calibre ammunition, stolen golf equipment, 1.75lbs of packaged marijuana and 58 marijuana plants.⁵⁹⁷ On 16-17 September patrols involving dismounted CF and SQ personnel, the SQ scuba diving squad and SQ canine units produced seven more weapons and 15 Molotov Cocktails as well as the positive identification of several reported stolen motorcycles and vehicles.⁵⁹⁸

The largest raid of the Oka Crisis occurred on 18 September at Tekakwitha Island which is adjoined to the northern boundary of Kahnawake by a single bridge at the east end. At 0800hrs, the SQ intelligence liaison to 2 RCR reported receiving a tip from a reliable source about a large weapons cache on Tekakwitha Island. 2 RCR HQ surmised that there were only three possible approaches to the Island: by land through the town (not an option), by sea (lacking the resources to do so) and by air.⁵⁹⁹

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Air-mobile planning was conducted and 5 BMC HQ gave its approval. The plan was as follows: one platoon would be inserted at the bridge in a single Chinook Helicopter lift. Another platoon would be dropped in a similar fashion at the western end of the island as there were reports of bunkers. Once the east-west axis was secure, two platoons would be inserted to conduct the sweep. The SQ SWAT Team would be inserted by SQ boats to gain entry and secure the marina buildings at the south-western tip. The boats would remain in the vicinity to block the aquatic escape route. Two CF sniper groups were inserted on a tiny island roughly 1 km west of Tekakwitha.⁶⁰⁰

Due to lack of helicopters the original plan was amended. The only change made was that a section would be inserted at the bridge (instead of a full platoon) and the remainder of the platoon would be dropped 300m to the west to secure the western perimeter. The remainder of the plan was unchanged. With battle procedure moving extremely fast, the original H-Hour (initiation of operations) was moved from 1330hrs to 1430hrs. In keeping with the policy of informing the Mohawks prior to any movement or operation on the Reserve, Lieutenant-Colonel Gagnon informed the Band Council, specifically Jack Leclair, at 1420hrs of what was taking place. Brigadier-General Roy contacted Elvin Delisle five minutes later. Therefore, the residents and Warriors of Kahn-awake had knowledge of what was happening and 15 minutes warning before "G," "H", and "K" Coys of 2 RCR deployed. Obviously, they could also see and hear the Chinook Helicopters. The first detailed elements of 2RCR landed at 1433hrs after one pass over the island to gain a bearing of the ground and surroundings.⁶⁰¹

The reaction of the Natives who assembled at the bridge head was exceedingly quick and aggressive. In a short period of time a group of 300 Mohawks had amassed at the wire cordon of the bridge and violence quickly ensued. A truck was driven through the wire at the end of the bridge and the angry crowd spilled over pelting the 30 soldiers protecting the bridge with rocks and golf balls.⁶⁰² Several soldiers were knocked down and were being beaten by numerous Mohawks. The soldiers responded by shoving the crowd and using rifle butts to fend off the protestors. Six grenades of CS gas were released by the RCR which temporarily stunned most of the angry crowd; however, a certain portion appeared not to be affected and continued forward. A single warning shot was fired into the air by Private Pellecchia which halted the advance momentarily.⁶⁰³

The situation was made worse when soldiers in riot gear and SQ helmets arrived. The Mohawks, believing these were actually SQ officers, became even

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more enraged. Shortly thereafter, a 2 RCR reconnaissance platoon commander attached a Warrior flag upside down on his radio antenna which further infuriated the throng of Natives. He was charged by the CF the next day, left the mission and was released from the Army.⁶⁰⁴

What followed can best be described by those who were there. Lieutenant-Colonel (then Captain) Pat McAdam:

I was back at HQ being the Adjutant and I got a phone call telling me to prepare everybody I had and that we were needed on the Island immediately. So I grabbed all of the cooks, clerks, truck drivers and everyone lying around and the Regimental Sergeant-Major (RSM) jumped in to be my Platoon Warrant. We flew into the island and tried to give as much help to keep that bridge route shut. I started talking to Chief Joe Norton and tried to get him and the Peacekeepers to control the crowd. By then the weapons on the island had been confirmed. One of the Natives caught me looking the other way and hit me on the head with a large rock, the size of a basketball and I went unconscious. I actually have pictures of it. I went down and Captain Shayne McArthur, a platoon commander ordered another round of gas. John Fife who was south of me came up with some soldiers in a reinforcement role same as me. He was the one shown on television being dragged by his binoculars and being beaten. I then got Medivaced. I ended up with 15 stitches.⁶⁰⁵

Lieutenant-Colonel (then Lieutenant) John Fife also shared his story:

The first person I saw was the RSM, CWO Irving. He told me that we were needed to help evacuate the Adjutant [McAdam]. The crowd came face to face with me and a few of my soldiers. There was spitting and punching and then a riot broke out. I was in front and got pulled into the crowd and took some kicks and punches. I fell and that is when one of my soldiers fired a burst of C-9 [Light Machine Gun] ammunition which caught the attention of the crowd and they were able to come in and drag me out. I was not Medivaced but a few of my soldiers were. They were beaten quite badly. When we fired the C-9 burst we also moved back creating a larger buffer zone.⁶⁰⁶

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While Lieutenant Fife was being beaten on the ground, Private M.L. Tilley released a 4-6 round burst from his C-9 over the heads of the crowd. At roughly the same time, Private M.P. Robertson fired five rounds into the air. Correspondingly another round of CS gas was volleyed at the crowd.⁶⁰⁷

During the melee, two C-7 rifles were taken; one from Lieutenant Fife and the other from Master-Corporal Corrigan who was knocked down and beaten after being pelted with rocks. The sniper groups tracked those weapons and were given permission to shoot if those weapons were even pointed in the direction of the RCR soldiers: "Had the Natives who took those weapons turned with them, even inadvertently, that was it, they were dead. That would have been really bad. That was not their intent in taking them though; they were scoring a coup of sorts. If one of them had been foolish enough, even pretending, pointed and turned, the snipers would not have waited to see if he was kidding. That was their ROE. It was close there," as explained by a confidential source.⁶⁰⁸

Eventually, Mohawk leaders and the Peacekeepers were able to subdue the crowd. The extraction of the troops began at 2100hrs and was completed an hour later in a total of eight airlifts using CH-147 Chinooks and CH-135 Twin-Hueys, while two CH-136 Kiwas provided overhead surveillance. In all 244 soldiers and 78 SQ members (in a secondary role) participated in the raid. Many of the soldiers who were flown in as reinforcements were the service and support elements of 2 RCR including cooks, clerks, mechanics and soldiers fresh off their QL3 infantry course. 22 soldiers were injured in total, nine of which had to be evacuated. One soldier was beaten unconscious with his own helmet while another had to have his ear surgically reattached. 75 Mohawks were treated for minor injuries, broken bones and gas inhalation.⁶⁰⁹

In total 48 weapons were seized in five different caches. Although all were illegally stored, only three were illegal including a six shot Striker Automatic Grenade Launcher. 6,000 rounds of ammunition were also found as well as a crossbow, knives, communications equipment and other military clothing and kit. Small amounts of alcohol and tobacco products were also confiscated.⁶¹⁰

Afterwards many of those involved in the raid questioned what went wrong. The first point was that the CF was not well-versed in crowd confrontation techniques, including confrontation with women and children, nor was the proper equipment available. Although crowd confrontation training was conducted during Operation SALON itself in coordination with SQ officers, none had been done before hand. Compounding this problem, no effects-based

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planning had been done at an operational level. The raid occurred after the barricades had come down. The mission now was to restore normal conditions to the area. Were weapon raids an implied task? Obviously Brigadier-General Roy and Lieutenant-Colonels Gagnon and Mitchell believed so. Fifteen years later, this is how Lieutenant-Colonel (then Major) Bassarab analysed the raid on Tekakwitha Island:

One of the biggest shortfalls of that operation was the lack of what we now call effects based planning. Our official mission was to stay in place and monitor and control those routes and the area in general. One of the mistakes we made during the control and stabilization was going after weapons. The reason I say mistake is because if you check with British experiences in Northern Ireland, and a few other places, going after weapons in that type of environment is not easy and due to the nature of that particular job it gets back to cause and effect. Is the capture of weapons worth all of the other aspects that you have now influenced?⁶¹¹

Although soldiers with shields and batons taken from the SQ were eventually inserted on Tekakwitha, it occurred after the riot had subsided. Another aspect of this was that officers were wearing berets not helmets in order to be recognized by both their own soldiers and the Mohawks. Had Captain Mc-Adam been wearing a helmet he might not have sustained any injury.⁶¹² Correspondingly, having no previous experience in this type of confrontational environment the soldiers were all wearing webbing which with all the buckles and straps was very easy to grab and was used to pull soldiers to the ground.⁶¹³ There was also strong evidence to suggest that those Mohawks not affected by the CS gas were on pills to negate its symptoms: "Some of them were not affected in the least bit by the gas, which is another interesting story, as that gas usually affects people. They had pills against the gas," recalled Lieutenant-Colonel (then Major) Bassarab.⁶¹⁴

Three days after the raid, a Mohawk informant, who was an active member of the Kahnawake Warrior Society, explained how such a large crowd accrued so quickly at the bridge. He explained that the Band Council, the Mohawk Nation Council and the Warrior Society did not operate as distinct entities. There was coordination and council between these groups. Hence, when 2 RCR telegraphed the raid by informing Mr. Leclair and Delisle, this information was made communal. Secondly, Kahnawake had a number of systems in place to alert the people of the town. These systems included the air raid/tornado

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siren, the fire hall bell, a telephone fan-out sheet, patrols, handheld radios and the Kahnawake radio station (103.5FM). This was confirmed by soldiers on the ground who reported that when Mohawks and Warriors arrived at a confrontation they were effectively directed where to go.⁶¹⁵ On 20 September Lieutenant-General Foster stated that future search operations would continue but may not in all cases be announced before hand.⁶¹⁶

The informant also mentioned, which was confirmed by EW, that those Mohawks with Vietnam and other military experience had a great deal of input into operations and decisions. They were instrumental in organizing the Reserve into sectors and coordinating squad leaders and squad rotations. In addition, the informant revealed that most of the heavy weapons had previously been taken out and were now in the U.S. at Akwesasne and Ganienkeh. A smaller amount had also been buried. This man also reported that the LAWs had been transported elsewhere as they were, "too valuable to lose." He concluded that these were the reasons why so few illegal weapons were found on Tekakwitha.⁶¹⁷

However, the major point of contention existed in the premise that the CF was carrying out the function of the civil power, the SQ. On many occasions during the aforementioned raids, the SQ refused or neglected to perform its functions. In a sense it was not a traditional *Aid to the Civil Power* operation; rather, replacement of the civil power. Jurisdiction was oft times convoluted and confused. Protocol for cordon and search operations was that CF elements provide the cordon and the SQ conduct the search as they have the warrant. However, this did not happen in the case of the Diome raid or at Tekakwitha Island. In both instances the SQ refused to co-operate and 2 RCR was left to execute both functions. Secondly, those CF personnel involved quickly realized that the involvement of the SQ was counterproductive as the Mohawks had a severe hatred for them at both Kahnawake and Kanesatake. Lieutenant-Colonel (then Captain) Pat McAdam:

The Mohawks complained a lot about the SQ. We only worried about how it would affect our operations. We knew that if we went in with the SQ beside us the Natives would respond very poorly. Instances like the Diome house and Tekakwitha Island, they said they would not come in. We lost faith in their ability to support us and carry out their functions. So we were forced to because they would not react.⁶¹⁸

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The situation for 2 R22eR at Kanesatake was quite different. They were not involved in cordon and search operations in conjunction with the SQ. Nor were they ever in situations where crowd confrontation became an issue for the soldiers where warning shots would have to be fired. Unlike Kahnawake, there was no arrangement at Kanesatake whereby the CF would have to declare its intentions before acting. The tactical scenarios at both locations were completely different as the environment dictated the courses of action to be taken. Colonel Tremblay highlighted these differences:

Apart from accidental discharges there was never a single weapon fired by the CF at Kanesatake. There was never warning shots because we always managed the situation and never got into that crowd control situation. We used pure military tactics, no shields, no batons, no CS gas. The modus operandi at the battalion level between the RCR and 3 R22eR in Kahnawake and 2 R22eR at Oka was very different. The tactical situations were also different. The area of operations around Kahnawake and Chateauguay was much more problematic, higher risk of collateral damage, where in Oka we managed to sanitize a small area which gave us more flexibility as there were no civilians and less Mohawk population. The two different operations cannot be compared as they were very different in scope and nature. We never gave them notification. Surprise is a principle of war.⁶¹⁹

The relationship with the civilian population was also drastically different. At Kanesatake, only a handful of people had to be evacuated from their houses. Many others chose to leave the area voluntarily. There were numerous instances where these displaced people gave their house keys to senior CF commanders stating that they could use the houses for sleeping quarters or for other administrative purposes. Unfortunately, there were confirmed reports of both Mohawks and CF personnel stealing electronic equipment from these vacated homes or lounging in the backyard swimming pools. The CF members were charged in military court.⁶²⁰

The Warriors also committed arson on two houses, looted and extensively vandalized another owned by Mohawks sympathizers Dr. Réjean Mongeon and his wife Andrea on 31 August. Later that night, they severely beat Francis Jacobs and his son Cory with baseball bats. It was this incident which prompted the first military action the following morning on 1 September throughout the Kanesatake area of operation.⁶²¹

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Problems with the SQ went beyond the jurisdictional impediments. Most CF members interviewed admitted that the professionalism of the SQ was marginal and they were able to pick up elements of racism. Also, some SQ members complained about the meals and sleeping quarters provided for them by the CF service and support battalions during both Operation AKWESASNE and Operation SALON. At the expense of the taxpayer, many SQ members chose to stay in hotels instead of the military modular tents provided for them.⁶²² An NCO who wished to remain anonymous shared his feelings and those of his peers:

The soldiers were frustrated with fact that the SQ got to stay in hotels and they also resented the fact that the SQ worked shift work, could go home, see their families and then come back three or four days later. Yet they [SQ] still complained about rations and quarters when the soldiers were in tents and working 24/7, not on shifts. Some members of the CF viewed it as a situation where they were called in to clean up the mess left by the SQ, who seemed to shirk responsibility.⁶²³

The SQ was seen as a corrupt force by the Mohawks even before they deployed. The raid of 11 July only enhanced this reputation. For the CF, any loss of neutrality would compromise their effectiveness and legitimacy. In addition, the soldiers were under close public scrutiny and acts of racism or intolerance would be highly visible. More troublesome, was the realization that the initial psychological impact of the massive deployment was lost. This factor coupled with the inability of the CF to use force undermined the actions and capacity of the CF to perform its duties quickly. The longer the crisis dragged on the more the CF was seen by the Mohawk communities in the classic definition of an occupying army.

This resentment and the political constraints, in conjunction with the raids on Kahnawake, tainted the role and neutrality of the CF so much that legal actions were being taken to remove the CF from its role in *Aid to the Civil Power*. As it stood under the legislation, the CF had to remain until released of its duties by the Province of Quebec. On the night of 14 September a court injunction was served to the Federal Court of Canada in order to transfer the control of the CF from the Government of Quebec to the Attorney-General of Canada and that the CDS and CF refrain from any further activities under the *National Defence Act*. These requests were denied as no current legislation could be used to overturn Quebec's request for *Aid to the Civil Power*.⁶²⁴

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The complex relationship between the CF and its role in an IS operation such as Operation SALON was not inherent to only the CF. Most western military forces were also clinging to the Cold War paradigm. Training was equivalent to the threat; mass formations of Russian forces attacking Western Europe and the ever-present prospect of nuclear attack. The qualities required for fighting a conventional war are different from those required to quell subversion, insurgency or “peacekeeping” for that matter. When soldiers endowed with the skills and training to be courageous, aggressive and proactive become involved in counter-insurgency operations these good qualities can be exploited by a clever enemy, nowhere more so than in an IS operation. According to Frank Kitson: “For example firm reaction in the face of provocation may be twisted by clever propaganda in such a way that soldiers find the civilian population regarding their strength as brutality, and their direct and honest efforts by helping to restore order as the ridiculous blunderings of a herd of elephants.”⁶²⁵

Many Oka veterans recalled a single episode on 12 September which epitomized this fragile status of neutrality and the problems associated with domestic operations. One of the initial rules at Kahnawake was that no weapons would be allowed to be transported in or out of the Reserve. The Kahnawake Peacekeepers possessed legal jurisdiction to carry service weapons and uphold law on the Reserve as afforded to them through the Band Council by the Ministry of Indian Affairs. On the 12th, three members of the Kahnawake Peacekeepers crossed a barricade with their service weapons. The soldiers at the barricade arrested and handcuffed them in plain view of all the Mohawk onlookers. They were to be handed over to the SQ to face charges; however, Major Bassarab delayed this action. Instead they were brought to a private location nearby, the handcuffs were removed and discussions ensued.⁶²⁶

Eventually, they were taken by the SQ accompanied by a military police officer. Lieutenant-Colonel (Major) Bassarab explained: “In the end we sent one of our MPs with them. Is that a lack of trust? No, it was a measure to answer that you could claim that you provided full assurance that you [CF] are not turning these guys [Peacekeepers] over to the enemy [SQ]. They were not hiding their weapons, they were their service weapons. In the end we established good relations with these guys.”⁶²⁷

The relationship between the Peacekeepers and 2 RCR and 3 R22eR was by all accounts well-natured and co-operative. They often accompanied soldiers on patrol on the Reserve and frequently calmed angry crowds of Mohawks at

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barricades. They even went so far as to borrow mine detectors and equipment from 2 RCR in attempts to locate buried weapons caches. Although the arrest angered the Band Council and Grand Chief Norton, and was seen as provocative by the community of Kahnawake, it did not erode the working, professional relationship between the Peacekeepers and the CF. In fact, it was the Peacekeepers who recovered the two C-7 rifles purloined during the actions on Tekakwitha Island. They were given back to 2 RCR the day after the troubled raid.⁶²⁸ Lieutenant-Colonel Boswell captured the awkward position the Mohawk Peacekeepers were in:

We dealt with the Native police regularly and I must admit all in all they were pretty darn good. They were stuck between a dog and a fire-hydrant and they were doing the best they could to enforce the law within their own community but also became a buffering factor between their community and the military which was not a welcomed or easy task. But they did it and I suspect they probably paid a price for it personally.⁶²⁹

The presence of the Peacekeepers was a positive attribute to the mission at Kahnawake. Acting as a go-between for the CF, the Band Council and the population led to greater lucidity during negotiations. With the help of the Peacekeepers, the situation at Kahnawake seemingly settled down after the Tekakwitha Island incident. The worries were now the return of the SQ to the Reserve, the loss of status by the Peacekeepers as sole police force in the community and the realization that, "Chief Joe Norton is trying to establish himself as an authority as Band Chief but he is a Warrior promoter and has shown time and again that he cannot be trusted."⁶³⁰ Kanesatake had no Peacekeeping force as they were not an official Reserve and although a small difference, the absence of this force did have an impact on the military operations and the disclosure of plans as previously described by Colonel Tremblay.

The relationships at Kahnawake were threatened by the numerous raids within the village itself. 2 RCR and 3 R22eR were carrying out the role of a police force, in the form of crowd control and searches, for which they were not equipped or trained. The grudging acceptance by the Mohawks to CF presence turned violent as the cordon and searches intensified. Although the Mohawks accepted CF and LEA security around the perimeter and even agreed to dismantle the barricades, the raids nullified negotiated settlements that had been previously arranged. However, the raids did produce numerous weapons, including a .50 calibre sniping rifle as well as large deposits of contraband

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and shocking government and military documents. On the surface the raids were a success. They helped restore security to the area in one sense, but in another sense created more animosity.

Without effects-based planning and surprised by the violent resistance mounted by the general Mohawk population, not just the Warriors, to the incursions into Kahnawake, the raids also had negative repercussions. The relationship between the CF and the peoples of Kahnawake worsened. The longer the Oka Crisis dragged on, the more the CF was seen by the Mohawk population as an occupying force. The uneasy relationship between the Canadian Forces and the citizens and leadership of Kahnawake was ameliorated by the mediation of the Kahnawake Peacekeepers. From all accounts, they performed their role diligently in a very precarious position. Nevertheless, with all traffic routes open in and around Kahnawake, the withdrawal of 2 RCR and 3 R22eR from this area of operation was contingent on the outcome at Kanesatake where the last radical elements were confined to the compound of the Treatment Centre.

At Kanesatake, the remaining protestors holed up in the TC refused to surrender themselves to the whims of the Canadian justice system. On 14 September, they stated that they would no longer use the one remaining telephone hotline, increasing the unknowns at the perimeter. The CF continued to promise that those who laid down their arms and vacated the TC would be placed under military control and custody and not under that of the SQ. The remaining Warriors continued to refuse this proposal.⁶³¹ Lieutenant-General Foster ordered 5 CMBG to, “continue to exercise progressive pressure to obtain the surrender of the Warriors entrenched at Oka and to restore public law and order in the areas of Oka and Kahnawake.”⁶³²

CHAPTER 20

Exodus from the Treatment Centre

The prolongation of the standoff at Kanesatake was having implications on operations at Kahnawake. The R22eR was applying more pressure through patrols, lights, sound and by limiting communication and media access. However, negotiations were still ongoing. Most of the Mohawk community thought that the Oka Crisis had served their purpose. It brought governmental and national attention to their land claim of the Pines which had already been purchased by the federal government. Still, the Warriors inside knew that they would be arrested upon vacating the compound and when they did finally exit on the night of 26 September they did so according to their design, not in the framework which had been agreed upon.

Lieutenant-General Foster publicly stated on 20 September that no other negotiation points from the Warriors would be entertained other than the matter of disengagement. Further to the point, Foster announced that he had been advised that no transfer of the land obtained earlier by the federal government at Oka would take place until the Warriors laid down their weapons and were treated in accordance with the laws of Canada.⁶³³ Behind the scenes, Foster proposed a number of measures to resolve the situation which were acquiesced to by his political peers.

It was agreed that no one outside of the TC could negotiate for the Warriors and that no one should answer their “never-ending list of questions.” It was also stressed that neither the CF nor governments should confer on those inside the perimeter the status or belief that they were speaking on behalf of the Mohawk Nation: “The Warriors speak for themselves.” Foster proceeded to give three courses open to end the crisis in considerable detail. The first was a “Final Assault.” This, he believed would lead to bloodshed while putting the children inside the TC at grave risk: “THIS OPTION CONSIDERING THE PRESENT SITUATION IS BEYOND MINIMUM FORCE.” The second course of action was dramatically “Increasing the Pressure.” This amounted to cutting off food, water, clothing, electricity, heating oil and clothes to the TC: “Such a decision would reverse our position that food and other necessities would not be used as a weapon. THIS OPTION CONSIDERING THE PRESENT SITUATION IS BEYOND MINIMUM FORCE.” It was assessed that while not resorting

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to the denial of food and essential resources, pressure tactics would increase in scope to include the media as well.⁶³⁴

The CF was becoming increasingly concerned and agitated with the journalists still inside the TC. The reports coming from inside were often misrepresented and it appeared to the CF and other external journalists that those inside were suffering from what was known as “Stockholm Syndrome.” Although no journalists were held against their will, “Stockholm Syndrome” describes the behaviour of kidnapped victims who, over time, become sympathetic to and identify with their captors or guards in close contact stressful situations.⁶³⁵

In order to alleviate this problem and the perceived biased reports originating from inside the TC, which evidently incorporated Warrior rhetoric and propaganda, the CF legally secured the right to deactivate the known cellphones of Warriors and journalists operating in the Oka area. Through EW, the CF also restricted the ability for any cellphone to effectively operate in the area. Both were initiated on 14 September. However, the most proactive recourse was the CF decision on 16 September to stop the flow of all tapes, films, text and copy to or from reporters within the Detoxification Centre. Many journalists were furious, citing the *Charter of Rights and Freedoms* and calling the tactic “war-like censorship.” The CF released a statement countering these claims using legal documentation and court approvals.⁶³⁶

With the increasing pressure put on those inside the TC by 2 R22eR and other branches of the CF, the mood at the perimeter became increasingly tense. The Warriors crept out of the perimeter and stole flares and other military devices. On two occasions they discharged red flares, trying to hit a helicopter on one occasion. At one point they threw a smoke grenade at the soldiers opposite their position and cocked their weapons. The soldiers responded alike.⁶³⁷

After the raid on Tekakwitha, “Lasagna” from inside the TC went on the air of the Kahnawake radio station and exclaimed that the people inside the TC were disappointed with the lack of support from their brethren. He told the people of Kahnawake to take a stand against the Army and that all of the men in the TC were prepared to fight.⁶³⁸ The fact that “Lasagna” successfully transmitted his message revealed the holes in the CF’s jamming network.

Warriors frequently probed the perimeter, trying to cut or jump the wire and test the likelihood of escape by these means. Each attempt was thwarted by the reaction of soldiers. On 23 September the Warriors pelted the soldiers

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with bottles, rocks and pieces of wood which they had been stockpiling. The scene was repeated on the night of the 25th and the soldiers responded by using a high powered water hose to push the Warriors back from the wire with mixed results.⁶³⁹ As dawn broke on the morning of the 26th off-duty soldiers played hide and go seek with a group of Mohawk children. This relaxed atmosphere was not indicative of the situation inside the TC.⁶⁴⁰

Inside the TC the mood and relations had become argumentative. Many believed that the original goal of saving the Pines and bringing the government to the negotiating table had been fulfilled. Canada, and to some extent the world, had taken notice of the Kanesatake Mohawk and prolonging the crisis served no further purpose. However, many of the more radical Warriors still maintained the belief that they were willing to die for the cause and in effect become martyrs. They also distrusted the authorities and knew that they would be arrested upon exiting the perimeter. What little freedom they had inside the perimeter and confines of the TC was better than no freedom in a penal institution. Many of the journalists and supporters had already left including lawyer Stanley Cohen and reporter Geoffrey York.⁶⁴¹

After some coaxing, the radical Warriors inside the TC agreed to leave in what they described as a “unilateral cessation of hostilities,” not a surrender.⁶⁴² Arrangements for the exit of those in the TC had been agreed upon two days earlier in the presence of Stanley Cohen. Colonel Tremblay recounted the plan and eventual happenings:

We had three companies around the perimeter short of the water. Everything was put in place for an orderly extradition to the east of the TC along 344. The entire plan was to have them exit in an orderly fashion to the main gate, separated into groups of men and women and children get on the awaiting buses and move out to Farnham. But these were clever people and that would not make the case and would be discrete without media attention [the media had been moved further east], so that is not what happened.⁶⁴³

Before exiting, those inside the TC destroyed their weapons, equipment and documents in a fire or dumped them into a cesspool. They held a traditional Mohawk ceremony, packed their belongings and said their goodbyes. At 1855hrs, the column of children, women and Warriors slowly approached the main gate towards the awaiting soldiers and buses. At the halfway point the unarmed parade took a sharp right turn towards the northeast corner of the

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perimeter where the media was gathered. Stretcher boards were laid over the wire and the massed group began to scatter creating a chaotic scene. CF representation was scant as most of 2 R22eR had been deployed to the centre at the arranged departing area.⁶⁴⁴

The Mohawks and their supporters in the TC breached the wire in the location of Colonel (then Major) Tremblay's "C" Coy:

We managed to contain 99 per cent of them, some managed to escape and squeeze out. It was quite nasty, because there were no weapons so we got into hand to hand trying to control and restrain people. But it gave them a lot of visibility again so their final moment was extensively covered by the press. I was hand to hand fighting with Mad Jap. They breached the wire and walked out women and children first and they were pushing very hard and that woman [Waneek Horn-Miller] got the bayonet wound. I was standing right there and saw it. The two soldiers said, 'Stop moving, stop moving,' and she basically impaled herself on the bayonet. They were trying to force their way out but our orders were very clear—to contain them. It was a great lesson on how to set up wire though. People can breach it easier than we thought.⁶⁴⁵

One of those who snuck down the road towards Oka was Loran Thompson. After breaking clean of the rabble, he managed to hitch a ride in town and made his way to U.S. Akwesasne. On 2 October he turned himself in at the RCMP station at Westmount and was handed over to the SQ.⁶⁴⁶ CF intelligence had previously done psychological appreciations on everyone present in the TC and also collected all legal and financial records relating to the more radical holdouts:

Loran Thompson was an extremely clever individual. He got out. A very resourceful man. We got a financial profile on him. He was managing these bingo halls and although his salary wasn't large he was taking 4 per cent of the gross take, tax free. Imagine the money this guy had. I have to say I was surprised by the amount of wealth a few people were accumulating through gambling, smuggling and other questionable activities.⁶⁴⁷

Waneek Horn-Miller was indeed stabbed in her sternum by a bayonet. She remembered the unfortunate events with vivid recollection:

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They put us in front to protect us, so that we were not mistaken as adults when the fights broke out. I had all of the children and I'll never forget my sister screaming. It was something no one should ever have to hear. The soldier in front of me froze and I pushed him backwards and walked by him. I think he was as scared as I was. We originally didn't go out the way we were supposed to because the media wasn't there and we wanted them there for our safety. Everyone was afraid that even if by accident a shot was fired, there had been enough tension that summer that we would be blown away. I had my sister by my side and I was carrying a lot of stuff. I was trying to make my way to the media barricade and a soldier kept pushing me back. I was not going backwards because I thought my safety zone was ahead towards the media. I don't really remember what happened but I just couldn't breathe but I got stabbed and I fell forward and someone kicked my feet out from under me and I was pulled backwards. I was in such a state of hysteria and fear that I don't really remember. I was scared and angry. I only realized on the bus that I had actually been stabbed. On the bus the women MP actually kicked me back as I approached her to get medical attention. Being totally at the mercy of someone else was scary. We didn't know what was going to happen.⁶⁴⁸

By 1955hrs, with an influx of 2 R22eR reinforcements, the situation was under control. The Mohawks and their supporters were loaded onto two buses for transportation to Farnham. In all 26 men, 16 women, 10 journalists and six children arrived at Farnham in military custody at 2215hrs. They were processed and photographed in the drill hall and then placed in a guarded section behind a large burlap screen all under authorization of the service custody regulations section 277 of the *National Defence Act*. Eight others including Ronald "Lasagna" Cross were arrested by the SQ during the exodus and were in SQ custody at St. Eustache.⁶⁴⁹ The standoff which had lasted 78 days was over.

The final stand at Kanesatake had immediate repercussions on the uneasy peace at Kahnawake and Akwesasne. Based on the events that occurred at Kahnawake it was obvious that communication lines existed between those in the TC and their Kahnawake brethren until the final moments. In addition, a weapons sweep of St. Nicolas Island by 3 R22eR earlier in the day angered many Kahnawake residents. Similar to past raids, they viewed this as an incursion into Mohawk territory by a foreign force. Although some Mohawks did

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harass the soldiers performing the search, they left on the recommendation of the Peacekeepers.

On 26 September at 1942hrs, a Warrior dispatch was intercepted. This message summoned all Warriors and supporters to the Legion Hall. Ten minutes later the alarm was rung at the Kahnawake fire station. At 2025hrs a group of 200 Mohawks armed with bats and axe handles removed the barbed wire and attacked an EW installation and set its tent on fire. New wire was erected, "B" Coy 3 R2eR was deployed to reinforce the position and the group withdrew quickly. However, they moved to strike another CF location.⁶⁵⁰

Correspondingly, between 2000hrs and 2020hrs physical altercations took place between 2 RCR and a growing group of 100 Mohawks. Warrior radio traffic continued to request that more supporters advance to the 2 RCR barricade at Highway 138. By 2030hrs, the angry mob had swelled to roughly 300 and overran 2 RCR's forward position and continued to press forward pelting the soldiers with rocks and bottles. Many were carrying bats, batons, shields and gas masks which had been purchased after the Tekakwitha Island raid. One soldier was struck with a stone and beaten. A section of troops was ordered forward and after hand to hand fighting they retrieved the injured soldier and withdrew. Yet, the crowd continued to surge forward and the requests of platoon commander Lieutenant Dave Selhane to stop, fell of deaf ears.⁶⁵¹

He then ordered his soldiers to fix bayonets and form a defensive line. The crowd surged forward. Three canisters of CS gas were fired into the crowd with little result. Six rounds of M38 were fired as a warning but the Mohawks continued to advance. Another three shots from a C-7 were fired at the ground. Only after Lieutenant Selhane ordered his soldiers to load their weapons and gave direct fire orders to aim at the ring leaders did the crowd stop. At this time another platoon arrived in reinforcement and a negotiated withdrawal of the Mohawks took place. Two Mohawks were injured and one soldier was treated with 45 stitches after being beaten over the head with a lead pipe. He also suffered a fractured skull.⁶⁵² The incident became known as the "Riot at K3B." The Mercier Bridge was closed by the SQ for three hours during the melee and was reopened shortly after midnight. As a result of the events of 26 September, the Canadian Airborne Regiment was placed on three hours standby as a quick reaction force. Fortunately, they were not needed.⁶⁵³

Akwasne was also more active on the night of 26-27 September due to the finality at the TC. Several RCMP cars were vandalized. LEA personnel were threatened on numerous occasions. They were also pelted with a wide

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variety of objects ranging from tomatoes to large stones. Three reported cases of shooting incidents during the early morning were also reported. The 37 CF personnel were placed in alert to extract police forces. However, this did not occur.⁶⁵⁴

The following morning a joint SQ/CF team conducted an extensive search in and around the TC. The sweep revealed trench positions and also the remains of 54 weapons in the smouldering fire. The breakdown of the weapons was: 12 shotguns, 4 handguns, 10 rifles and 28 semi-automatic assault rifles.⁶⁵⁵ Inside the TC itself there was overwhelming evidence of fortified positions, boxes of ammunition and in the words of the CDS himself, "There was an awful lot of frozen food in the freezers. There were loads of food: canned food, frozen meat, etc. There were also cars inside."⁶⁵⁶ Colonel Tremblay was part of the initial search:

The human rights violations that were reported were never the case. Basic human needs were provided. When we searched the TC, they had food, water and reserves for still a while. To say it was against the Geneva Convention or human rights that would not be true. It could be perceived that way but there was no way we were going to allow beer, alcohol and those types of thing to enter. There is a difference between basic needs and things that could be potentially dangerous. But perception can be made into what ever people want to believe is reality. There was plenty of food and water and diapers for a while. It is a question of perspectives.⁶⁵⁷

Reports regarding the denial of food and basic resources by the CF had been published throughout the standoff at the TC. Many of these reports came from journalists inside the TC. This was generally not the case. The CF actively participated in the resupply of those inside the TC delivering packages and boxes over the wire perimeter.

However, certain soldiers did make independent decisions to damage food packages with bayonets or urinate on parcels of food and clothing. Waneek Horn-Miller's school books sent by her teacher and principal from Glebe Collegiate in Ottawa never found their way into her hands inside the TC. Rotten food parcels were also delivered to the TC. These actions and denials were not CF policy and these soldiers were charged in military court if they were caught in the act or if enough evidence against them was accrued. Another soldier who tried to cross the perimeter shortly before the exit from the TC, wanting

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to steal a Warrior flag was also punished. In actuality, there was not one CF unit that did not terminate an officer for incompetence or malfeasance. At one point during the middle of the crisis, the entire administrative staff of the Farnham Base Security Company was fired and replaced.⁶⁵⁸

With the final search of the TC, it appeared that 2 R22eR had accomplished its four-point mandate. Lieutenant-Colonel Pierre Daigle, commander of 2 R22eR, initiated preparations for the withdrawal of his battalion in a handover of responsibilities to the SQ. By 29 September, only the 2 R22eR rear party remained in Oka. The remainder had relocated to Saint-Benoît and then to Farnham on 1 October. The SQ was now responsible for all operations in Kane-satake. At Kahnawake, the military presence continued although the CF elements gradually began to thin out. The last weapons search was conducted by 3 R22eR on 7 October. A cave was searched for weapons with no results.⁶⁵⁹

On 2 October, General de Chastelain sent a letter to Premier Bourassa outlining the decrease in CF manning and the transition plan to hand over all operations to the SQ. It was made clear that a battalion would remain on standby until the Premier, through the medium of the Attorney-General of Quebec, cancelled the request for Aid to the Civil Power. On the 3rd, Lieutenant-General Foster publicly announced the timeline for the withdrawal of 5 CMBG. By 9 October, 1,582 CF personnel remained active in Operation SALON. Overall, 4,500 soldiers had been deployed throughout the crisis. At any one time the peak deployment was 3,700. Included in the total numbers were almost 700 Reservists and 180 females.⁶⁶⁰

5 CMBG continued to reduce its numbers. The Canadian Airborne Regiment was released from its Operation SALON reaction force tasking on 3 October. By 5 October, all detainees at the military custody area at Farnham had either been released or handed over to the Quebec judicial system; therefore, the custody area was closed. By 15 October, only 2 EW Sqn and 3 R22eR remained in Farnham as a rapid reaction force (RRF) to support LEAs. The remainder of 5 CMBG elements had returned to their home bases at Valcartier and Gagetown. 2 EW Sqn returned to Kingston on 26 October. By 31 October, all remaining CF participation was removed from the Kahnawake/Montreal area. 3 R22eR continued to be tasked as the RRF on 12 hours NTM from Valcartier.⁶⁶¹

The Government of Quebec still refused to withdrawal its request for CF assistance. With the questionable legislation of *Aid to the Civil Power*, Quebec could maintain the assurances of CF participation for as long as it desired. However, the amount of CF participation was left in the hands of the FMC

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commander Lieutenant-General Foster having been appointed by the CDS. On 2 November, Foster told Claude Ryan that one company from 3 R22eR was now on 36 hours NTM as the RRF. Ryan responded by stating that a withdrawal of the request has not yet been discussed and it was the intention of the Province of Quebec to maintain the request until it deemed that the situations at Kanesatake and Kahnawake had proven stable. The Government of Quebec officially withdrew its request for *Aid to the Civil Power* in writing on 30 May 1991.⁶⁶² Operation SALON was finally terminated after 10 months.

The direct participation of CF personnel actually lasted longer for Operation AKWESASNE. On 14 November LEAs reported that CF support to their operations was no longer required. As a result, all CF personnel and stores were returned to their home units by 23 November. On 1 December, DND sent a letter to the Solicitor-General of Canada indicating the military's intention to be released from its role of *Provision of Armed Assistance*. Operation AKWESASNE was officially concluded by Pierre Cadieux, the Solicitor-General, on 5 December 1990. The deployment, reaching its zenith at 373 CF personnel, had lasted just over seven months.⁶⁶³

Although the standoff ended on 26 September and all CF forces were removed from the various areas of operation by November, the strife in Mohawk territory did not end. After the withdrawal of the CF and LEAs, the Reserves reverted back to no-go zones. The internal violence, factionalism and smuggling continued. The convergence of cultures had reached its breaking point in Mohawk country, but was by no means over.

CONCLUSION

Section I: The Canadian Forces

Although the soldiers accomplished their tasks without any loss of life and 5 CMBG met its objectives, the standoff illuminated inherent problems associated with IS operations. These problems existed not only in the political arenas but also throughout the strategic and operational doctrines originating at NDHQ for domestic operations. The most obvious lesson learned was that a review of the *National Defence Act* and the principles of *Aid to the Civil Power* in conjunction with the *Emergencies Act* needed to be analyzed and subjected to scrutiny in light of the crisis. This included not only the power of requisition but also the chain of command and an override clause within the current legislation to include the role of the CDS, the Minister of National Defence, the requisitioning province and finally the Prime Minister. In addition, the cost capture for *Aid to the Civil Power* needed to be re-examined.

The cost for Operation FEATHER/AKWESASNE totalled \$840,000.⁶⁶⁴ The cost of Operation SALON for the Canadian Forces was \$120 million, of which 80 per cent would have been incurred on exercises, training and other previously planned activities had the operation not taken place.⁶⁶⁵ The cost for the RCMP was an additional \$25 million.⁶⁶⁶ In relation, the Oka Crisis cost the Province of Quebec \$108 million of which \$71 million was paid by the federal government in compensation.⁶⁶⁷ The financial burden to the federal government, and in relation to the taxpayer nationwide, was consistent with Part 7 of the *Emergencies Act*, which states that such military activities are a federal responsibility in accordance with Section 91(7) of the *Constitution Act*.⁶⁶⁸

Other agencies incurred costs as a result of the events during the summer of 1990. The Province of Ontario provided transportation and accommodation in Cornwall to Mohawk refugees fleeing Akwesasne in the midst of the violence. The OPP also incurred inflated costs due to its involvement in Akwesasne.⁶⁶⁹ The Canadian Red Cross' bill totalled \$144,275 for its humanitarian efforts in Kanesatake and Kahnawake.⁶⁷⁰

On a strategic level, military intervention cannot constitute an end in itself. Any intervention by the CF must at most be one step in a governmental plan which should be followed by a settlement or, at the least, political

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negotiations. Political decisions cannot be derived on the spot from the actions of the CF on the ground. For the CF itself, both the Oka Crisis and the Gulf War led to the development of the J-Staff system within NDHQ contributing to greater overall organization and efficiency.⁶⁷¹

Lack of military knowledge in the general population, the absence of recent IS operations and the lack of familiarity of military culture at the political level resulted in poor mutual understanding between military and civil authorities during Operation SALON. Politicians, government officials and LEAs had limited knowledge of military capabilities, weapons effects, planning, deployment procedures, reaction times and control methods. The implications of ordering a military assault on the barricades in the presence of civilians were not understood.

What is for certain is that had the Oka Crisis deteriorated to the point of engagement, the outcome would have been disastrous. Given the parameters of the Canadian Forces' mandate and the weapons present within Warrior circles, the CF would have, had it been deemed necessary, used appropriate military means to end the impasse. As General de Chastelain noted upon Quebec's request for the CF under *Aid to the Civil Power*, "The government has now gone to the court of last resort, which is us. We cannot fail, because we are all that is left."⁶⁷² Given this realization and the disparate margin between the CF and the Warriors with regards to weapon systems, number of personnel and professional military training, there can be no question as to what the outcome would have been. Thankfully, all parties involved maintained enough dialogue and discipline to avoid such an unthinkable outcome to resolve the immediate elements of the Oka Crisis.

In addition, the civil authority (Quebec) was astounded and frustrated by the time it took the CF to plan operations. Considerable time and discussion were required to arrive at a consensus between military and civilian agencies.⁶⁷³ If called out in the role of *Aid to the Civil Power*, CF commanders need freedom of action. Concomitant with this freedom, bureaucratic and political interference in CF operations should be eliminated or minimized.⁶⁷⁴

Accordingly, contingency plans must be maintained and developed through intensified and more focused liaison between political leaders, government officials and police forces to improve planning for future operations. A closer and more structured civil/military relationship is also required at all levels. Joint training of CF personnel, including Reservists, and LEAs is necessary to avoid confusion with jurisdiction, command and control and equipment

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when deployed in combined operations.⁶⁷⁵ This includes the sharing of all intelligence materials.

During Operation SALON, the media played a large factor in the shaping of the public perception and demonstrated that relations with the public, including the media, must be an integral part of the operational plan. It was noted that a technical network of public affairs staff should have a representative at every level of the chain of command, thus avoiding confusion of facts and statements while providing the media with a unified CF front. Furthermore, the approach to the media should be proactive, not reactive. It was also noted that the requirement for legal advisors at all levels existed. Due to the delicate nature of IS operations, it is vital that the legal framework of the operation be understood at all levels.

This legal jurisdiction also includes a better understanding of the ROEs. The concept of “use of minimum force” cannot be narrowly defined. This principle and the legality that it never be violated were paramount. Since the Oka Crisis, ROEs have become extremely intricate, complex and lengthy. They are not blanket statements; rather, mission orientated. This evolution occurred after the Oka Crisis during subsequent CF missions to the Balkans throughout the 1990s. This was lacking during the operations in Mohawk country in 1990, the result of which was confusion amongst soldiers on the ground as to what they could and could not do.

The lack of ROEs during Operation SALON and Operation AKWESASNE was accentuated by the lack of training for IS operations including crowd confrontation. Had soldiers been trained for the riot scenarios they encountered and had the proper equipment—shields and batons—the volatile situations, including the use of warning shots on many occasions, might have been less violent and confrontational. Although warning shots seemed to quell the violence on most occasions, they also could have sparked the opposite reaction.

In accordance, better effects-based planning was needed. Even though the Mercier Bridge had reopened, unsure of its mission, 5 CMBG ordered a series of raids aimed at seizing contraband and weapons. Although many weapons were confiscated, these raids presented some of the uglier images of the crisis, undermining the overall performance of the CF. These raids also heightened tensions and stirred up the resentment of the Mohawk population at large, not just its more radical members. By taking up “offensive operations”, the CF gave the Mohawk media and propaganda opportunities they would not have had.⁶⁷⁶

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The raids also intensified the general resolve of the Mohawk population to achieve sovereignty and resist the encroachment of government agencies onto their land. The consequences of this resentment made its way into CF recruitment policy. In 1999, the CF recruitment guide, *Strengthening Relationships Between the Canadian Forces and Aboriginal People (Recruitment Guide)* directed CF personnel to, "Avoid the following references: the conflict at Oka, Quebec, the dispute at Ipperwash, Ontario... The 1990 incident is still an emotional topic with many First Nations. It invokes negative images of the CF and any reference to Oka should be avoided in a First Nations setting."⁶⁷⁷

Despite these infrequent tarnishes, the CF did maintain a positive and professional outward appearance to the Canadian public. One reason for the actions of the soldiers on the ground was the familiarity of working and training together within the regimental structure. This concept was stressed by numerous CF personnel that were interviewed. Major Lambert asserted that, "The thing we wouldn't be as good at now is the stability and the discipline from our sections having been together for a long time, what you get with formed Regiments and sub-units having been in garrison and the messes as opposed to a group coming together just a few months before deploying operationally. The Regimental style works."⁶⁷⁸ Prime Minister Mulroney lauded the CF's performance: "The Canadian Forces...are to be commended for the level of professionalism that has been evident throughout.... All the personnel of 5 Brigade showed great courage and almost superhuman self-control in the face of extraordinary provocation. They have earned Canadians' respect and gratitude for a difficult job well done."⁶⁷⁹

As both Operation AKWESASNE and Operation SALON were domestic, no CF individuals were awarded decorations and no campaign medal was issued, although 5 CMBG was awarded the Canadian Forces' Unit Commendation (which is not worn on uniforms).⁶⁸⁰ Both Operation SALON and Operation AKWESASNE illustrated the high level of professionalism within the ranks of the CF but also the flaws associated with IS operations and planning. Over a year after the crisis, Lieutenant-General Foster made these observations:

The possibility exists that we could be faced with a number of similar incidents across Canada, in which case our limited trained resources would be quickly exhausted.... We must not hold back from early discussion with civil authorities at the outset of any potential crisis...and increase early warning. At the same time we must look closely at our own...organizations to fit them as

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best we can for the simultaneous conduct of operations similar to Operation Salon in more than one region.⁶⁸¹

It is also a little known fact that during Operation SALON, the CF evacuated 850 Native Canadians using CC-130 Hercules transport aircraft and CC-115 Buffalo aircraft on two separate occasions from Webequie, Ontario in the face of spreading forest fires. Although information regarding these airlifts of July and August was relayed to public media agencies through the CF Defence Media Liaison Office, neither humanitarian assistance airlift was reported. In light of Oka, the media seemed to be focused on guns and golf courses and not the positive disaster-relief operations concurrently being undertaken by the CF.⁶⁸²

In actuality, the Oka Crisis was not be the first time the CF was tasked to quell Native violence and insurgency. In 1989, local Innu protesting the decision to make CFB Goose Bay a NATO aerial training range began camping on the runway and range area. They claimed that the low level flights of fighter planes and the subsequent live-fire training disrupted the migratory patterns of the Caribou. CF Reservists from the Atlantic region were tasked to guard the base and remove protestors in what was dubbed Operation UNIQUE. The affair ended peacefully and the Innu took their complaint to the judicial system.⁶⁸³

If the governments of Canada are not prepared to tackle the larger issues and roots of the problems plaguing Aboriginal communities the CF could be called upon in the future to quell Native uprisings. The Canadian Forces must be adequately equipped and trained, as given the current legislation they cannot refuse a request for military intervention. Unless alterations in the political arenas occur in consultation with Aboriginal leaders, the convergence of cultures towards violent clashes will continue.

Section II: Native-Government Relations

The outcome of the Oka Crisis for the Mohawk Nation was varied. The federal government did procure the disputed land and turn it over to the Mohawk of Kanesatake. The tiny cemetery was also purchased for one dollar. However, all of the land belongs to the Crown, reserved for the use of the Aboriginal population. In 2001 Bill S-24: *The Kanesatake Interim Land Base Governance Act* was passed detailing the rules and regulations between the territory of Kanesatake and the governments of Canada and Quebec. This legislation is unique to Kanesatake, as it still does not fall under the *Indian Act* and is not a Reserve.⁶⁸⁴

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Another positive aspect which resulted from Oka was that the federal government abolished the regulation to only examine six comprehensive land claims at one time. In conjunction, the province of British Columbia finally recognized that Native Canadians had land rights and agreed to the principles of land claim issues.⁶⁸⁵ Aside from these issues, the Oka Crisis did little to change the policies of DIAND and the federal government, while it broadened the divides already present within the Mohawk Nation.

For the communities of Akwesasne, Kahnawake and Kanasatake the cleaves of internal politics remained after the crisis. The Warrior Society stayed active and the influence of their activities continued to plague the communities. Only two of the 37 Mohawks charged were ever convicted: Ronald “Lasagna” Cross and Gordon “Noriega” Lazore. Neither served a full sentence. These communities still suffer from degradation and from violence derived from their internal political divides. Once again the Mohawk territories have become no-go zones for LEAs. Both Kahnawake and Akwesasne continue to have their own Peacekeeper police forces and Kanasatake was granted the same in 1997.⁶⁸⁶ Certain members of the Mohawk Nation continue to expound the belief that they are a sovereign nation not subject to outside governance and laws. While certain traditionalists contend that they are not subject to the laws of a foreign government, they have been quick to take advantage of the legislation that these governments accord them. They do not hesitate to use the *Jay Treaty* or to invoke the Canadian Constitutional Charter. At the Oka inquest, many Mohawks also invoked the protection of section 5 of the *Evidence Act* so that they were not compelled to testify.⁶⁸⁷

It is apparent that the Warrior Society and its sect of followers are using this duality to gain on all fronts to promote their radical agendas. They use litigation to enhance these agendas but also do not hesitate to borrow the tactics of revolutionary insurgency in order to intimidate the opposition within their own communities and also the governments of Canada. After the Oka Crisis, the Government of Canada was reluctant to become embroiled in another standoff and took a hands-off approach to dealing with the continuing smuggling, intimidation and revolutionary upheaval spawned by the Warrior Society. Correspondingly, lawlessness and the influence of the Warrior Society increased in Mohawk territories, nowhere more prevalently than in Akwesasne. In this sense, the Warriors won the Oka Crisis and same situation of pre-1990 was continued.

As smuggling activity increased, the violence between the Native factions increased as well. By 1993, the smuggling and violence was reaching

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epidemic proportions and gunfire became a common sound to the residents of Akwesasne and neighbouring Cornwall. As of 1993, “sin-taxes” on tobacco and alcohol had grown enormously. The price of a pack of cigarettes in Canada was double that of the same brand in the United States. These costs and the increased demand created unparalleled profit margins for the “Silks” and the Warriors. At Akwesasne, \$3.6 billion worth of tobacco products were flowing south to north through the Reserve, in addition to alcohol and weapons. In exchange, the Warriors shuttled counterfeit money, illegal aliens and narcotics south. Before 1990, loose ties had existed between the Warrior Society and organized crime. By 1993, these connections had grown stronger and larger to include the Chinese triads, the Russian Mafia, Jamaican Posses and other ethnic mafia organizations. A senior police officer in Cornwall described the area as the, “Klondike of organized crime [and] multiculturalism’s finest hour.”⁶⁸⁸

Ottawa was finally ready to act. Throughout December 1993 and January 1994, strategies were discussed and preparations and training were conducted for joint operations in all three Mohawk territories by CSIS personnel, elite members of Joint Task Force 2 (or JTF 2, Canada’s Special Forces), 800 RCMP officers and over 2,000 CF members. The operation was given two names: Operation CAMPUS and Operation SCORPION-SAXON. The first was used in reference to the actual operation. The second was a decoy used to describe a “training exercise” in order to deceive the media about the real actions. Members of JTF 2 and the CF conducted training exercises similar to those of 5 CMBG leading up to deployment during Operation SALON. Stories were concocted and released to the media to mislead journalists about the movements of CF personnel and equipment throughout the country during January and February 1994.⁶⁸⁹

The operation was eventually called off eight days prior to its scheduled start. Intelligence revealed that the element of surprise had been lost and that the actions would lead to bloodshed and the possibility of a nationwide indigenous uprising. Instead, the government took notice of the reduced sales and tax revenue from alcohol and tobacco and lessened “sin-taxes.” Although never disappearing, the cigarette industry in Mohawk territory took a hard hit.⁶⁹⁰ Nevertheless, JTF 2 members were covertly inserted on the Reserves to conduct surveillance on smuggling personnel and routes. This information was relayed to other LEAs.⁶⁹¹

To placate the different political elements present at Kanesatake and attempt to find common ground, the structure of the band council was changed to combine the traditional and electoral systems. Before the Oka Crisis, Chiefs

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were appointed by Clan Mothers. The council consisted of three Chiefs from each clan (Turtle, Bear, Wolf) including one Grand Chief. After the crisis, the council was amended to consist of six Chiefs and one Grand Chief (instead of eight) all elected by the people. However, most of the Longhouse followers refuse to vote, deeming the electoral system to be a bastardization of the Great Law of Peace.

The political divides remain as evidenced as recent as 2004. Grand Chief James Gabriel, with the help of DIAND, gathered a group of Aboriginal police officers from other regions of Quebec in a large anti-crime raid on Kanesatake targeting cigarette dealers and the mounting number of drug growers and operators. In order to do this Gabriel bypassed the Kanesatake Police Commission and also secured a \$900,000 emergency loan from DIAND. This compounded the already rising debt of the band council. Gabriel had also negotiated and agreed to the controversial Bill S-24 in 2001, which angered many Longhouse supporters.

The police raid went ahead on 12 January 2004, causing violence within Kanesatake. In light of the resistance, Gabriel requested SQ intervention. The provincial authorities refused. Soon after the conglomeration of police forces left the community, Gabriel was forced to flee to Laval after his house was set ablaze. He was later defeated in an election, losing to Steven Bonspille on 26 June 2005. However, the six band members elected with Bonspille are Gabriel supporters. The political stalemate continues and the divisions in the community are far from reaching a consensus. Ellen Gabriel recognized the inherent problems in Kanesatake:

The Longhouse people stand in the way of the moderates who are now the ones that really control the community, like last year when they burned James Gabriel's house down. These are the moderates who have been able to do what ever they want in the community without any prosecution by the SQ or anyone else. We know they [SQ] have surveillance and the means to come in and to get rid of these criminal elements within the community. I think 15 years ago up to now it is still in place; the undermining. Also in land claims the government sets all the rules and the conditions for negotiations. There is no flexibility or consultation for the Aboriginal people to say, 'No this is not what we wanted and we want to approach it this way.' If you say that then they replace you with someone else through the department [DIAND] who will perform their agenda. The impact of colonization

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throughout the Americas has created a lot of dysfunction and I told Prime Minister Martin that when we had our meeting.... You may think that you are not responsible because these things happened before you were born, but no, the perpetuation of colonization, institutional racism, these are the things hampering our people. As long as this trend continues there is going to be difficulties, problems, unrest and all the high incidents of 'the whatever' in our communities.⁶⁹²

If the legacy of Oka is represented by any single facet within the community of indigenous peoples of Canada, it is that the trend of violent insurgency has not diminished. Young radical Natives respect neither the laws of Canada nor the traditional authority of the First Nations peoples. Using the assertion of legitimate Aboriginal grievances, they undermine the peaceful intentions and negotiations of the people they purportedly represent. For the Government of Canada, the legacy of Oka is that Mohawk threats and frustrations went unheeded by successive governments for 300 years. Although certain amendments were made to the framework of land claim policies and governmental influence at Kanesatake, little has actually changed. Ipperwash, Gustafsen Lake and the current barricade at the Six Nations Reserve near Caledonia demonstrate that the dissatisfaction of Canada's Native population has not been mollified. In relation, the militant trend within Aboriginal communities continues. According to Mohawk Waneek Horn-Miller, "It is alive and well."⁶⁹³

The revival of Native traditions and Aboriginal rights through peaceful means is understandable and extremely necessary for the future of both Native territories and Canada as a whole. Unless the Government of Canada and those of its Provinces find alternative and compromising ways of dealing with the complex problems associated with indigenous Canadians and their legitimate demands, there can be no doubt that extreme Native factions will continue to usurp power and promote an atmosphere of violence. DIAND must incorporate Native concerns into its policies for land claims. Aboriginal contributions into the legislation and mechanisms which influence their communities and lives must be recognized. To avoid future violence, Canadians must also learn new views about Native peoples and their cultures and reassess our own duties and responsibilities to these proud people and provide the respect they deserve. Confrontational tactics should not be the court of last resort.

However, the onus for a more co-operative and harmonious existence does not rest solely with the non-Native population and governments of Canada. Native Canadians must come to some unified consensus and contingency plan

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as to the direction they see themselves progressing. Simply claiming to be a sovereign nation and clinging to an isolationist policy is not the answer. They must understand and accept the constraints imposed by the historical record of events which has influenced their nations.

Promoting legitimate grievances through the use of violence and insurgency tactics is also not an option. The violent manifestations of a select few Mohawks who wish to maintain the power and money of their communities to the detriment of sincere and legitimate grievances must cease. The Reserves must somehow rid themselves of the presence of the violent radicals and unify themselves to peacefully promote their justifiable and valid voice of complaints. When this occurs, the governments involved must listen and co-operate to find a solution that both parties can agree upon and live with by incorporating the Native voice and concerns. To achieve this end, Mohawk territories cannot remain “no-go zones” for LEAs. The “un-policing” of the Reserve in the past left them to the mercy of corrupt elements. That was and should not remain Canada’s failure to those undeserving of such communities.

The RCMP reported in May 2006 that seizures of contraband cigarettes at Akwesasne were on the rise, confiscating 100,000 more cases of cigarettes in 2005 than in 1994, when they began keeping inventory. The year 2005 saw a 20 per cent increase in confiscated contraband compared to the year before. Currently, 10 factories are operating on the Akwesasne Reserve with only four having official licence.⁶⁹⁴ In addition, a 1996 *Globe and Mail* report cited that U.S. Border Security had intercepted 299 “deportable aliens” moving across the border through Akwesasne between October 1995 and October 1996. Another report connected Akwesasne with international human smuggling networks transporting “thousands of illegal immigrants into Canada...a new breed of global outlaws.”⁶⁹⁵ There is also evidence linking Akwesasne to the movement of Al-Qaeda operatives shortly before 9/11.⁶⁹⁶

As it stands, the process of alienation and mutual distrust continue to plague Native-government relations. The Oka Crisis did little to solve the larger problems of corruption within the administration of Native communities. Nor did the Oka Crisis remove the hard stance of the government to accept the radical agenda or to negotiate with Natives carrying weapons or threatening to use them to achieve their revolutionary goals. The use of weapons and violence does not follow the Great Law of Peace. Alternatively, the use of the CF cannot be used to solve problems that should be negotiated by all parties involved in a room at Parliament and around a sacred fire. As tactical

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commander Brigadier-General Roy aptly stated at the end of the crisis, “There is no glory in conducting an operation like this in your own country against your fellow citizens.”⁶⁹⁷ Confrontational tactics to remedy the convergence of cultures should not be the court of last resort. When asked if another Oka was likely, Ellen Gabriel replied:

It is possible because you have the same situation happening. But the likelihood is not as great as 15 years ago. I think people are trying to use words; however, the government is learning that they cannot only pay attention to the deep-rooted concerns and the long-standing issues of Aboriginal people only if you put up a barricade. Still before 1990 the government only recognized the Band Councils which they imposed on the communities, a system created by them and it is still continuing today. They put a lot of things in the disguise of self-government but it is still not self-determination.⁶⁹⁸

EPILOGUE

From Oka to Caledonia—The Clash Continues

The historical record since Oka illustrates that little has changed and that certain elements of the Native Canadian population perceive the erection of barricades or occupation of lands as the only means by which to bring governments to the negotiating table. In reality, the Government of Canada was assessing future Native “hot-spots” during the Oka Crisis itself. Ipperwash eventually became the setting for another violent confrontation between Native activists and the Ontario Provincial Police (OPP) in 1995. During the Oka Crisis, in response to the national support for the Mohawks given by other First Nation communities, the CF, in conjunction with other security agencies, was tasked to complete a threat assessment of areas and Reserves where potential violence was likely.

The final document was called “The Next Oka.” Heading the list of 118 locations was Ipperwash, Ontario, 35km northeast of Sarnia on shores of Lake Huron.⁶⁹⁹ Not only was Ipperwash home to a CF training facility, it was also Reserve residence to the Kettle and Stoney Point Natives. Between 02-16 September 1990, during the Oka Crisis, 50 Natives had camped inside the perimeter of CF Camp Ipperwash in support of the Mohawks. CF contingency planning was done for the possibility of armed confrontation with the local Natives. However, after negotiation with local CF personnel stationed at Ipperwash they peacefully withdrew.⁷⁰⁰

Tempers over the transfer of Camp Ipperwash back to the local Natives, as had been promised, flared in 1995 when a group of Stoney Point Chippewa/Ojibwa occupied the base and nearby Ipperwash Provincial Park (which contained a Native Burial Ground) in protest. The OPP tactical response unit, flanked by snipers, was called in on 6 September and during a brief shootout unarmed Native Dudley George was shot and killed. Although the CF was not involved, the OPP did submit a request for a Bison APC to transport its personnel, which never materialized. CF contingency planning to move 1 RCR from Petawawa was also promulgated in what was dubbed Operation MAPLE and Operation PANDA. However, there was no direct CF intervention at Ipperwash.⁷⁰¹

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The Natives maintain that no arms were present and neither police officers nor police equipment showed signs of gunfire. Although there is no indication that Mohawk Warriors were present, the pattern of the leaders doing the talking and offering up “expendables” to confront police appeared to have played itself out again at Ipperwash. An observer inside the Native camp asserted that George was exhorted into “proving himself” by the protest leaders consisting of Buck Doxtater and Oneida Peacekeepers (Warriors).⁷⁰²

The protest was not backed by the Stoney Point Band Council but the attraction of free housing and the lack of band council regulation, in conjunction with an ambiguous treaty over the land, prompted the occupation to continue.⁷⁰³ The disparate views concerning the land at Ipperwash dated back to June 1942, when the Government of Canada appropriated the land under the War Measures Act against the wishes of its Native occupants.⁷⁰⁴

The CF land was given back to the Stoney Point Band and the findings of the long awaited Ipperwash Inquiry were released on 31 May 2007. Great controversy and conspiracy surrounded the use of force by the OPP, a subsequent cover-up and perjury on the stand by its members and also the role of Premier Mike Harris in the decision-making processes.⁷⁰⁵ Since the Native occupation, the area has become a centre for criminal activities and narcotic trafficking. One only needs to drive by the old Army barracks or “sacred healing place” along Highway 21 to see the state of disrepair, the clutter of burnt-out automobiles and the signs warning of unexploded ordnance left by the CF. In addition, the once thriving deer population has been hunted out of existence.⁷⁰⁶

Following the release of the final report and findings of the Ipperwash Inquiry, negotiations between the Province of Ontario and members of the Chippewa of Kettle and Stoney Point First Nation took place regarding the Ipperwash Provincial Park. On 20 December 2007, the Ontario government announced its intention of returning the 56 hectare Provincial Park to its original Native owners. The park, formed in 1936, will be co-managed by the province and the Natives, with consultation from the surrounding communities, for an unspecified time period before complete control is given to the Kettle and Stoney Point Chippewa.

Although the CF was not directly involved in the altercation at Ipperwash, 1 Canadian Mechanized Brigade Group (1 CMBG) assisted the RCMP in countering another armed Native movement in 1995 at Gustafsen Lake, British Columbia near the Nautley Reserve some 130km west of Prince George.

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It allegedly started over protest concerning the non-Native use of a “Sundance site.” The Plains Native tradition was never practiced in the British Columbia interior before 1989.⁷⁰⁷ This uprising of Shuswap Natives transpired at the same time as the occupation in Ipperwash, although there is no evidence to suggest that they were linked. The CF contributed a platoon of Bison APCs and drivers to what was dubbed Operation WALLABY in support of the RCMP around Gustafsen Lake. Elements of JTF 2 were also present. On 11 September 1995, a tense firefight erupted between the RCMP backed by CF elements and the armed Natives. The siege ended on 17 September when the Natives peacefully surrendered. 18 Natives were charged in connection to what the locals called Wolverine’s War named after the ring-leader code named “Wolverine.”⁷⁰⁸

The convergence of cultures continues. While in the process of writing this work, barricades were erected on 28 February 2006 near the Six Nations Reserve south of Caledonia, Ontario along Highway 6. This author was allowed behind the barricades on 23-24 March 2006. The script is identically frightening to that of the beginning of the Oka Crisis almost 16 years earlier. Natives of the Reserve, mostly Mohawk, were joined by others from Akwesasne and New York State to protest the construction of a new subdivision of nine to 10 houses called Douglas Creek Estates by the local firm of Henco Industries Limited. Although not supported by the Band Council, the original spokesperson Dawn Smith stated that the council did not have jurisdiction over land issues and that, “It doesn’t matter if they support us or not.” The following day, she was replaced by Janie Jamieson. The confusion of politics and leadership was evident when speaking to those behind the barricade, although no weapons were visible.⁷⁰⁹

The protestors are arguing that a 385,000 hectare tract of land along the Grand River, with six miles on either side from its source to Lake Erie, was granted in title to the Six Nations under Joseph Brant in the *Haldimand Proclamation* of 1784 after the exodus from the United States following the American Revolution. In 1792, Lieutenant-Governor John Graves Simcoe reduced the land grant to 111,000 hectares. Four years later, Six Nations granted Chief Joseph Brant the power of attorney to sell off parcels of the land in question and invest the proceeds for the benefit of the entire Reserve. The Crown opposed this decision but eventually conceded to the Native’s demand. Six Nations maintains that although Brant did sell off large tracts of the original land grant, this parcel was never transferred to non-Natives.⁷¹⁰

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To compound the complications of land ownership, in 1840, the Crown recommended that a Reserve of 8,000 hectares be established on the south side of the Grand River and the remaining land be sold or leased. The following year Six Nations Chiefs agreed to this proposal on the stipulation that the government sell the land and invest the revenue into the Reserve. At this point, a faction of the Reserve protested the Chiefs' decision believing that they were deceived and intimidated into the arrangement. This decision became the basis for a lawsuit in 1995.⁷¹¹

The specific tract of land which is currently being disputed was sold on 15 May 1848 to George Marlot Ryckman for 57 pounds and 10 shillings and a Crown land deed was issued to him upon finality of the sale. Henco Industries argues that the land in question was originally granted to the Natives in the form of a licence to occupy the land, but that the ownership was still vested with the Crown. The Natives dispute this claim. In 1850, the Crown and Six Nations Chiefs agreed to a proclamation detailing the extent of the Reserve lands totalling roughly 19,000 hectares (an Indian Act Band Council was not established at Six Nations until 1924 under RCMP enforcement).⁷¹²

It was not until 1992 that Henco Industries Ltd. purchased a company that owned the 40 hectares of what would later be called Douglas Creek Estates. Native opposition to this sale occurred in 1995. In March 1995, Six Nations sued the federal and provincial governments citing 14 specific allegations and claims, one of which included the Douglas Estate land. Prior to this litigation, the Six Nations filed 29 claims with Canada between 1976-1994. Henco Industries insists that this legal action was for, "all assets which were not received but ought to have been received, managed or held by the Crown for the benefit of the Six Nations," which would negate this private land. In 1999, the Six Nations Reserve filed a land claims suit over the area known as the Haldimand Tract. Although the governments of Canada and Ontario met with Six Nations representative in 1999, 2000 and 2001, it remained unsettled.⁷¹³

In July 2005, the blueprint for the planned Douglas Creek Estates received registered approval with title to the property guaranteed by the Province of Ontario. When dealing with non-Native land, the provinces of Canada have exclusive rights to legislate concerns of property and civil rights, including land transaction, under Section 91 (13) of the *Constitution Act, 1867*. While it is law that Natives can only surrender their land to the Crown, once transferred, full title of the land then passes to the province.⁷¹⁴

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On 26 October, Six Nations Chief David General wrote a letter to Henco Industries warning the company of the probable dangers of developing the Douglas Creek Estates. On 28 February 2006, Natives began to occupy Douglas Creek Estates area and prevented construction workers from entering the subdivision building zone. Soon after an RV was brought forward, tents erected and a small barricade complete with Six Nations and Mohawk Warrior flags was constructed on the access road to the west of Highway 6. Signs reading: "Canada, your home on Native Land," "Thou shall not steal, including Land," and "This country needs a true history lesson" among others were visible along the highway. Another large banner reading "Six Nations Land" straddled the northern boundary of the Iroquois camp.⁷¹⁵

The Iroquois asked for a moratorium on the building of the subdivision but nothing was ever negotiated or granted. On 3 March, Ontario Superior Court Justice David Marshall issued an injunction (submitted by Henco Industries): "This court issued an order requiring the occupiers to clear the site by March 10, 2006 at 10:00am. The protestors did not leave...and burned the court order." On 17 March, Marshall issued another injunction against the Natives and their supporters that by 1400 hrs on 22 March they must vacate the site or be arrested by the Ontario Provincial Police on contempt of court charges.⁷¹⁶ As the deadline approached there was no indication that the Natives were prepared to break camp. Shortly before the deadline, the OPP stated that they did not intend to arrest or remove the Natives by force. Instead they parked patrol cars along the northern and southern boundaries of the barricade and monitored the situation. Also present that day was a throng of journalists and media, including the CBC. The barricade at Caledonia had gone national.⁷¹⁷

The Natives were asking for negotiations to begin with the federal government and the Department of Indian Affairs on a nation to nation level, citing the *Royal Proclamation Act*. Developer Don Henning of Henco Industries said the he was sympathetic to some of the Native causes but also told the *Hamilton Spectator* that, "We have done nothing wrong or illegal. The real problem is with the federal government. It has nothing to do with us. We are caught in the middle. We'd like to see a quick and peaceful resolution to this." He has repeatedly appealed to the Minister of Indian Affairs, Jim Prentice, to help resolve the protest and land dispute. Thus far, the only response from the Ministry of Indian Affairs was to send an emissary on a "fact finding mission" which was not cordially welcomed by those at the barricade.⁷¹⁸ The resounding statement from the Natives at the barricade was: "We are here for the long haul until it is recognized as Six Nations territory."⁷¹⁹

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The “fact finding mission” Henning referred to was that of Michael Coyle, a law professor from the University of Western Ontario. On 24 March 2006, Indian Affairs stated that Coyle, was assigned “to undertake a fact-finding initiative related to the ongoing situation involving members of the Six Nations of the Grand River, to investigate the nature of the grievances, identify the jurisdictional implications and explore the possibility for mediation.” According to Indian Affairs, the dossier on Six Nations’ claims already contained some 70,000 pages of materials dating back to the 17th century.⁷²⁰

On 29 March, the OPP met with the Six Nations Chiefs and the Clan Mothers and hinted that they would remove protestors by force. This was met by a challenge from Michael “Sahtakaientes” Laughing of Akwesasne, one of about two dozen Natives behind the barricade. He repeated that he was ordered to the barricade by his own Clan Mothers of Akwesasne to protect the people and the land: “If I have to die here that’s what I’m going to do. They will have to kill me to take me out of here.” In a lengthy interview with the *Hamilton Spectator*, he made reference to the Great Law of Peace and the Two-Row Wampum Belt stating that they govern his way of life and that his orders from his Clan Mothers supersede those of the OPP from the Ontario Court. Laughing also alluded to the fact that many believe the Band Councils to be an arm of the federal government. He made numerous references to the Oka Crisis and the military tactic game played by the governments: “I hope the world sees this... We are here ready for a confrontation again.” Jeff Hawk, a resident of the Six Nations Reserve, added that they will only deal with the Attorney-General of Canada, the Governor General, the Queen or her delegates on a “nation to nation” basis.⁷²¹ Deirdre McCracken, a spokesperson for Minister of Indian Affairs Jim Prentice, has stated that the blockade, “has nothing to do with the federal government. This isn’t a land-claims matter. The actual root of the problem is not a land claim.”⁷²²

On 5 April another incident eerily mirrored the Oka Crisis. With the barricade still in place, 300 to 400 angry Caledonians gathered in front of the OPP station to protest the in action of both the police force and the federal government. The Caledonia OPP detachment released a public statement stressing that they had no intention to forcibly remove the Iroquois protestors from the site stating that they had learned their lesson at Ipperwash in connection with the fatal shooting of Dudley George.⁷²³ Although the OPP were reluctant to use force to solve the dispute, the court order compelled them to act. At roughly 0430hrs on 20 April, OPP officers conducted a raid on the Native protest lines using tear gas, pepper spray and tasers. After violent skirmishes,

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16 Native protesters were arrested. However, the remainder of the protesters refused to vacate the site and the barricade remained.⁷²⁴

Similarly to the Oka Crisis, the repercussions of the raid extended beyond the Six Nations Reserve. Mohawks in Kahnawake responded by raising Warrior flags and temporarily blocking the Mercier Bridge for 30 minutes. Mohawks from Tyendinaga lit bonfires on a CN railway line suspending cargo and passenger rail service for two days. The situation at Caledonia was also made worse by the OPP raid. A railway bridge near Caledonia was set ablaze. A van was hurled over a bypass on Highway 6 and a new barricade was erected on the highway using burning tires and gravel. On Argyle Street South in Caledonia two more barricades were erected using a dump truck, tires and gravel, blocking the road to both the north and south of the original barricade on the service road leading into the subdivision.⁷²⁵

As a result of the escalating unrest, the Grand Erie School Board and the Brant-Haldimand School Board closed their schools for the two days following the 20 April raid. In addition to the swelling number of OPP officers, RCMP members began to form a presence at the barricades. Police forces were not the only groups growing. The Native numbers at the multiple barricades increased as support was filtering in from Ontario and parts of the U.S., including members of various Warrior Societies. This was met by an increasingly larger and more hostile crowd of local Caledonia residents backed by outside radical group members including the Ku Klux Klan.⁷²⁶

As in 1990, the police now found themselves in the precarious position of keeping these two factions apart. On 24 April, roughly 3,000 area residents marched toward the police lines. During the ensuing violence police vehicles were smashed, sporadic fights erupted between Natives, non-Natives and the police forces, before order was restored and the angry crowd melted away. This ugly scene was repeated on 29 April and non-Native protesters became regular at the barricades, as Caledonia businesses were suffering from the blockade of the two major north-south axis of the town (Highway 6 and Argyle Street).⁷²⁷

While the tension over the land claim mounted, political negotiations were ongoing between the Natives, Henco Industries and the Province of Ontario. Although federal Minister of Indian Affairs, Jim Prentice, was monitoring the situation and was in communication with his subordinates in the provincial and municipal governments, most notably Ontario Aboriginal Affairs Minister David Ramsey and local MP Diane Finley, both he and Prime Minister

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Stephen Harper maintained their stance that the dispute remained a provincial matter.⁷²⁸ On 30 April, the Government of Ontario responded by appointing former Liberal Ontario Premier David Peterson as chief arbitrator. Peterson publicly stated that he is aware of the complexities of the situation: “The genius here is to find common ground.... The reality is this has been going on for 200 years, so we have to find something that everybody wins with... What you fear is something like the permanent stain of an Oka.” Peterson also contradicted Prime Minister Harper by insisting that Ottawa has the biggest role “by a long-shot” in solving the Six Nations standoff.⁷²⁹ The Native leaders agreed, still upholding their argument that it is a Crown issue as set forth in the Royal Proclamation Act. Clan Mother Doreen Silversmith relayed this and other grievances to the United Nations Committee on Aboriginal Affairs in Geneva, Switzerland on 3 May.⁷³⁰

Growing frustrations over the political impasse and the barricades heightened the tensions in Caledonia itself. On 16 May, Native protestors removed part of the barricade on Highway 6, allowing traffic on one lane of the road, stopping each vehicle that passed through. They went so far as to issue I.D. cards to those living behind the barrier. Non-Native residents responded by erecting their own barricade, thus preventing Natives from entering the protest site. In what was described as a “gesture of good will,” Native protestors removed the barricade on Highway 6 at 0800hrs on 22 May after the government announced an indefinite moratorium on construction the day before.⁷³¹ This did not mollify the non-Native protestors.

At roughly noon on the 22nd, non-Natives formed a human barricade across Highway 6, preventing Six Nations members from passing through. Shortly thereafter, Aboriginal protestors re-established their barricade using an electrical transmission tower. In addition, two backhoes were used to tear a trench across the road. Soon Native and non-Native protestors began trading punches and racial slurs. The OPP quickly formed a buffer between the hostile groups. During the violent exchanges, vandals shut down a transformer in Caledonia cutting power to 8,000 of residents in the surrounding Norfolk and Haldimand counties. The OPP Emergency Response Team arrived later that night in riot gear to shore up the police buffer zone and calm was restored.⁷³²

The following day, 23 May, 17 schools were closed due to the ongoing power disruption which was eventually restored on 24 May. Also on 23 May, the barricade on Highway 6 was removed and the trench was filled in; however, barricades still remained on Argyle Street and at the original site. Following a

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week of relative calm, Ontario Superior Court Justice David Marshall ordered all parties involved in the dispute to a special court session in order to explain why his initial court order for the Aboriginal protestors to be evicted was not enforced. The session appeared to be futile and nothing was resolved.⁷³³

The situation at the barricades escalated on 9 June with a series of violent events all occurring within the period of one hour. The first incident involved a couple in their 70s from Simcoe, Ontario who pulled their car over to the side of the road near the protest site. Native demonstrators quickly surrounded the car, forcibly removed the occupants and stole the vehicle. A short time later, two news reporters from Hamilton's CH approached the couple who were standing in front of the nearby Canadian Tire for an interview. They were attacked by Native protestors, who demanded the footage and stole their cameras. Both reporters were taken to hospital for treatment and stitches. The third incident involved an unmarked U.S. Border Patrol car, which was studying the methods used by the OPP in dealing with the standoff. The car was swarmed, the officers inside dragged out. The car was stolen and the driver proceeded to try to run down an OPP officer, who was subsequently injured. During this incident classified police documents, including the identities of undercover agents and information from Native informants, were taken from the vehicle.⁷³⁴

The violence ended the ongoing negotiations between the Six Nations and the Province of Ontario. The OPP issued warrants for seven Natives believed to be involved in the violent events. The OPP suspected that they were taking refuge on the Reserve but did not enter as they have a protocol not to enter the land base of the actual Reserve. Ontario Premier Dalton McGuinty stated that negotiations would only resume once the barricades had been dismantled. Native protestors responded by using heavy machinery to remove the Argyle Street barricade made of tires and twisted metal. However, the original barricade into the construction site still remained intact. In another effort to resume the negotiations, the stolen documents were returned to the OPP, but not before being photocopied.⁷³⁵

On June 15, negotiations resumed between the Natives and the Province of Ontario. The following day, the province buys the land in question from Henco Industries for an undisclosed amount. On 23 June, David Ramsey finally revealed the amount paid out for the piece of land; \$12.3 million. The McGuinty government also announced that it will offer \$1 million, in addition to the already proposed \$760,000, to compensate Caledonia businesses affected by

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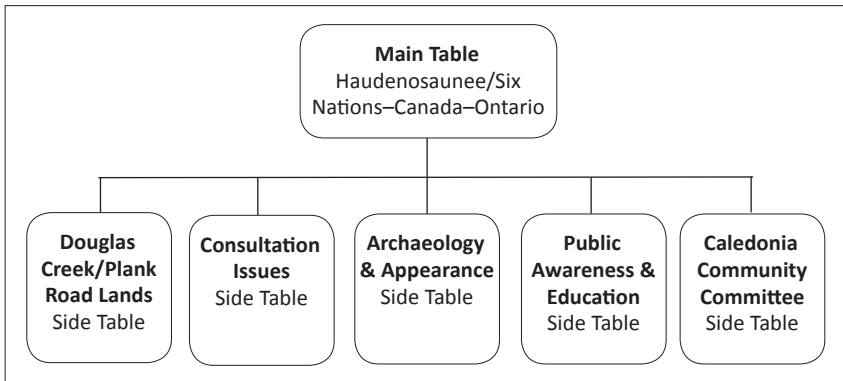
the barricades and road blocks on 15 June.⁷³⁶ Despite these events, the barricade remained at the construction site, with Natives conducting an archaeological dig of the site, claiming that it is a Native burial ground. An archaeological survey done during Henco Industries' initial layout of the subdivision revealed Native artifacts but showed no evidence of burials.⁷³⁷ On 5 July, the Henco lands in question were officially transferred to Government of Ontario not to the Government of Canada as Crown lands "reserved for the use of Indians" as stipulated in the *Royal Proclamation Act*. The land was privately owned before the transfer and was not, in the eyes of the government, Native land. The land was not transferred to the Six Nations.⁷³⁸

Although the land was now in the possession of the Government of Ontario, neither the Natives nor elements of the Caledonia community were assuaged. Protests continued from both parties, one resulting in a violent clash on 7 August. Many citizens of Caledonia were questioning why the OPP had not enforced the injunction to remove the protestors, citing a two-tier judicial system and that the rule of law applies equally to all Canadian citizens regardless of ethnicity. The following day, Judge Marshall stated that, "in the court's view, after much deliberation, there should be no further negotiations till the blockades are lifted and the occupation is ended...these reasons be send to the Attorney General who has the responsibility for enforcing the criminal law...in regard to the criminal contempt." He also ordered the province/OPP to arrest and charge the protestors with contempt of court for not obeying his previous court injunctions.⁷³⁹

The following day, after another violent confrontation between residents, Natives and police, Ontario's Attorney General Michael Bryant stated that while the province would comply with the ruling that all negotiations cease, the province will appeal the decision. On the ground, the OPP continued to separate the crowds but did not make the arrests demanded by Judge Marshall. The appeal was heard on 25 August in The Court of Appeal for Ontario which granted a stay on the injunction: "[I]n our view, the maintenance of the rule of law favours a stay." Moreover, the court gave instructions to the OPP to proceed cautiously: "The uncontradicted evidence of the O.P.P. is that a stay of the injunction order will reduce the risk of harm to the community. The Province should be permitted to determine what level of occupation and what use of its own property best promote the public interest in these difficult times... and negotiations will continue."⁷⁴⁰

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Table 5—Six Nations (Caledonia) Negotiation Structure, August 2006⁷⁴¹



Although negotiations were ongoing, increased civil unrest prompted a consensus with the Six Nations and the Ontario government to form a 100-foot buffer-zone on the north end of the disputed lands on 25 September “intended to facilitate a better sense of privacy and security for both the people living in close proximity...and the Haudenosaunee/Six Nations.” Signage and yellow police tape were used to cordon off the area. According to the agreement only the OPP and other authorized persons, such as the archaeological teams, were permitted in the buffer-zone with the OPP monitoring the area “as operational requirements necessitate.”⁷⁴²

Despite the buffer-zone, on 15 October, more than 300 Caledonia residents and their supporters staged a rally headed by Gary McHale of Richmond Hill, while the native protestors and their advocates staged a “potluck dinner for peace.” Dozens of police officers formed a protective barrier between the two factions and although there were three arrests, the feared violence did not manifest. The frustration of some Caledonia residents was voiced over the duality of the law while “Caledonia is held hostage.” Conservative MPP of Haldimand-Norfolk-Brant, Toby Barrett took the opportunity to criticize the McGuinty government for their inaction: “There does appear to be a double standard. People see a different application of the law depending on which side of the barricade you stand.”⁷⁴³

Although Barrett may have used the opportunity for political grandstanding, the political situation was far from cooperative. On his first day as newly appointed Commissioner of the Ontario Provincial Police, former Toronto Police Chief Julian Fantino stated on 30 October that the OPP’s job is to “preserve the peace, deal with offences and bring those who transgress the laws of the land to justice. Beyond that, the resolution of this is beyond the police doings,

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beyond any scope that I could have.” He also alluded to the fact that the drain on his force’s manpower cannot continue.⁷⁴⁴ The following day, Federal Indian Affairs Minister Jim Prentice canceled a scheduled meeting with his Ontario counterpart David Ramsey, his office stating that he was “disturbed [by the] political grandstanding” of both Ramsey and McGuinty. Ramsey was planning on asking the federal government for \$25 million to cover some of the provincial costs while McGuinty publicly stated that the crisis and land claims at Caledonia were, “If you check the Constitution, it’ll make it perfectly clear that when it comes to these land claims issues, that is solely the responsibility of the federal government.” Ramsey echoed his leader’s disapproval: “This is another example of the federal government failing to live up to its obligations to the people of Ontario.”⁷⁴⁵

This political manoeuvring came on the heels of Michael Coyle’s submission and presentation to the Senate Committee on 3 October detailing his investigation into the Six Nations standoff. In his findings, he stressed that the governments of Canada and Ontario must co-operate: “Each takes the position that it is confident that if the Crown is liable for wrongdoing in relation to Six Nations’ land claims, that it is the other government that is legally responsible. It is difficult to see how the Crown will be able to reach a settlement of Six Nations’ land claims unless Canada and Ontario can agree on a reasonable sharing between them.” Among his recommendations were the following:

1. Recommendation: The government should significantly increase the number of personnel devoted to the historical and legal review of claims.
2. Recommendation: Canada should establish an independent body with the power to resolve disagreements over the validity of all Specific Claims, and where negotiations reach impasse, on the extent of Canada’s liability in accordance with legal principles.
3. Recommendation: The same body, or a related independent body, should be established to supervise the adherence to agreed time frames in claims negotiations and to offer mediation where requested by one party.⁷⁴⁶

Despite these suggested reforms, the barricades remained at Caledonia and negotiations continued as did local protests. On 16 December another rally was headed by Gary McHale, who maintains a website called “Caledonia Wake Up Call,” dedicated to those who oppose the occupation. He was

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arrested, along with another man, although the OPP said that he would not face criminal charges. However, negotiations between the Main Table occurred on 11 January 2007, with Side Table meetings sitting for the week of 15-19 January.⁷⁴⁷

During these discussions, Ontario's Ministry of Culture stated that stones discarded by nomadic hunting groups dating back to 9,000 years ago were found on the disputed land. Spokesperson Gary Lepage also stated that remains of an 800-year-old Longhouse, complete with pottery and waste refuse pits, was also unearthed. However, despite vast media documentation claiming the contrary, these artifacts were discovered in digs during 2002 and 2005, not by the Native archaeological dig conducted after the occupation of the disputed lands which was overseen by the Ministry. Neither a burial site nor human remains have ever been unearthed. Six Nations spokesperson Janie Jamieson said the findings strengthen their claims and connection to the land: "It just goes to show you how far back our connection to that territory goes. Our connection stems back to our very existence, our creation."⁷⁴⁸

In reality, the evidence found in the digs has minimal influence. Firstly, it needs to be determined if the land was legally and willingly sold or given back to the Crown. Within this context of the dispute, the artifacts bring no weight to bear. Secondly, given that the Six Nations people occupied the land under Joseph Brant in 1784, the artifacts could belong to another Native Nation, albeit an Iroquoian (Longhouse) Nation, and does it show occupation to the exclusion of all other peoples as outlined in a comprehensive land claim? For this type of claim, the artifacts become relevant. However, this criterion is not part of a specific land claim which makes up the bulk of the 29 claims made by the Six Nations as of 1995, all of which are unanswered.

As of writing, the barricades remain at Caledonia, negotiations are ongoing as is the convergence of cultures. Although the violence has subsided for the time being, the clash of cultures continues and by no means is the standoff at Caledonia over. As of 1 February 2007, the Government of Ontario released the figures of expenditures thus far for the standoff:

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Table 6—Six Nations Negotiations Costs as of February 2007.⁷⁴⁹

Item	Cost (in millions)
Purchase of Douglas Creek Estates Property	15.8
Other costs paid to Henco	1.1
Acquisition of interests of other builders to Douglas Creek lands	4.0
Other costs paid to builders	1.8
Financial Assistance Recovery Program to businesses of Caledonia	1.4
Support for Haldimand County economic recovery activities (including charities affected by lower business contributions)	0.56
Policing Operations (to date)	21.6
Other Ongoing Costs	TBD
Total	\$46.26 million

While the occupation of the disputed lands at Caledonia/Six Nations continues, another little known standoff is occurring at the Mohawk Reserve of Tyendinaga (Mohawks of the Bay of Quinte) near Belleville, Ontario. Similar to the Six Nations Reserve, Tyendinaga was established by Captain John Deserontyon, a Mohawk serving in the British Army during the American Revolution. Tyendinaga was named after Deserontyon's superior Joseph Brant or Thayendanegea. On the 22 May 1784, Deserontyon and about 20 families arrived on the shores of the Bay of Quinte, Lake Ontario. On 1 April 1793, a tract of land was granted to the Six Nations people by the Lieutenant-Governor of Upper Canada, John Graves Simcoe, in a document known as the *Simcoe Deed* (also referred to as Treaty 3½). The original area of the territory was approximately 92,700 acres and currently stands at 18,191 acres with a population of roughly 7,600 both on and off the Reserve.

The land in question in the current claim, the 923-acre Culbertson Tract, runs along the eastern boundary of the Reserve. The federal government procured the land in 1837 and it is this transaction which is under dispute. The Mohawks claim that they never surrendered title. Similar to both Oka and Caledonia, the land in question was the proposed site of a \$35 million, 140-home subdivision of developer Intergroup Financing AG headed by Tim Letch. Construction was slated to begin on 15 November 2006. With letters of protest coming from Chief Don Maracle and members of the community, talks began with the federal government, including federal Minister Jim Prentice in early

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November. Chief Maracle outlined his community's stance: "We believe it is absolutely imperative that the developer should not proceed with the development unless there's some sort of arrangement made that's agreeable to our people," and must be brokered by the federal government. Letch, who agreed to meet with Maracle, stated that he believes, "the federal government should resolve the matter properly with the Native people. But I don't think it is my responsibility to resolve it." Similar to Caledonia, and to some extent Oka/Kanesatake, Native and non-Native communities had been living harmoniously for decades in what Maracle described as a "tight-knit community." He added that, "I don't believe any of the citizens want to see any kind of quarrel among neighbours [like Caledonia] over the property, and I think we would like to see that harmony continue."⁷⁵⁰

Tyendinaga Chief Don Maracle was optimistic after a meeting on 10 November with Minister of Indian Affairs Jim Prentice: "I think the minister made a very positive gesture. It was one we appreciate. I'm very hopeful there's an opportunity to work out something." Deseronto Mayor Clarence Ziemen hoped the meeting resulted in the postponement of construction: "I'm not in favour of proceeding with this at all at this time until we get some of this land claim issue out of the way." The federal government also confirmed to all parties that there is a claim involving 827 acres of land, including the contested site, accepted under Canada's Specific Claims Policy in November of 2003.⁷⁵¹

However, on the proposed day of construction, 15 November 2006, roughly 20-30 Mohawk protestors, claiming that they only intended to post signs, blocked a section of Highway 2 using two vans, as five Canadian Forces vehicles approached: "It was not a planned blockade, it was just posting of the land to let people know that it is Mohawk land. Coincidentally, the army drove through Deseronto [town] today. They were stopped and asked why they were there, what they were doing in the area. They were detained for...maybe half an hour, then they were allowed to go through." While the CF vehicles were stopped and blocked from both sides, tempers flared but there was no violence. The OPP arrived on site shortly after to supervise the demonstration and to divert traffic around the roadblock. In reality, according to CF Captain Dan Madryga, the convoy was travelling from CFB Borden to CFB Trenton, near Tyendinaga, as part of a long road move for a driver training course and inadvertently encountered the protestors. The vehicles were all marked with yellow signs reading, "Student Driver."⁷⁵²

Activist Shawn Brant, who is also involved in the Tyendinaga tobacco industry, claimed that he did not, "necessarily agree with the notion that they

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[CF] just happened to be passing through.” He also stated that the community of Deseronto has been supportive and there were no plans to occupy the land on a full-time basis, but would continue to monitor the situation and gather again in protest if need: “People know what we have here. We have the 401, [rail] tracks, bridges, highways and a lot of infrastructure to manipulate if negotiations get stalled. It was only through the co-operative efforts of the band council, Native peoples and other support parties that it did not happen [today].”⁷⁵³

Construction was delayed on the housing development while talks ensued between the Tyendinaga Band Council and Indian Affairs. Another protest was held on the disputed land on 17 November. Initially, the land claim dispute raised fears that the situation could escalate into one similar to that in Caledonia. However, the Tyendinaga Territory’s chief of police, Larry Hay, stated that peace will likely continue in Deseronto, provided the federal government works quickly toward a resolution. Norm Clarke, the incoming mayor of Deseronto, also said that he hoped the negotiations will resolve the situation quickly.⁷⁵⁴

On 9 January 2007, Minister Jim Prentice announced the appointment of Sean Kennedy as chief federal negotiator to the Tyendinaga Mohawks’ Culbertson Tract specific claim: “I have full confidence in Mr. Kennedy’s abilities to advance the work to resolve the First Nation’s specific claim and related issues.”⁷⁵⁵ Despite this announcement, the following day, 20 protestors blocked a county road off of Highway 2, barring access to Thurlow Aggregates quarry, which is also on disputed land. The protestors handed out information pamphlets to passing motorists. The protest was not sanctioned by Maracle or his council, which believed it to be, “premature considering a federal negotiator has been appointed to settle the land dispute.”⁷⁵⁶

On 12 January, an OPP officer, exercising existing warrants arrested Shawn Hill and Mario Baptiste in connection with the confrontation with the CF on 15 November 2006. Hill was charged with three counts of uttering death threats, while Baptiste was charged with two counts of assault and one count of mischief. OPP Spokesperson Sergeant Kristine Rae issued a statement to “ensure that everyone is aware that the OPP respects lawful protests, but will not tolerate criminal activity.”⁷⁵⁷ On 24 January, Tim Letch, the developer, announced that he had hired a lawyer and planned to bring his grievances to court as the landowner. The ongoing protests and barricades at both Caledonia (now entering its second year) and Tyendinaga remind Canadians of the

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grievances and frustrations of today's First Nations Peoples and the ongoing convergence of cultures.

As of 31 December 2006, Indian Affairs had settled 277 specific land claims with another 123 in negotiation. Likewise, there have been 29 final agreements for comprehensive land claims, with a further 18 negotiated in principle or subject to a framework agreement. However, there remain roughly 800 outstanding comprehensive and specific Native land claims lodged with Indian Affairs.⁷⁵⁸ Hopefully, these and future claims are resolved satisfactorily for all concerned parties without resorting to violence or barricades as were witnessed at Akwesasne, Kanesatake, Kahnawake, Ipperwash, Gustafsen Lake, Caledonia and Tyendinaga. The convergence of cultures must be mutually beneficial for both Canada and its Indigenous Peoples.

ABOUT THE AUTHOR

Timothy Charles William Winegard was raised in Sarnia, Ontario. He was awarded a Bachelor of Arts (Honours) in 1998 from the University of Western Ontario and proceeded to gain a Bachelor of Education from Nipissing University the following year. In 2006, he completed his Master of Arts in War Studies at the Royal Military College of Canada. Currently, he is pursuing his Doctorate at the University of Oxford in military history under the direction of Professor Hew Strachan. His thesis is a comparative study on the use and treatment of Indigenous peoples from Canada, Australia, New Zealand and South Africa during the First World War. Tim is also a serving officer with the 1st Hussars in the Canadian Forces Reserves.

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Persons/Organizations Contacted

Akwesasne Cultural Centre.

Broadbent, Ed.

Canadian Human Rights Commission—Secretary General, Ottawa, Ontario.

Canadian Red Cross Society, Ottawa, Ontario.

Canadian Security Intelligence Service (CSIS), Ottawa, Ontario.

Comité Québec-Irlande, Montréal, Québec.

Department of History and Heritage, Ottawa, Ontario.

Department of Indian and Northern Affairs Canada, Ottawa, Ontario.

Department of National Defence, Ottawa, Ontario.

European Union—Parliament.

International Federation of Human Rights, Paris, France.

Kahnawake Cultural Centre.

Library and Archives Canada, Ottawa, Ontario.

McKnight, Bill Hon. Minister of Defence during the Oka Crisis and former Minister of Indian Affairs.

McLaughlin, Audrey.

Ministère de la Sécurité publique du Québec—Sûreté du Québec (SQ), Sainte-Foy, Québec.

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Ministry of Natural Resources Canada, Ottawa, Ontario.

Ministry of Public Safety and Emergency Preparedness Canada—Office of the Inspector General of CSIS, Ottawa, Ontario.

Mohawk Council of Akwesasne.

Mohawk Council of Kahnawake.

Mohawk Council of Kanesatake.

Mohawk Nation Council, Akwesasne.

National Defence Headquarters, Ottawa.

New York State Police (NYSP), Albany, New York.

Ontario Ministry of Community Safety and Correctional Services—Ontario Provincial Police (OPP), North Bay, Ontario.

Quebec Superior Court, Montreal, Quebec.

Rideau Hall—The Chancellery of Honours, Ottawa, Ontario.

Royal Canadian Mounted Police, Ottawa, Ontario.

Sevigny, Helene. Co-author of *Lasagna: The Man Behind the Mask*.

Siddon, Tom Hon. Minister of Indian Affairs during the Oka Crisis.

The United Nations Economic and Social Council, New York, New York and Geneva, Switzerland.

U.S Department of Justice—Federal Bureau of Investigation (FBI), Washington, D.C.

Endnotes

Introduction

1 Canada. DND ATI, “NDHQ Command and Control Volume 3: A Case Study Operation SALON (The Oka Crisis), December 1993.”

2 Maurice Tugwell and John Thompson, *The Legacy of Oka* (Toronto: The Mackenzie Institute, 1991), pp. 1-5.

3 Term coined by Sean M. Maloney, “Domestic Operations: The Canadian Approach,” *Parameters*, US Army War College (Autumn 1997), p. 135. A “narco-parastate” is an unrecognized “nation” within a legitimate host nation, which survives on the trafficking of drugs and other illicit materials in order to further political independence. The drug cartels of South America are examples.

4 Note on Sources: In this effort to embody a historically complete representation of the Oka Crisis, primary sources were used as much as possible, many referenced for the first time. Interviews were also conducted with numerous military personnel who had been involved. Many also graciously volunteered their own personal collections of documents, maps and photographs. For obvious reasons, certain members of the military and intelligence communities who provided information cannot be named. In addition, interviews were held with government officials, Mohawk representatives and other participants. Efforts were made to corroborate statements with documented evidence, admittedly at certain times to no avail. All interviews were conducted in accordance with the approval and protocols of the Research Ethics Board at the Royal Military College of Canada. Ranks for those military personnel interviewed are listed as current title at the time of interview with rank during the Oka Crisis following in parentheses, e.g. Major (Lieutenant) John Smith. Tens of thousands of pages of materials have been consulted from governmental agencies in both Canada and the United States, including the Canadian National Library and Archives, the Department of Indian and Northern Affairs, the Department of National Defence, the Canadian Security Intelligence Service (CSIS), the Office of the Secretary to the Governor General, the Royal Canadian Mounted Police (RCMP), the Canadian Red Cross, the Canadian Human Rights Commission, the Canadian Public Safety and Emergency Preparedness Office of the Inspector General, the Ontario Ministry of Community Safety and Correctional Services (the Ontario Provincial Police or OPP), the Quebec Ministry of Public Security, the Sûreté du Québec (SQ), the New York State Police (NYSP) and the Federal Bureau of Investigation U.S. Department of Justice (FBI). Other materials include *Canadian Access to Information Act* (ATI) and American *Freedom of Information Act* (FIA) requests to the institutions mentioned above. Although the Oka Crisis is now 17 years passed, many requested documents were denied under the stipulations of both Acts, as they are still regarded as sensitive to national security. Many other documents received were censored, with information removed or blocked out. Nevertheless, many of the referenced documents were at one time classified with “secret” denotations and are being made public for the first time. In addition, the United Nations, the European Parliament, the International Federation of Human Rights (Paris), and the Office of Archbishop Desmond Tutu were contacted as they were involved at the higher levels of the crisis.

Part I

5 John Thompson, *The Long Fall of the Mohawk Warriors* (Toronto: The Mackenzie Institute, 1996), p. 1.

Chapter 1

6 Ovide Mercredi and Mary Ellen Turpel, *In the Rapids: Navigating the Future of the First Nations* (Toronto: Penguin Books, 1993), p. 18. In Canada they are called Reserves. In the United States they are referred to as Reservations. Both of these terms will be used based on the location of the actual Native land base. Also, the terms Native, Aboriginal, Indigenous and First Nations will be used interchangeably.

7 T. Wood Clarke, *The Bloody Mohawk* (New York: Ira J. Freidman Inc., 1941), pp. 2-3; George T. Hunt, *The Wars of the Iroquois: A Study in Intertribal Trade Relations* (Madison: University of Wisconsin Press, 1960), pp. 151-16; Vine Deloria Jr., *Custer Died for Your Sins: An Indian Manifesto* (U.S.A.: University of Oklahoma Press, 1988), p. 203; Kahn-Tineta Horn, "Beyond Oka: Dimensions of Mohawk Sovereignty," *Studies in Political Economy* 35 (Summer 1991): pp. 36-37. Evidently, a Mohawk/Seneca/Cayuga settlement still exists in Oklahoma. There is also an Oneida settlement in Wisconsin.

8 J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press, 2001), pp. 8-9.

9 Gerald F. Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community* (U.S.A.: University of Nebraska Press, 2004), p. 1; Brenda Katlatont Gabriel-Doxator and Arlette Kawanatatie Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke* (Quebec: Kanesatake Education Centre, 1995), p. 6.

10 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, p. 8.

11 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 13, 75; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 145-147; Gabriel-Doxator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 8-10; Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy on the Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1992), pp. 13-14. Archaeological records indicate that the practice of cannibalism existed among the Iroquois nations from the fourteenth to sixteenth centuries.

12 William M. Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763* (Toronto: Douglas & McIntyre, 2005), pp. 7-9; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 1-2.

13 Bruce E. Johansen, "Dating the Iroquois Confederacy," *Akwesasne Notes*, Vol. 1, no. 3 & 4 (Fall 1995): pp. 62-63; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 1-2; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, p. 147; Gabriel-Doxator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 8-10. The Confederacy was initiated at Onondaga, located near present-day Syracuse, New York. Based on oral traditions and the solar calendar, certain scholars insist that the Confederacy was formed on 31 August 1142, during a solar eclipse at what is now a football field in Victor, New York. However, they also mention that there was another eclipse in 1451, which seems to be a more accurate date. Most archaeologists and scholars tend to believe that the Confederacy was ratified in the mid-fifteenth century. What is important and relatively undisputed is that the Confederacy was formed before the arrival of Europeans.

14 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 14-15; Trefor Smith, *Bridges and Barricades: In Defense of Mohawk Land* (Montreal: McGill University, 1991), p. 19; Gabriel-Doxator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 12.

15 Robert A. Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701* (Paris: Mouton, 1969), pp. 35-37. See: *The Great Law of Peace* (U.S.A.: Syracuse University

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Press, 1992); MacLaine and Baxendale, *This Land is Our Land: The Mohawk Revolt at Oka*, pp. 99-121.

16 Daniel K. Richter, *The Ordeal of the Longhouse* (U.S.A.: University of North Carolina Press, 1992).

17 James S. Frideres, *Native Peoples in Canada: Contemporary Conflicts* (Canada: Prentice Hall Inc., 1993), pp. 385-386; Larry Krotz, *Indian Country: Inside Another Canada* (Toronto: McClelland & Stewart Inc., 1992), pp. 73-74; Indian and Northern Affairs Canada, *An Overview of the Oka Issue* (DIAND: 1990), p. 8. The representation of nations was as follows: Onondaga 14; Cayuga 10; Oneida 9; Mohawk 9; and Seneca 8. From the Mohawk there were three from each clan (Turtle, Bear and Wolf), which is also the order of nobility within the Mohawk. There was a hierarchy within the Confederacy. Mohawk, Onondaga and Seneca were the "elder brothers," while the Oneida, Cayuga and later the Tuscarora were "younger brother."

18 Mohawk Council of Kahnawake, *Institutions of Mohawk Government in Kahnawake: An Overview* (Ottawa: Ministry of Indian and Northern Affairs, 1990), p. 3; MacLaine and Baxendale, *This Land is Our Land: The Mohawk Revolt at Oka*, pp. 99-121; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 147-149; Lewis H. Morgan, *League of the Ho-de-no-sau-nee or Iroquois* (1851), (U.S.A.: Reprint Services Corp., 1922); Lewis H. Morgan, *Systems of Consanguinity and Affinity of the Human Family* (1870), (U.S.A.: University of Nebraska Press, 1997); Lewis H. Morgan, *Ancient Society* (1877), (U.S.A.: University of Arizona Press, 1985).

19 The Great Law of Peace, Wampum 19 as quoted in MacLaine and Baxendale, *This Land is Our Land: The Mohawk Revolt at Oka*, p. 108; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 10-12; Louis Karoniaktajeh Hall, *Rebuilding the Iroquois Confederacy* (U.S.A.: Louise Leclaire); Louis Karoniaktajeh Hall, *Warrior's Handbook* (U.S.A.: Louise Leclaire).

20 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 7-14; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 145-149.

21 Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, pp. 38-40; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 2-3.

22 Raymond Scheele, *Warfare of the Iroquois and their Northern Neighbors* (U.S.A.: Columbia University Press, 1950), pp. 61-75; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 10-12.

Chapter 2

23 Tugwell and Thompson, *The Legacy of Oka*, p. 5.

24 *Ibid*, p. 5.

25 *Atlas of American History* (Illinois: Rand McNally, 1993), pp. 7-11; George E. Tait, *Breastplate and Buckskin: A Story of Exploration and Discovery in the Americas* (Toronto: Ryerson Press, 1953), pp. 7-42.

26 Gerald F. Reid, *Mohawk Territory: A Cultural Geography* (Quebec: Kahnawake Survival School, 1981), p. 109; Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, pp. 14-15.

27 As quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanasatake*, p. 1.

28 Reid, *Mohawk Territory: A Cultural Geography*, pp. 109-111; Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 28-30. The most

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probable location of Hochelaga is an archaeological site discovered just south of Sherbrooke Street opposite McGill University in Montreal.

29 As quoted in Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, p. 21.

30 *Ibid*, pp. 19-21.

31 Hunt, *The Wars of the Iroquois: A Study in Intertribal Trade Relations*, pp. 24-26; Reid, *Mohawk Territory: A Cultural Geography*, pp. 109-110; Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, pp. 2-4. Archeological records and oral traditions put the number somewhere between 1,500 and 2,500, so Cartier's estimation was relatively correct.

32 As quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, pp. 2-3; Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, p. 30. La Chine (China) was what Cartier called the impassible rapids, as he was looking for a route to the Orient.

33 As quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 3.

34 Hunt, *The Wars of the Iroquois: A Study in Intertribal Trade Relations*, pp. 16-17; Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 26-27, 34-35; Reid, *Mohawk Territory: A Cultural Geography*, pp. 111-112; Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 3. There are many theories concerning the disappearance of the St. Lawrence Iroquois. Reid provides an explanation for most theories and concludes—as do the other sources referenced—that these Iroquois, who were probably most closely related to the Mohawk, were driven out of the area as a consequence of war caused by the burgeoning fur trade and the superiority of the Algonquian weapons. They most likely migrated south and were incorporated into the larger Mohawk communities along the Mohawk River and the southern part of what would be named Lake Champlain. The only metal known to North American Natives was copper which came from Lake Superior. It was ornamental and not strong enough to be used in weapon production.

35 William M. Beauchamp, *A History of the New York Iroquois* (New York: State Museum and University of the State of New York, 1905), pp. 149-152; Clarke, *The Bloody Mohawk*, p. 4.

36 Samuel de Champlain, H.P. Biggar ed., *The Works of Samuel de Champlain, Vol. 2: 1608-1613* (Toronto, 1925), pp. 90-96.

37 Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, p. 4.

38 Champlain, *The Works of Samuel de Champlain, Vol. 2: 1608-1613*, pp. 90-99.

39 *Ibid*, pp. 90-91.

40 Ross B. Snyder, *Algonkian Warfare in Canada and Southern New England 1600-1680* (Ottawa: University Press, 1972), pp. 33-60; Clarke, *The Bloody Mohawk*, pp. 17-20.

41 Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, pp. 43-45; Reid, *Mohawk Territory: A Cultural Geography*, p. 120.

42 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 2-4; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kaneshata:ke*, pp. 23-24.

43 Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, pp. 43-45.

44 Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, pp. 8-9; Deloria Jr., *Custer Died for Your Sins: An Indian Manifesto*, p. 203.

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- 45 Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, p. 8.
- 46 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 65-68.
- 47 Hunt, *The Wars of the Iroquois: A Study in Intertribal Trade Relations*, pp. 87-130; Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 1-22, 62-81.
- 48 Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, p. 99.
- 49 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 15-16.
- 50 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, p. 76.
- 51 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 5; Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, p. 98.
- 52 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 161-17.
- 53 Hunt, *The Wars of the Iroquois: A Study in Intertribal Trade Relations*, pp. 100-101.

Chapter 3

- 54 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 5.
- 55 Clarke, *The Bloody Mohawk*, pp. 77-78.
- 56 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 67-68.
- 57 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 6-7.
- 58 *Ibid*, p. 9.
- 59 Mohawk Council of Kahnawake, *Institutions of Mohawk Government in Kahnawake: An Overview*, p. 4.
- 60 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 5.
- 61 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 24-25.
- 62 Clarke, *The Bloody Mohawk*, pp. 93-94; Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, p. 2. In 1689, the War of the League of Augsburg began in Europe when it reached North America, it was known as King William's War.
- 63 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 10.
- 64 York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, p. 156
- 65 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 6; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, p. 156; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 10.

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- 66 Smith, *Bridges and Barricades: In Defense of Mohawk Land*, p. 20.
- 67 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 10-11.
- 68 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, pp. 6-7.
- 69 Chief Aghneetha as quoted in *Ibid*, p. 6.
- 70 Protestant Defence Alliance of Canada. *The Indians of the Lake of Two Mountains and the Seminary of St-Sulpice* (Montreal: Witness Printing House, 1876), p. 2; *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question."* (Montreal: La Minerve Steam Printing Job Office, 1876), p. 7.
- 71 Clarke, *The Bloody Mohawk*, pp. 101-102; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 10-13.
- 72 Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, pp. 181-182; Clarke, *The Bloody Mohawk*, pp. 104-109.
- 73 Clarke, *The Bloody Mohawk*, p. 108.
- 74 Goldstein, *French-Iroquois Diplomatic and Military Relations 1609-1701*, pp. 195-197; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 11; Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 18-19.
- 75 In Europe this was known as the War of Spanish Succession.
- 76 Clarke, *The Bloody Mohawk*, p. 110.
- 77 Beauchamp, *A History of the New York Iroquois*, pp. 261-262; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 12.
- 78 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, p. 16; Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, pp. 8-9.
- 79 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 78-80; Clarke, *The Bloody Mohawk*, pp. 119-121.
- 80 Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, pp. 9-10.
- 81 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 15-16. This Silver Covenant Chain was established in 1677. The Covenant Chain included most nations of the Great Lakes and eastern seaboard. It served Britain, from its conception until 1763, as a defence against New France, after which time it served as a protective measure for British North America/Canada against the United States.
- 82 Edmund Wilson, *Apologies to the Iroquois* (New York: Farrar, Straus and Giroux, 1970), p. 126.
- 83 Beauchamp, *A History of the New York Iroquois*, pp. 263-266.

Chapter 4

- 84 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 7; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 31.
- 85 Chief Aghneetha as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 8.

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- 86 *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question,"* pp. 7-8. One league is approximately 4.8 km or three miles.
- 87 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 8.
- 88 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 32.
- 89 *Ibid*, p. 33.
- 90 Concession of 1717 as quoted in *Ibid*, p. 35.
- 91 Dispatch from Vaudreuil and Begon, November 1714 as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 8.
- 92 *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question,"* p. 8.
- 93 Beta, *A Contribution to a Proper Understanding of the Oka Question; and a Help to its Equitable and Speedy Settlement* (Montreal, 1879), p. 78; *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question,"* p. 8.
- 94 *Ibid*, p. 9.
- 95 Vaudreuil and Begon to Council of Marine France, 14 October 1716 as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 9
- 96 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 33. This moratorium lasted until 1732.
- 97 Vaudreuil and Begon to Council of Marine France, 14 October 1716 as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 9
- 98 Norman Murray, *The Oka Question: Containing the Original Title, and a Brief Account of the Feudal System of Seigniorial Tenure in Canada, and its Abolition in 1854, with a General Review of the Oka Question in Particular and Roman Agression [sic] in General* (Quebec: E. Frechette, 1852), p. 4; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 30-33; Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 9
- 99 *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question,"* pp. 7-8.
- 100 Smith, *Bridges and Barricades: In Defense of Mohawk Land*, p. 21; Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 10.
- 101 Chief Aghneetha as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 10.
- 102 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 11.
- 103 *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question,"* pp. 9-11; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 34.
- 104 Deed of Concession, 1 March 1735 as quoted in Beta, *A Contribution to a Proper Understanding of the Oka Question; and a Help to its Equitable and Speedy Settlement*,

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p. 81; Protestant Defence Alliance of Canada, *The Indians of the Lake of Two Mountains and the Seminary of St. Sulpice*, p. 2.

105 As quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 12.

106 Sir William Johnson as quoted in Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, p. 30.

107 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 12-13.

108 Reid, *Mohawk Territory: A Cultural Geography*, p. 118.

109 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, p. 31.

110 Clarke, *The Bloody Mohawk*, pp. 123-134. The King George's War was an extension of the War of Austrian Succession (1740-1748).

111 See: Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, Ch. 2; Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, Ch. 4. William Johnson, was first a military commander and then Superintendent of Indian Affairs for the British. He was well accustomed in Iroquois traditions and culture and married Molly Brant, the sister of Mohawk Chief Joseph Brant.

112 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 13; Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, p. 1. The Seven Years' War is referred to by Americans as the French and Indian War and by some Canadians as the War of Conquest. Fowler Jr. calls it the "first world war."

113 See: Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, Ch. 2; Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, Ch. 4; Gavin K. Watt, *Rebellion in the Mohawk Valley: The St. Leger Expedition of 1777* (Toronto: The Dundurn Group, 2002).

114 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 50.

115 Chief Aghneetha as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 13.

116 Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, pp. 240-241.

117 Article 40 of Articles of Capitulation, Montreal 1760 as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 14.

118 As quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 14; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 45. The Natives of Kanesatake and Kahnawake were also eager to settle for peace as outbreaks of smallpox had decimated the communities in 1748, 1755 and again in 1760, 1761 and 1765.

119 Watt, *Rebellion in the Mohawk Valley: The St. Leger Expedition of 1777*, p. 49; Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 33-34; Fowler Jr., *Empires at War: The Seven Years' War and the Struggle for North America, 1754-1763*, pp. 277, 283. On numerous occasions, the British knowingly presented members of Pontiac's force with parting gifts of smallpox-laden blankets, clothing and handkerchiefs after truce meetings.

120 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, p. 193. Allen refers to it as the Magna Carta of Native Rights in Canada.

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- 121 Mercredi and Turpel, *In the Rapids: Navigating the Future of First Nations*, p. 33.
- 122 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 34-35.
- 123 The Royal Proclamation, 1763 as quoted in Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, p. 88.
- 124 Royal Commission on Aboriginal Peoples, *Treaty Making in the Spirit of Co-existence* (Canada: Communication Group Publishing, 1995), pp. 24-25. It is a little known fact that the British rescinded the Proclamation in 1768. With fear of a revolution, which inevitably came, the British under Johnson negotiated a treaty with the Iroquois for Ohio dubbed the Treaty of Fort Stanwix, in November 1768.
- 125 Beta, *A Contribution to a Proper Understanding of the Oka Question; and a Help to its Equitable and Speedy Settlement*, pp. 4-5; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 57.
- 126 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 13-14; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 55.
- 127 Judgment of Brigadier-General Ralph Burton, Governor of Montreal, 4 November 1763 as contained in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 15.
- 128 Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 16.
- 129 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 93-98; Watt, *Rebellion in the Mohawk Valley: The St. Leger Expedition of 1777*, Ch. 2-3.
- 130 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 58-65.
- 131 Clarke, *The Bloody Mohawk*, pp. 347-350; Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 93-99.
- 132 Paul Pasquaretta, *Gambling and Survival in Native North America* (Arizona: University of Arizona Press, 2003), p. 127; Clarke, *The Bloody Mohawk*, pp. 349-350.
- 133 Pasquaretta, *Gambling and Survival in Native North America*, pp. 127-128; Hall, *Warrior's Handbook*, p. 18.
- 134 Kahn-Tineta Horn, "Beyond Oka: Dimensions of Mohawk Sovereignty," *Studies in Political Economy* 35 (Summer 1991): pp. 34-35.
- 135 Hall, *Warrior's Handbook*, p. 18; Hall, *Rebuilding the Iroquois Confederacy*, pp. 6-7; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, p. 17.
- 136 The 1794 *Jay Treaty*, <www.solon.org/misc/jay.html>. Specifically, Articles II and III recognized the right of free movement over the border and the nullification of import duties.
- 137 Johansen, *Life and Death in Mohawk Country*, p. 29; Hall, *Warrior's Handbook*, pp. 31-35; Goodleaf, *Entering the War Zone: A Mohawk Perspective on Resisting Invasion*, p. 10; Reid, *Kahnawa:ke: Factionalism, Traditionalism, and Nationalism in a Mohawk Community*, pp. 149-150; Pertusati, *In Defense of Mohawk Land: Ethnopolitical Conflict in Native North America*, p. 71.
- 138 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59* (Government of Canada: Supply and Services Canada, April 1991), p. 7. Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 16.

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- 139 J.R. Miller, "Great White Father Knows Best: Oka and the Land Claims Process," *Native Studies Review* 7, no. 1 (1991): p. 27.
- 140 Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, pp. 146-148.
- 141 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 110, 117; Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*, p. 148. See: Guy St-Denis, *Tecumseh's Bones* (Montreal: McGill-Queen's University Press, 2005) for an excellent account of Tecumseh's death at the Battle of the Thames in 1813 and the subsequent search for his grave and bones.
- 142 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, pp. 18-19.
- 143 *Ibid*, p. 19.
- 144 Statute contained in Beta, *A Contribution to a Proper Understanding of the Oka Question; and a Help to its Equitable and Speedy Settlement*, pp. 83-92; Patricia Begin, Wendy Moss and Peter Niemczak, *The Land Claim Dispute at Oka* (Canada: Minister of Supply and Services Canada, 1992), pp. 1-2.
- 145 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 24.
- 146 Miller, "Great White Father Knows Best: Oka and the Land Claims Process," p. 31; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 95.
- 147 As quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 24.
- 148 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 91.
- 149 Protestant Defence Alliance of Canada. *The Indians of the Lake of Two Mountains and the Seminary of St. Sulpice*, pp. 4-5; Miller, "Great White Father Knows Best: Oka and the Land Claims Process," p. 30.
- 150 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 25.
- 151 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 103-105.
- 152 *An Historical Notice on the Difficulties Arisen between the Seminary of St. Sulpice of Montreal and certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Right of Property. "By No Means a Religious Question,"* p. 18.
- 153 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 108-109.
- 154 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 30; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, Ch. 5.
- 155 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 30.
- 156 Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 136-138.
- 157 Miller, "Great White Father Knows Best: Oka and the Land Claims Process," p. 32; Robert Vachon, "The Mohawk Nation and its Communities," *INTERculture*, Vol. XXIV, No. 4 (Fall 1991): p. 18.

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158 Hayter Reed to Chief John Tewisha, 26 May 1894 as contained in Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 168.

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159 Royal Commission on Aboriginal Peoples, *Treaty Making and the Spirit of Co-existence*, pp. 29-30.

160 John L. Tobias, "Protection, Civilization, Assimilation," contained in J.R. Miller ed, *Sweet Promises: A Reader on Indian-White Relations in Canada* (Toronto: University Press, 1991), pp. 127-144.

161 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 145-146; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 129-130. It was at Confederation that the town of Oka got its name. At the urging of the steamboat company, Canada Post changed the name from Lake of Two Mountains to Oka. Mohawk tradition states that Oka was the last name of a French settler, Paul Oka, who after failing to trap enough meat for the winter ate his daughter. He is said to have died in 1882.

162 Frideres, *Native Peoples in Canada: Contemporary Conflicts*, pp. 8-10. Revisions to the Indian Act occurred in: 1880, 1884, 1885, 1894, 1895, 1911, 1920, 1922, 1927, 1933, 1951 and 1985.

163 Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 254-255; Tobias, "Protection, Civilization, Assimilation," pp. 127-144. The U.S. Government also passed numerous similar pieces of legislation: 1830 *Indian Removal Act*, 1887 *Dawes Severalty Act* and the 1934 *Indian Reorganization Act*.

164 Frideres, *Native Peoples in Canada: Contemporary Conflicts*, p. 393.

165 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 3.

166 Indian and Northern Affairs Canada, *Mohawk Band Government* (DIAND: 1990), pp. 1-4; House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 3.

167 Corinthe, Superior Court of Montreal, Record of Proceedings, 10 February 1909, as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 34; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, pp. 227-232.

168 Chief Joseph Gabriel to His Majesty, Edward VII, 28 May 1909, as quoted in Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p.35.

169 *Ibid*, p. 36.

170 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 8; Begin, Moss and Niemczak, *The Land Claim Dispute at Oka*, p. 2.

171 Commission des droits de la personne du Québec (prepared by Monique Rochon and Pierre Lepage), *Oka-Kanesatake – Summer 1990: A Collective Shock: Report of the Commission des droits de la personne du Québec* (Quebec: 1991), p. 47; Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 38-39;

172 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 8.

173 Commission des droits de la personne du Québec, *Oka-Kanesatake – Summer 1990: A Collective Shock: Report of the Commission des droits de la personne du Québec*, p. 48.

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- 174 Thompson, *Materials Relating to the History of the Land Dispute at Kanesatake*, p. 40.
- 175 *Ibid*, p. 40; Gabriel-Doxtator and Van den Hende, *At the Woods' Edge: An Anthology of the History of the People of Kanehsata:ke*, p. 238.
- 176 Michel F. Girard, "The Oka Crisis from an Environmental History Perspective, 1870-1990," contained in *Readings in Canadian History Post-Confederation*, R. Douglas Francis and Donald B. Smith ed. (Toronto: Harcourt Brace & Co., 1994), pp. 581-582. The Oka forest is one of the only remaining white pine forests in Quebec. It is home to numerous rare bird species including the pine warbler, bald eagle and the golden eagle.
- 177 *Ibid*, pp. 584-589; House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 16.
- 178 *Ibid*, pp. 590-591.
- 179 Johansen, *Life and Death in Mohawk Country*, p. xxii.
- 180 1969 White Paper as quoted in Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, pp. 331-332.

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- 181 As quoted in Ward Churchill and Jim Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement* (Boston: South End Press, 1990), p. 119.
- 182 Churchill and Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement*, p. 119; Ward Churchill and Jim Vander Wall, *The Cointelpro Papers: Documents from the FBI's Secret Wars Against Dissent in the United States* (Boston: South End Press, 1990). p. 233.
- 183 Churchill and Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement*, pp. 119-120; Churchill and Vander Wall, *The Cointelpro Papers: Documents from the FBI's Secret Wars Against Dissent in the United States*, pp. 233-234.
- 184 Krotz, *Indian Country: Inside Another Canada*, p. 75.
- 185 Tugwell and Thompson, *The Legacy of Oka*, p. 10.
- 186 Ted Means as quoted in Peter Matthiessen, *In the Spirit of Crazy Horse* (U.S.A.: Penguin Books, 1992), p. 75.
- 187 Churchill and Vander Wall, *The Cointelpro Papers: Documents from the FBI's Secret Wars Against Dissent in the United States*, pp. 188, 276, 297; Churchill and Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement*, pp. 290-299.
- 188 FBI document 5 June 1975 as quoted in Matthiessen, *In the Spirit of Crazy Horse*, p. 133.
- 189 Churchill and Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement*, pp. 143-145.
- 190 Louis Hall, Toronto Star, 25 November 1990 as quoted in Johansen, *Life and Death in Mohawk Country*, p. 116.
- 191 Louis Hall speech, Tulsa Oklahoma 30 June 1984. Hall, *Rebuilding the Iroquois Confederacy*, p. 34.
- 192 Mike Mitchell as quoted in York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, p. 182.

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- 193 Cartoon as quoted in Thompson, *The Long Fall of the Mohawk Warriors*, p. 2.
- 194 Hall, *Warrior's Handbook*, p. 30.
- 195 Pertusati, *In Defense of Mohawk Land: Ethnopolitical Conflict in Native North America*, p. 58, 61-62.
- 196 *Ibid*, p. 58, 61-62.
- 197 Johansen, *Life and Death in Mohawk Country*, pp. 115-116.
- 198 Indian Time, 30 May 1990 as quoted in Johansen, *Life and Death in Mohawk Country*, p. 116.
- 199 Hall, *Rebuilding the Iroquois Confederacy*, p. 2.
- 200 Hall, *Ibid*, p. 47; Hall, *Warrior's Handbook*, p. 2; Johansen, *Life and Death in Mohawk Country*, p. 115.
- 201 As quoted in Ciaccia, *The Oka Crisis: A Mirror of the Soul*, p. 349.
- 202 Johansen, *Life and Death in Mohawk Country*, pp. 22-27; Canada. DND ATI, "Intelligence Report—Op AKWESASNE, 17 August 1990."
- 203 Pasquaretta, *Gambling and Survival in Native North America*, p. 131.
- 204 E.J. Dickson, *Communities, Contraband and Conflict: Considering Restorative Responses to Repairing the Harms Implicit in Smuggling in the Akwesasne Mohawk Nation* (Ottawa: Research and Evaluation Branch, Royal Canadian Mounted Police, 2002), p. 25; Tugwell and Thompson, *The Legacy of Oka*, p. 15; Confidential Source.
- 205 Krotz, *Indian Country: Inside Another Canada*, p. 84;
- 206 Gail H. Landsman, *Sovereignty and Symbol: Indian-White Conflict at Ganieneh* (Albuquerque: university of New Mexico Press, 1988), pp. 26, 150.
- 207 *Ibid*, p. 29; Canada. DND ATI, "Letter: Grand Council of the Six Nations Confederacy to President Gerald Ford, 24 November 1974."
- 208 Landsman, *Sovereignty and Symbol: Indian-White Conflict at Ganieneh*, p. 150; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 178-179.
- 209 Tugwell and Thompson, *The Legacy of Oka*, pp. 13-14.
- 210 Tugwell and Thompson, *The Legacy of Oka*, p. 15; Mohawk Council of Kahnawake, *Institutions of Mohawk Government in Kahnawake: An Overview*, p. 15. The Peacekeeper Force at Kahnawake was created in 1979. Prior to this however, Kahnawake had its own police force created in 1966.
- 211 Loran Thompson, "Fighting Back," contained in *Nation to Nation: Aboriginal Sovereignty and the Future of Canada*. Diane Engelstad and John Bird ed. (Canada: Anansi Press, 1992), pp. 173-178.
- 212 Tugwell and Thompson, *The Legacy of Oka*, p. 14; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 180-183.
- 213 Johansen, *Life and Death in Mohawk Country*, pp. 26, 51.
- 214 Tugwell and Thompson, *The Legacy of Oka*, p. 16; Krotz, *Indian Country: Inside Another Canada*, p. 85; Johansen, *Life and Death in Mohawk Country*, pp. 28-29.
- 215 Art Kakwirakeron Montour as quoted in Hornung, *One Nation Under the Gun: Inside the Mohawk Civil War*, pp. 30-31.
- 216 Tugwell and Thompson, *The Legacy of Oka*, pp. 15-16.
- 217 Pertusati, *In Defense of Mohawk Land: Ethnopolitical Conflict in Native North America*, p. 73.

- 218 Concept adopted from Tugwell and Thompson, *The Legacy of Oka*, p. 17.
- 219 *Ibid*, pp. 17-18.
- 220 Thompson, *The Long Fall of the Mohawk Warriors*, p. 3.

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- 222 Pierre Trudeau as quoted in Miller, "Great White Father Knows Best: Oka and the Land Claims Process," p. 38. This is the same Trudeau who in 1969 while speaking in Vancouver denied the existence of treaty rights because, "no society can be built on historical might-have-beens."
- 223 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 8.
- 224 Department of Indian Affairs, *Land Claim Policy* (DIAND: July 1990), pp. 1-2.
- 225 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 9; Department of Indian Affairs, *An Overview of the Oka Issue*, p. 3.
- 226 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 9; Department of Indian Affairs, *An Overview of the Oka Issue*, p. 3.
- 227 Frideres, *Native Peoples in Canada: Contemporary Conflicts*, p. 369.
- 228 Begin, Moss and Niemczak, *The Land Claim Dispute at Oka*, p. 2; Department of Indian and Northern Affairs, *Land Claims Policy*, pp. 4-5. By March 1990, 578 Specific Claims had been submitted, with 205 being resolved.
- 229 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, p. 10; Begin, Moss and Niemczak, *The Land Claim Dispute at Oka*, p. 2.
- 230 House of Commons, *The Summer of 1990: Fifth Report of the Standing Committee on Aboriginal Affairs, Issue No. 59*, pp. 9-10.
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- 232 Vachon, "The Mohawk Nation and its Communities," pp. 14, 18; DIAND, *How DIAND Programs are Administered at Akwesasne, Kahnawake and Kanasatake* (DIAND, 1990), pp. 1-2.
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- 237 Commission des droits de la personne du Québec, *Oka-Kanehsatake – Summer 1990: A Collective Shock: Report of the Commission des droits de la personne du Québec*, p. 51.

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- 239 House of Commons, *Minutes of the Proceedings and Evidence of the Standing Committee on Aboriginal Affairs, Issue No. 55* (Government of Canada: Supply and Services Canada, 19 March 1991), pp. 41-42
- 240 House of Commons, *Minutes of the Proceedings and Evidence of the Standing Committee on Aboriginal Affairs, Issue No. 55*, pp. 43-44.
- 241 Commission des droits de la personne du Québec, *Oka-Kanehsatake – Summer 1990: A Collective Shock: Report of the Commission des droits de la personne du Québec*, p. 55.
- 242 DIAND, *Mohawk Band Government*, p.1.
- 243 *Ibid*, p. 1.
- 244 *Ibid*, pp. 1-2.
- 245 Interview with Ellen Gabriel, Kahnawake, M.T., 1 September 2005. All sources give 11 March as the date of the first occupation of the Pines.

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- 247 *Ibid*, p. 3.
- 248 Harold Tarbell as quoted in Hornung, *One Nation Under the Gun: Inside the Mohawk Civil War*, p. 31.
- 249 Harold Tarbell interview with Jennifer Westaway, CBC: The House, 28 July 1990, "Are Mohawks Criminals?" (Ottawa: Bowdens, 1990), pp. 2-4.
- 250 Johansen, *Life and Death in Mohawk Country*, pp. 76-84; Canada. DND ATI, "Press Dispatches, 02 May 1990."
- 251 Lieutenant-Colonel Robin Gagnon, "Operation SALON-Briefing Given to the Infantry Conference, Ottawa, 18 November 1990."
- 252 Johansen, *Life and Death in Mohawk Country*, pp. 79-84; Hornung, *One Nation Under the Gun: Inside the Mohawk Civil War*, pp. 150-160.
- 253 Canada. DND ATI, "Letter: Mohawk Councils of Akwesasne to Major General L.P. Flynn, 25 April 1990."
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- 276 E.P. Craig, "In Light of Oka: A Need to Re-Examine *Aid to the Civil Power*," contained in Military Operations in Unique Environments: Domestic Operations Précis, (Canadian Land Force Command and Staff College, 1995), ANX I- p. 2.

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- 278 Desmond Morton, "Bayonets in the Streets: The Canadian Experience of *Aid to the Civil Power* 1867-1990," Canadian Defence Quarterly 20(5), (April 1991): p. 30.
- 279 Craig, "In Light of Oka: A Need to Re-Examine *Aid to the Civil Power*," ANX I- p. 4.
- 280 Morton, "Bayonets in the Streets: The Canadian Experience of *Aid to the Civil Power* 1867-1990," p. 30.
- 281 Maloney, "Domestic Operations: The Canadian Approach," p. 137.
- 282 *Ibid*, pp. 137-138.
- 283 *Ibid*, p. 138.
- 284 Government of Canada, *National Defence Act* R.S. c. N-5 (Ottawa: 1987), pp. 112-116.
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- 286 *Ibid*, pp. 112-116.
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- 296 Tommy Douglas as quoted in Morton, "Bayonets in the Streets: The Canadian Experience of *Aid to the Civil Power* 1867-1990," p. 36.
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- 300 Government of Canada, *Emergencies Act*, R.S.1988 c. 29 (Ottawa: 1988), Section 3 (B).
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367 Gilbert, *Rapport D'Enquête du Coroner: Guy Gilbert sur les Causes et Circonstances du Décès de Monsieur Marcel Lemay, English Version*, pp. 8-9, 42-46. It should be noted that the request for an investigation on the events of 11 July was forwarded by all levels of the SQ, the Municipalities of Oka (village and parish), and the Mohawk communities of Kanesatake and Kahnawake.

368 *Ibid*, pp. 42-46, 348.

369 *Ibid*, pp. 295, 307-310.

370 *Ibid*, pp. 65-66, 347-356. Of the 14,611 cartridges seized in the Treatment Centre on 26-27 September 6,506 were 5.56mm (.233 Rem.). Of these, 37 were equipped with a penetrator, all bearing NATO trademark numbers.

371 *Ibid*, p. 353.

372 *Ibid*, pp. 351-352.

373 *Ibid*, pp. 408.

374 Confidential Source.

375 Canada. DND ATI, "Oka Indian Reserve Intelligence, 11 July 1990;" MacLaine and Baxendale, *This Land is Our Land: The Mohawk Revolt at Oka*, pp. 21-23.

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377 Cookie McComber as quoted in Hornung, *One Nation Under the Gun: Inside the Mohawk Civil War*, p. 201.

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385 Dan Smith, *The Seventh Fire: The Struggle for Aboriginal Government* (Toronto: Key Porter Books, 1993), pp. 88-89. Quebec-Native relations had not been as peaceful as in other Provinces.

386 The deadline was 23 June 1990.

387 John Howse, "A new native hero," *Maclean's Magazine* (16 July 1990): p. 13. Newfoundland Premier Clyde Wells vetoed Meech Lake the next day, and the Federal government tried to pin the defeat on him to take away Harper's "fame" or credibility.

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- 388 Elijah Harper as quoted in Miller, *Skyscrapers Hide the Heavens*, p. 377. At the Charlottetown Accord in 1992, the Aborigines did get some recognition and although it represented progress for self-determination, the Accord did not survive the October 1992 national referendum.
- 389 Phil Fontaine as quoted in Brian Bergman, “Drumbeats of Anger,” Maclean’s Magazine (2 July 1990): pp. 28-29.
- 390 Mercredi and Turpel, *In the Rapids: Navigating the Future of First Nations*, p. 174.
- 391 Marc Grenier, “Native Indians in the English-Canadian Press: the case of the Oka Crisis,” *Media, Culture & Society* Vol. 16, Issue 2 (April 1994): pp. 315-318; Johansen, *Life and Death in Mohawk Country*, p. 136.

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- 394 Canadian Red Cross Society, Quebec Division, *Report on the Intervention by the Canadian Red Cross Society at Kanesatake, Kahnawake, Oka and Chateauguay during the Indian Crisis in the Summer of 1990* (CRCS: Records Management, January 1991), pp. 1-2.
- 395 Letter 13 July 1990, Francine Chartrand to Chief George Martin.
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- 398 Canada. DND ATI, “Intelligence Summary—Op SALON, 21 August-02 September 1990.”
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- 400 York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 80, 210, 240.
- 401 Ciaccia, *The Oka Crisis: A Mirror of the Soul*, p. 85; Canada. DND ATI, “Motion for Injunction, 26 September 1990.” Audrey McLaughlin was contacted by this author in September by both email and letter. No reply was received. She filed a law suit against General de Chastelain, Lieutenant-General Foster and Brigadier-General Roy for limiting the access of journalists at Kanesatake during the TC holdout.
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- 403 Ciaccia, *The Oka Crisis: A Mirror of the Soul*, p. 139.
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- 409 Canada. DND ATI, "NDHQ Situation Reports—Op SALON, 24-25 July 1990."
- 410 *Ibid*; House of Commons, *Minutes of the Proceedings and Evidence of the Standing Committee on Aboriginal Affairs, Issue No. 55*, pp. 75-76.
- 411 Canada. DND ATI, "NDHQ Command and Control Volume 3: A Case Study Operation SALON (The Oka Crisis), December 1993."
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- 507 Canada. DND ATI, "Situation Reports—Op SALON, 23 September 1990."
- 508 United Nations ATI, "Economic and Social Council: Discrimination Against Indigenous Peoples—Notes and Letters of the Chairman, 31 August 1990;" Per Bauhn, Christer Lindberg and Svante Lundberg, *Multiculturalism and Nationhood in Canada: The Cases of the First Nations and Quebec* (Sweden: Lund University Press, 1995), p. 31; York and Pindera, *People of the Pines: The Warriors and The Legacy of Oka*, pp. 161-163. After the First World War, the Iroquois sent a delegate to the Paris Peace Conference believing it was their right as they were a distinct nation that sent soldiers to fight and die in conjunction with Canada and her Allies. During the early 1920s an Iroquois Chief, Deskeheh, travelled around Europe campaigning for recognition of Iroquois sovereignty, including the League of Nations. In 1945, upon the formation of the United Nations, the Iroquois immediately put forth a submission of their right to be sovereign.
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Glossary

1 CMBG	1 Canadian Mechanized Brigade Group
1 RCR	1 st Battalion, The Royal Canadian Regiment
1 Int Coy	1 Intelligence Company, 1 st Canadian Division
2 CER	2 nd Combat Engineer Regiment
2 EW Sqdn	2 Electronic Warfare Squadron
2 R22eR	2 nd Battalion, Royal 22 ^e Régiment
2 RCHA	2 Royal Canadian Horse Artillery
2 RCR	2 nd Battalion, The Royal Canadian Regiment
3 R22eR	3 rd Battalion, Royal 22 ^e Régiment
5 CMBG	5 Canadian Mechanized Brigade Group
ADATS	anti-aircraft missile defence system
ATI	<i>Access to Information Act</i>
AIM	American Indian Movement
AIRCOM	Air Command
APC	armoured personnel carrier
AR	automatic rifle
ATV	all-terrain vehicle
AVGP	armoured vehicle, general purpose
BNA Act	<i>British North America Act</i>
CAR	Canadian Airborne Regiment
CBC	Canadian Broadcasting Corporation
CDS	Chief of the Defence Staff
CF	Canadian Forces
CFB	Canadian Forces Base
CO	commanding officer
CP	command post
CS gas	2-chlorobenzalmalononitrile, tear gas
CSIS	Canadian Security Intelligence Service
DIAND	Department of Indian Affairs and Northern Development
DND	Department of National Defence
EW	Electronic Warfare

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FBI	Federal Bureau of Investigation (United States)
FIA	<i>Freedom of Information Act</i> (United States)
FLN	Front de Libération nationale (Algeria)
FLQ	Front de la Libération du Québec
FMC	Force Mobile Command
GPMG	general purpose machine gun
HMCS	Her Majesty's Canadian Ship
HMG	heavy machine gun
hp	horsepower
hrs	hours
HQ	Headquarters
HUMINT	Human Intelligence
IAT	Indians of All Tribes
ICAC	Intelligence Collection and Analysis Centre
ICOM	intercepted communications
IRA	Irish Republican Army
IS	internal security
ISAF	International Security Assistance Force
JIC	joint intelligence cell
JOC	Joint Operations Centre
JTF 2	Joint Task Force 2, Canada's Special Forces
LAW	Light Anti-Tank Weapon
LEA	outside law enforcement agencies
MBT	main battle tank
MND	Minister of National Defence
NCM	Non-Commissioned Member
NDA	National Defence Act
NDHQ	National Defence Headquarters
NTM	notice to move
OP	observation post
OPP	Ontario Provincial Police

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PA	Public Affairs
PLO	Palestine Liberation Organization
psyops	psychological operations
QR&O	Queen's Regulations and Orders
RCD	Royal Canadian Dragoons
RCMP	Royal Canadian Mounted Police
RCO	Regroupement des Citoyens d'Oka
ROEs	rules of engagement
RPG	rocket-propelled grenade
RPK	Russian-designed light machine gun
RRF	rapid reaction force
RSM	regimental sergeant-major
RTU	Returned to Unit
RV	recreational vehicle
SIGINT	Signal Intelligence
SIU	Special Investigations Unit
SQ	Sûreté du Québec (Quebec Provincial Police)
SSF	Special Service Force
TC	Rehabilitation Treatment Centre
TOW	tube-launched, optically tracked, wired-guided missile
UN	United Nations
U.S.	United States
VCDS	Vice Chief of Defence Staff
VHF	very high frequency
WHO	World Health Organization
WWII	World War Two

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The 1990 Oka Crisis is considered a defining moment in Native-Canadian relations. Contrary to popular belief, it was not an isolated event but rather the 300-year long convergence of two distinct cultures that culminated in a violent clash in the microcosm of Oka and included the domestic deployment of the Canadian Forces, 4,500 strong.

Drawing on a strikingly wide range of hitherto untapped historical and primary sources, including interviews and government documents secured through the Access to Information Act, *Oka: A Convergence of Cultures and the Canadian Forces* dispels the common mythology and disinformation surrounding the causes and events of the Oka Crisis. Winograd highlights the relevance of Oka, as an integral part of Canadian history, towards the formation of governmental policy and the active participation of Indigenous Canadians in their ongoing effort to shape and alter their social and political realities within Canada and their resistance to cultural assimilation. This innovative study also engages in a detailed probe of the most controversial and volatile Canadian Forces internal security operation of the twentieth century.



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