

Inaction on native issues not helping government or jailed protester

MURRAY CAMPBELL

mcampbell@globeandmail.com

- [E-mail Murray Campbell](#)
- | [Read Bio](#)
- | [Latest Columns](#)

May 27, 2008

Donny Morris has had 68 days in jail to contemplate how the Ontario government is dealing with its native population. And he's concluded that it is falling short of the pledge it made last fall "to forge a stronger, more positive relationship" with the dozens of native communities scattered across the province.

This isn't a total surprise, of course. Mr. Morris, chief of the remote Kitchenuhmaykoosib Inninuwug First Nation north of Thunder Bay, has been slapped around lately by the provincial justice system. Along with five other KI residents, he was sentenced in March to six months in jail for civil contempt of court after disobeying a court order to allow a mining company to work their traditional territory.

But his disenchantment goes further and it suggests that the energy Michael Bryant has brought to the newly created Aboriginal Affairs Ministry hasn't completely brought the positive relationship the Liberal government is seeking.

"I would say we've been misled, misled to believe things were being done on our behalf here," Mr. Morris said before a rally for the so-called KI-6 and for Robert Lovelace, who has also been jailed for six months for protesting against uranium exploration on Ardoch Algonquin First Nation territory in Eastern Ontario.

These aren't the words that the energetic and ambitious Aboriginal Affairs Minister wants to hear as Thursday's nationwide aboriginal "day of action" nears. (Neither is the contention in an Ardoch Algonquin news release last week that "to put it bluntly, Michael Bryant is a liar.") Indeed, the minister rejects the characterization that the government has been indifferent to aboriginal concerns.

He points to the continuing implementation of the recommendations of the judicial inquiry into the Ipperwash tragedy and a move to share casino and lottery earnings with native communities as evidence that "we've made progress on a number of fronts."

But the KI controversy and the continuing standoff between natives and non-natives at Caledonia are casting a shadow over the progress made on the Ipperwash file.

The Caledonia dispute, which began with a botched police attack on a native occupation of a subdivision under construction, shows no sign of ending.

Mr. Bryant showed his frustration recently when he suggested that a deadline ought to be imposed for resolution of the land claims of the Six Nations reserve. The federal government, seemingly content with the glacial pace of such talks, laughed it off.

Things are so gloomy that nearby Brantford is asking for the Canadian Forces to be put on standby in preparation for trouble. "A physical confrontation and disturbance of the peace or riot is inevitable and imminent," the city's legal brief argued.

But while the Caledonia issue seems intractable, the KI controversy is not and that's what is fuelling the native protest and attracting increasing numbers of non-native supporters. Mr. Morris, Mr. Lovelace and the others went to jail not because they opposed mining per se but because they wanted the government to adhere to numerous Supreme Court of Canada decisions that said governments have a duty to consult over development on native lands.

It's a dispute between rights granted exploration firms under the Mining Act and treaty rights for natives. The solution - a revision of the century-old mining law that gives firms "free entry" to any land in search of minerals - has evaded the government for a number of years and it doesn't look like it's coming in any hurry.

"It's not the kind of thing that we can instantly undo," Premier Dalton McGuinty said.

The inaction is not encouraging news for Mr. Morris. It's not doing Mr. Bryant and the government any good either.