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Caledonia crisis of facts

By Peter Worthington, TORONTO SUN

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In an extensive interview in the Toronto Sun, OPP Commissioner Chris Lewis not only defended police actions (inactions?) during the 2006 Caledonia crisis, but says there were also great successes that are never talked about.

According to Sun columnist Joe Warmington, Commissioner Lewis (who was field commander at Caledonia) feels a "pat on the back" is warranted as much as criticisms.

Even though mistakes were made, "our people made me proud."

It's curious justification at this time of relative quiet on the Indian front, and is probably a reaction to Christie Blatchford's new book on Caledonia — Helpless.

She views the Caledonia imbroglio not as an aboriginal rights issue, but as a breakdown of rule of law, with the OPP ordered to do nothing to rile protestors from the nearby Six Nations Reserve, who occupied the Douglas Creek Estates and intimidated residents with impunity.

Anyone who reads Blatchford's reportage cannot help but feel outrage. Everyone — federal and provincial governments, OPP leadership, the media — avoided any action that might lead to accusations of racism against Indians.

Commissioner Lewis points out that while arrests may not have been made at the time of offences for fear of provoking violence, some 162 charges were laid later against both aboriginal and non-aboriginal participants.

That's a bit misleading. The "non-aboriginals" were mostly individuals trying to protect themselves and their property. Superficially, Commissioner Lewis' rationale sounds valid if it were not for the awkward precedence of the Ipperwash Inquiry.

The inquiry by Justice Sidney Linden in 2007 supposedly is the definitive word on the 1992 violence at Ipperwash, where a police bullet killed Dudley George and unleashed anger that still persists. At the time, people from the nearby Ojibway reserve occupied land that had been expropriated from Indians in 1942 for an army base.

The Linden report is more concerned about pacifying Indians than recognizing abuses to non-aboriginals.

It's as if aboriginal status gives immunity from laws that apply to everyone else.

Justice Linden's report, is viewed as sacrosanct by Ontario's McGuinty government, and made the premier fearful of getting involved in Caledonia lest he be pilloried as Mike Harris was pilloried for Ipperwash and Dudley George's death.

Mark Vandermaas, Mary-Lou LaPratte and Gary McHale challenge the Ipperwash Report and its recommendations. The three held a press conference at Queen's Park that was largely ignored.

They had a two-part article published by the Caledonia-based Regional News — virtually the only media to give them a hearing.

Vandermaas is a former soldier-cum-real estate operator who was arrested at Caledonia in 2006 for trying to raise a Canadian flag (!)

LaPratte is an activist from Ipperwash who documented stories of residents that the Inquiry ignored.

McHale opposed race-based policing and injustices at Caledonia.

Their 400-page report on lawlessness and racial policing has largely been ignored — but deserves scrutiny.

LaPratte noted that at Ippersash "a Native anywhere on the properties, for any reason, would not be charged."

She added that Natives who "harass, threaten, intimidate, steal from, or assault innocent homeowners and tourists, were exempt from criminal charges upon reaching the safe haven of the disputed land."

It sounds similar to Blatchford's litany of abuses at Caledonia.

Worse is that of 100 recommendations in the Ipperwash report, "not one addresses the issue of preventing violence against residents."

In fact, no residents were permitted to testify about Native crime and violence they had endured.

Of 139 witnesses, not one was a non-Native resident. LaPratte's detailed history of Ipperwash from a resident's viewpoint, is not listed on the Inquiry website.

During the three-year inquiry, a total of some 90 minutes was allotted to testimony of non-Native victims.

In fact, the Ipperwash Inquiry avoids the issue of preventing lawlessness, and is cited in Caledonia to justify racial policing, which others view as "illogical, disingenuous and illegal."

Commissioner Lewis' arguments notwithstanding, certainly non-Natives at Caledonia saw themselves as living in a de facto war zone, with no rights to be protected by the OPP, who were ostensibly the "peacekeepers".

There is irony in the Ipperwash report coming out in the midst of the Caledonia occupation, with few in the Ontario legislature objecting.

No voice was raised about the suppression of evidence ... nothing about the report's flawed and selective recommendations.

Instead the inquiry has "become a legalized myth justifying racist policing practices," according to Vandermaas and others. It is conveniently accepted by whatever government rules at the provincial and federal levels.

Agree or disagree, reality is that whenever Indians choose to protest, law and order takes a holiday.

As Blatchford has noted, "lawlessness takes over."

This was evident when Mary-Lou LaPratte's husband phoned the OPP at 2 a.m. and reported a home invasion.

When he said the intruder was an Indian, he was told not to touch the man or face arrest.

The anecdote surprises no one who endured Caledonia.

Commissioner Lewis can justify all he wants, but anyone looking at Caledonia and Ipperwash can see that something was dreadfully wrong.

It hinged on political cowardice and orders that police assume the role of observers rather than instruments of law and order.

This policy was unfair to the residents, unfair to Natives who get away with lawlessness, unfair to OPP officers who were ordered to comply. And there's little doubt the McGuinty government was fearful of consequences that hit the Mike Harris government.

There will be another Indian uprising at some point, at which elected and police authority will again have a choice to make — abdicate or enforce the law.

Me, I'm betting on the Indians.