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DISPUTED LAND, FAILED COVERAGE

WHEN CONFLICT OVER A FIRST NATIONS' LAND CLAIM ERUPTED IN CALEDONIA, IT DIVIDED A COMMUNITY AND, SADLY, THE LOCAL PAPERS, TOO

BY EMERALD AUSTERBERRY
PHOTOGRAPHY BY NEIL DRING

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Karen Best relaxed at a rental cabin outside Quebec City with her family, taking a well-deserved break in July 2006. She'd spent most of the previous four and a half months covering a land claim dispute that had divided her normally peaceful home of Caledonia, Ontario, along racial lines and garnered national media attention. As a senior reporter and photographer for *The Haldimand Review*, Best's beats had included the sleepy county council, Six Nations and general news in a community where natives and non-natives—as the people in the area refer to each other—rarely considered racial divisions. They lived on the same streets, shopped at the same stores and sent their kids to the same high schools. But all that changed once a group of protestors from the neighbouring Six Nations reserve blocked road access to a housing development they say was part of 950,000 acres of land given to them by a British government proclamation in 1784. Covering that story was no easy feat, given the tensions it stirred up, but Best persisted. “This is history,” she says. “It’s the story of a lifetime.”

So, after working on that story since February 2006, Best was enjoying her summer vacation one sunny morning when her cellphone rang. A source from Caledonia was calling to tell her the barricades that had blocked the entrance to the disputed housing development site for eight weeks were finally coming down. Within minutes, she was on the phone with her editor. “You gotta cover it!” she told him. “You’ve gotta have somebody go.”

But even then, she knew he wouldn't send anyone to cover the story, despite her urgings—a decision that bothers her to this day. Although national media outlets were a common sight in town, Best's paper, just a short drive away, didn't touch it. Not for the first time, she was the only local journalist who seemed to understand the importance of the events unfolding around her.

The largely rural Haldimand County, with a population of about 56,000 people, boasts six weekly newspapers, so competition alone should have ensured good coverage. But that's not the case. Some of the papers have almost completely ignored the conflict, while others have taken a decidedly one-sided approach. According to most editors and reporters in the area, the pressures of dealing with a national story from a local perspective, fear of retribution and personal involvement have put them in a delicate position. So instead of providing fair, balanced reporting on a situation that is tearing their community apart, most have opted to pick sides or ignore the story altogether, throwing the ideals of journalism out the window.

Caledonia is quintessential small-town Ontario. Located about 30 kilometres south of Hamilton along the Grand River, it's home to 10,000 people, a 135-year-old agricultural fair and a historic downtown where kids can still buy penny candies at the local bakery. Until recently, it was best known for its nine-span bridge, the only one of its kind in Canada. Subdivisions are going up on the outskirts in response to demand from commuters with jobs in nearby Hamilton or Brantford, but the town retains much of its old-time charm. Just west are two reserves collectively called Six Nations of the Grand River, with a population of 11,000. For generations, the communities lived side by side without hostility.

That peace began to collapse in February 2006 when a small group of protestors moved onto the Douglas Creek Estates (DCE) housing development in the southwest end of town. At issue was the ownership of the land called Kanonshaton, Mohawk for “the protected place.” According to a 1784 treaty, Aboriginal bands have rights to 10 kilometres on either side of the Grand River, between its source and Lake Erie. Over the years, much of that land, which

totalled about 3,800 square kilometres, was leased or sold. Or at least, that's the government's position. According to Six Nations residents and their supporters, the disputed land was only leased, and the government had no business selling it to housing developers such as DCE without their input, or without giving them a share of the profits.

As is so often the case with such disputes, it's hard for most readers to know who's right and who's wrong. And in the absence of convincing evidence on either side of the centuries-old debate, it's up to reporters to help people understand what's at stake. With half a dozen papers serving the area, that shouldn't have been a problem—but it was.

The *Turtle Island News*, *The Dunnville Chronicle*, *The Haldimand Press*, *The Regional News This Week* and *The Tekawennake* all come out on Wednesdays. But *The Grand River Satchem*, one of the oldest papers in Ontario and now owned by Metroland, lands in flyer bags at 19,000 homes across Haldimand County and the Six Nations reserve on Friday afternoons. It features a mix of local news, human interest stories and reports from local lawn bowling and 4-H clubs. “We're the community's newspaper,” says Neil Dring, the editor, general manager and associate publisher. As Katie Dawson, the lead reporter, says, “People like having their own newspaper that they can open up and see, ‘Oh, there's my grandson and his hockey team.’”

The *Satchem* was the first non-Aboriginal paper to cover the dispute, but while the staff tries hard to provide bias-free, politically correct reporting, their attempts to not hurt anyone's feelings appear to hurt their coverage instead. Some who live in the most affected areas describe it as “the worst” of the bunch—they say the *Satchem* exaggerated their problems or misquoted them.

For the papers of the reserve, the action started in October 2005, when six protestors held flags and banners on the southern end of Caledonia's main drag as part of an information picket about development on the DCE. “We didn't take it too seriously at the time, we just did it because it was local news,” says Dring, who ran a 120-word article on page 11. In hindsight, he says, it was gold, and after a quiet four months, the *Satchem* resumed its coverage when the protest moved to the disputed land at the end of February. DCE and many residents saw the action as an occupation; others, notably Six Nations residents, insisted it was a reclamation.

Either way, almost two months after the trouble started, the Ontario Provincial Police (OPP) botched a nighttime raid of the DCE. By the middle of the day, several hundred First Nations from across the country had poured in to support the protesters and established a barricade of tires across the main drag, stopping traffic through Caledonia, and at one point darkening the skies with a tire fire. Before mainstream media arrived, local papers “were on the scene first,” says Dring, whose photograph of a minivan being pushed off an overpass was picked up by *The Hamilton Spectator* and later won the Ontario Community Newspaper Best Spot News Photo Award for 2006.

Continuous coverage of the more than two years of the dispute has been difficult. “We just can't keep up,” says Dring. “This is like a freight train that ran away from us.” With only one full-time reporter, he has had to be selective. If something happens, the paper will report developments in the conflict, but won't write about it just to comment. Dawson was on maternity leave and Hamilton-based freelancer Mike Pearson, now with the *Ancestor News*, was filling in when the protestors took control of the DCE land. He says he and Dring talked a lot about how to cover the issue: “We didn't want to take a side or take a stand,” he says. “I tried to be a little more neutral, but it was a challenge



Neil Dring's shot of protestors throwing a minivan off an overpass onto the highway below on April 20, 2006

trying to convey the message of both sides and not appear to favour any one side."

Judging by the letters the *Sachem* and the other papers receive, many readers blame band members for some of the more controversial incidents—including a truck burning under a power transformer, cutting off power to the county and surrounding areas for a day or two and causing over \$1.5 million in damages. They expected the paper to take the same line. But because the police did not press charges, Pearson wasn't prepared to do that, saying, "We had the obligation to be objective and not to report hearsay."

Although the paper publishes letters representing a range of readers' views, Dring says many of the comments he receives are based on rumours and unsubstantiated information, so he isn't comfortable printing them. "Some readers understand where we're coming from and they respect that," he says. "Other readers think we're dropping the ball."

It's a different story altogether at rival *The Regional News This Week*, an independent weekly owned by editor Chris Pickup and her husband, publisher Kevan Pickup. The newsroom consists of a few desks huddled behind the counter of a printing and office supply shop that, like most Caledonia businesses, has seen a sharp decline in Aboriginal customers. Each Wednesday, 22,000 copies go free to readers across and outside Haldimand County, but not to the Six Nations reserve due to the high cost of delivery.

Known for being outspoken, the *Regional News* pays more attention to the land claim dispute than any of the other weeklies in town—it devoted four of its 12 news pages, plus the cover, to a march in October 2007. But the paper comes down hard against the protestors. "They're looking at this as an illegal occupation and in their copy would refer to it as an illegal occupation over and over again, whereas we weren't," says Pearson. From the start of the dispute, "they were seen as anti-native."

Editor Pickup doesn't see that as a problem. "No newspaper is unbiased, despite what they say," she counters. "We

try to be fair all the way around. But that doesn't mean to say you can't state your opinion either, as long as you make sure people know it's your opinion."

Reporter and photographer Bill Jackson, who also writes a weekly column called Comment, says that outspoken attitude is what attracts readers. "I think people look to our paper because they want ... someone to say what no one's saying," he says. "The paper has always had the reputation as being a little bit more controversial. Chris isn't one to sit back and let people walk all over her. A lot of people read the paper because of my Comment, because I'll blast off about the natives or something, but they like that." Early on, readers from the reserve called and wrote to take the paper to task for a story that failed to report their history properly, but that didn't bother Jackson, who says, "It's all perspective, right?"

Although he claims he had "no problem with natives" before he began working in Caledonia five years ago, his experiences since then have affected him. In June 2006, he covered a skirmish at the local Canadian Tire parking lot, when an Aboriginal woman noticed he was taking pictures of the scene. She allegedly chased him down, grabbed his camera from his hands and scratched his arm with her nails, leaving a deep cut. "You can see how people get to the brink in this community," says Jackson, who claims the police stood there, watched and did nothing. When a police officer finally returned his camera, the memory card was gone. Reporters who became that involved can find it difficult to separate their personal and professional feelings. "After this issue, do I have something against natives personally? I think it's definitely coloured my perception on things as an individual. And I think it does overlap a bit into your reporting because it's your perspective, it's your objectivity."

While such a notion might rub many reporters the wrong way, Jackson sees it differently. "You could really take a lot

of angles on this and still be right," he explains. So does he think that he and the *Regional News* have covered the story in the best way possible? "No, I don't think I have, because I don't think one person at a community newspaper could cover it in the best way. I think it's too big of an issue for my job and my capacity to cover it in the best way possible, and I'll be the first to admit that. I've done my best."

While the *Regional News* covers the dispute thoroughly, *The Haldimand Press* has distanced itself from reporting on the conflict. With its long history—it's been around in one form or another since 1868—and a circulation of 4,200, the paper should be right on top of the land claim issue. Instead, the *Press* is something of a 1930s society page throwback, relying heavily on submissions from community groups and other announcements; letters to the editor, which appear throughout the paper, rather than lumped together on one page; inspirational quotations and public service messages such as "Please Watch For Farm Equipment On Your Roads—slow down!" and "Never tell anyone they can't sing."

Robert Hall is a third-generation owner, editor, publisher and reporter at the paper. "A long, long time ago, I learned there's always three sides to every story: yours, mine and the truth, and I'm just not interested in getting involved," he says. "I've got friends on the Six Nations and I've got friends in Caledonia. You can't really paint a hard picture on something and be fair to both sides. It's just my decision to steer clear of controversies."

While Hall claims he doesn't cover any hard news, that's not entirely true. On September 13, 2007, a group of Aboriginals attacked home builder Sam Gualtieri in the house he was building for his daughter on the Stirling Woods subdivision, another Caledonia development site that has been the setting of several confrontations (Six Nations representatives have acknowledged this attack happened). The story made the front page of the *Sachem* and the *Spectator*. It also made the *Press*, garnering 148 words on the inside cover, sandwiched between the results of a card game and a fundraising tricycle race. "I don't try to be like everybody else just to be like everybody else," explains Hall. "What we do is to try and please our subscribers. We have probably 50 compliments compared to one complaint about the style of our paper. I don't think I could improve on that by doing all of those hard-nosed stories."

Although Hall's if-it-ain't-broke approach to newspapers may strike some as decidedly un-journalistic, many people in the county consider the weekly a must-read.

One journalist who has never shied away from reporting both sides of the land claim dispute is Karen Best. The lead reporter at *The Dunnville Chronicle* first started working on the story while at a sister paper, the now-defunct *Haldimand Review*. An unassuming but tough woman, she comes across as much more hard-hitting on paper than in person. While other local journalists complain it's impossible to report on the community they live in during this crisis, Best isn't afraid to do her job, whether it's covering Six Nations community meetings or interviewing protestors at the barricade. "I've had people say, 'Is it safe for you to go there?' Yeah," she laughs, sounding like a kid saying, "Duh." "What do you think they're going to do to me?"

On Victoria Day 2006, an Aboriginal man allegedly bumped a couple of protestors from Haldimand County and surrounding areas while trying to block the main road with his car. A crowd of about 100 insisted he be arrested, so the OPP took the driver away, leaving the female

passenger inside the car. A member of the Aboriginal Response Team, a special OPP squad, made her way to the car to drive the vehicle out of harm's way. The crowd blocked the car and someone cried out that if it was a non-Aboriginal driver, the car would be towed. Six Nations spokesperson Janie Jamieson appeared with four men to help retrieve the stranded woman, but the crowd wouldn't let them through. As they pushed forward, fists started to fly. Best watched as people inches away from her punched each other in the face, hurling angry, racist slurs. The force of the densely packed mob jostled her from the middle of the street, where she'd been standing, to the side of the road. Catching a glimpse of her neighbour's 18-year-old son trying to pull someone out of the melee, she was concerned for his well-being and shouted at him to go home. But she stayed put. "I'm possessive of the story and I live there, so I'm going to cover the stuff."

Best began covering the land claim controversy for *The Haldimand Review* in March 2006, after a tip led her to stake out an unpublicized meeting. The OPP, DCE developers and members of the county council and the Six Nations Band Council were getting together to talk about how to deal with the situation. As the only reporter waiting for officials after the meeting, she scooped her competition. "From then on it was my story. I'm compulsive and obsessive and will not give it up to anybody."

She's taken a markedly different approach from the other local papers: she made a point of writing about both sides of the story, including looking into the history of the Grand River land claim as well as allegations of discrimination against Aboriginal children. But her paper folded in November 2006 when its owner, Osprey Media, decided it would take too long to become profitable in such a crowded market. "It was a sad, sad day," says Best. "I knew that I'd covered and written stuff that no one else has, and the door was being shut on that."

Best returned to her other job at nearby *The Dunnville Chronicle*, another Osprey weekly that puts out 2,600 copies, but made it clear to her editor that she would not be abandoning the story. "I'm from Caledonia. I figure the way to serve my community best was to inform them, and that's still my position," she says. "I'm very even. I report what the Six Nations people say. Some people here are prejudiced and angry and frightened. There are all those emotions going on, and they may not want to read it, but I write it, straight up, and that's what comes out." Her work has not gone unappreciated: readers have called and emailed Best with praise. "And these were people," she notes, "who lived in the most affected area."

The Six Nations reserve has two of its own weeklies: *The Tekawennake* and *The Turtle Island News*. While both papers have covered the dispute extensively, they appear to take a one-sided approach to the land claim issue too. The publisher and editor of *The Turtle Island News* did not respond to interview requests for this story. The *Teku*, as readers call it, has a circulation of 2,500. The 35-year-old paper focuses on local news but also includes stories about First Nations communities from across Canada. It began covering the Caledonia story long before journalists at the weeklies in town even knew what was happening.

In fall 2005, Jamieson and Dawn Smith, two of the leaders behind the protest, approached the Confederacy Council, a traditional governing body, and the elected Band Council to ask for their blessings to start an awareness campaign about the ownership of the land. The story made the front page of the *Teku* on March 1, 2006, and continued to do so for



the next 19 weeks. Jim Windle, who has worked at the paper for six years, is the assignment editor and lead reporter. Although he is not Aboriginal, he says that gives him an advantage when doing his job—not having ties to members of the Six Nations means he doesn't need to worry about angering family members with his work. "I find the fact that I'm not native to be more beneficial because I can afford to be more objective. It's not like if I say something wrong I'll upset my auntie." Windle, like Best, has given up many hours of his free time to cover the story. "When things started to happen, news was breaking all the time so you pretty well had to be there. There were many nights I spent there, sleeping in my car."

He's disappointed that his rivals have focused on juicy, unproven details instead of investigating and reporting the facts. He tried to substantiate stories of children fearfully eating lunch under their desks and Canadian flags pierced with bullet holes—what he calls "outrageous crap"—with school and OPP officials, but was told both were gross exaggerations. "I'm not saying nothing happened. But I am saying that 80 per cent of what got out to the major media either didn't happen or was completely embellished," says Windle. "There was so much misinformation being fed to the mainstream that only the native population and those who took it upon themselves to research the facts knew the real story." Still, he concedes that this may not have been the reporters' faults entirely. Outside media, as the *Teka* refers to mainstream news organizations, and some non-Aboriginal local papers, were repeatedly denied entrance through the barricade to talk to the protest leaders and their supporters. Windle says, "so all they got was angry Caledonians."

The *Sachem's* Dring says he isn't surprised by the *Teka's* stand. The Aboriginal papers are "very much cheerleaders for their side of the issue," he says. "But you know what? A paper should serve the community and they do a good job of representing their communities." The

Hundreds of First Nations from across Canada and the U.S. came to Caledonia to support the Six Nations

problem, of course, is trying to represent people when no one will talk. For the town papers, it was tough to get comments from people on the Six Nations reserve—and, in many cases, it's just as hard to attribute quotes, or do on-the-record interviews with people on the other side of the barricade because no one wants to be a public spokesperson or the voice of Caledonia. "The biggest problem is the lack of information residents are getting, but it's the same for us," explains *Sachem* reporter Dawson. "We don't get information about how the negotiations are going, there's nobody here who will tell us, so how do we report it? I think that frustrates people—I know it frustrates me."

Fear kept many from speaking to reporters. People were so afraid of backlash from either side they didn't want to have their names out there and justifiably so, when you see what happened to Dave and Dana, says the *Sachem's* Pearson. Dave Brown and Dana Chatwell live on the edge of the DCE site, and during the most heated days of the dispute they were unable to travel freely to and from their home. They had to abide by the protestors' rules—including no alcohol—and carry "passports" signed by Mohawk security. They endured vehicle searches, during which items such as groceries or beer were often removed, and their home was broken into and many of their possessions destroyed. They have since filed a \$12-million lawsuit against the OPP and the provincial government for failing to protect them.

So reporters were stuck between a frightened population and reticent protestors. "I did have some difficulty trying to go down to the barricade site and get comment from people there because they would always say that they're not authorized to speak," says Pearson, who was often told to talk to absentee spokespeople. "It probably resulted in the native side not being fully represented in the news coverage, but we always made the effort."



Protestors lit a tire fire across Caledonia's main drag the morning after a botched nighttime OPP raid

When local media fail to cover important issues, or cover only one side of them, readers inevitably have to look elsewhere. In Caledonia, many go to Caledoniawakeupcall.com, created by Gary McHale. He has taken it upon himself to fight a perceived lack of law and order, subjecting himself to hatred, ridicule and near bankruptcy in a debate he can't tear himself away from. Though he sold the site to someone he describes as "like-minded" late last year, he still contributes to it. And even some reporters are impressed. "I think he's done a really, really good job of putting any information that he can get his hands on out there for people to read," says Dawson. "Really, if people didn't have that they'd be in the dark even more than they are."

McHale and his friend Mark Vandermaas, who runs a site called Voiceofcanada.ca, don't live in Caledonia, but are well-known figures in the community. Both sites link to hundreds of stories about the conflict, and they are opposed to the way protesters behave and how the dispute is policed. One of the images on Caledoniawakeupcall.com calls the protestors "terrorists," another accuses protestors of "extortion" and a third shows a banner that reads, "KKKANADA." Below, it links to videos that, the web page suggests, "could be seen as proof for a Native Supremacy Movement." It's not clear whether these are McHale's own editorial comments or simply gathered from other sources. The site is an aggregate: it takes content from everything from Aboriginal papers to the *National Post* to blogs. The site has attracted about 22,000 visitors a month since its creation in June 2006. "I'm only involved because the media failed. That's my fundamental statement I have made to the public many times," says McHale. "I would not exist if the media had done their job. In a democracy, it's the media that finally puts the pressure on governments—and it's not happening in Caledonia."

But McHale is not just a citizen journalist. He has organized a number of protests, including the Remember Us March two days before the provincial election in October 2007. He and Vandermaas say they are fighting two-tier

justice, not the Six Nations residents themselves, although some people have a hard time believing it. They also believe the OPP are treating the actions of First Nations and locals differently. At a resident-organized rally in December, police arrested and charged McHale with counselling to commit mischief, following an altercation between him and an Aboriginal man. At press time, he is currently restricted from entering Caledonia and surrounding areas, though he is appealing the order. This March, he failed in his attempt to subpoena nine OPP officers, including Commissioner Julian Fantino, to testify at his bail review, during which the courts will examine the conditions of his restrictions.

At the annual Caledonia Fair, in both 2006 and 2007, the absence of people from the reserve was hard to ignore, especially since the event has traditionally been a time for everyone to celebrate; it generally attracts 30,000 visitors over its three-and-a-half-day run.

The conflict has given the area a poor reputation and Pearson says his out-of-town colleagues shudder when he mentions Caledonia. Living and working in such a small community, where families have stayed for generations and reporters risk alienating everyone around them, makes it hard to decide how to cover such a divisive story. But when journalists choose not to report it, or to report only one side, they fail not just their readers, but their neighbours as well. "It's sad to see the rift that's between the two communities now," says Pearson, who lived in the county from the age of eight to 18 and who still follows the story closely from his home in Hamilton. "There's a real split. People look at each other differently."

An ugly standoff is not what Caledonians want to be famous for. They were much happier with their previous claim to fame. "What we were known for is our bridge," says Dawson. "I hope that's what we're still known for." ☐☐☐