

'1492 Land Back Lane' Camp: Caledonia Land Dispute and the Potential for Violence

On July 19, 2020, a small group of Indigenous and non-Indigenous individuals occupied the McKenzie Meadows residential development site in the south end of Caledonia, Ontario. The site sits on a portion of disputed Six Nations of the Grand River land. According to the protesters, this development infringes on Indigenous sovereignty. The occupation is ongoing.

The occupation is not a community initiative and does not have the formal approval from the Haudenosaunee Confederacy Chiefs Councils or the Six Nations Elected Council. Public support has been expressed by various individuals,

Two permanent injunctions related to the occupation have been granted by the Ontario Superior Court and have led to confrontations between the occupiers and the Ontario Provincial Police (OPP) and establishment of road blockades. Since early August 2020, more than 30 individuals have been arrested in connection with the injunctions. To date all the road blockades remain in place and the OPP continues to be fully engaged at the occupation site.

Bottom line up front

Since July 19, 2020, a small group of Indigenous and non-Indigenous protesters have been occupying a construction site in the south end of Caledonia, Ontario. Included in this group are members of the Six Nations First Nations Reserve; however, the occupation is not explicitly backed by the Six Nations leadership.

Two permanent injunctions have been granted to end the dispute.² These injunctions are to be enforced by the Ontario Provincial Police (OPP). Since early August 2020, more than 30 protesters have been arrested in connection with these injunctions. The OPP continues to be fully engaged in the situation at the camp.

'1492 Land Back Lane' Camp

On July 19, 2020, Indigenous and non-Indigenous protesters occupied 1535 McKenzie Road in the south end of Caledonia in order to stop the construction of a 25-acre housing subdivision. The site, which protesters renamed '1492 Land Back Lane'³, leads to the planned McKenzie Meadows housing development which borders Caledonia and the Six Nations of the Grand River Reserve. Six Nations member Skyler Williams is the self-describe spokesperson for the protesters; however, the court documents from August 25, 2020, identify him as the protest leader.

² Both injunctions, first filed on July 30, 2020, were temporary at first; extensions were granted twice in August and twice more in October.

³ This is a reference to the discovery of the Americas by Christopher Columbus, thereby ushering in the era of European colonization.

The occupation is in response to the ongoing land dispute involving the Haudenosaunee Confederacy in which Six Nations of the Grand River is a nation. The McKenzie Meadows site is part of the Haldimand Tract which was granted to the Haudenosaunee Confederacy in 1784 for allying with the British during the American Revolution. The tract encompassed six miles of land on both sides of the Grand River, which runs through southern Ontario into Lake Erie. Protesters contend the site is on unceded Indigenous land and that the planned development infringes on Indigenous sovereignty.

Permanent Injunctions

On October 22, 2020, Ontario Supreme Court Justice John Harper granted a permanent injunction against the protesters occupying the site, ordering them to leave permanently. The injunction was requested by the developer of the site, Foxgate Development. An injunction against road blockades was also granted to Haldimand County, where Caledonia is located.

Reaction to Injunctions

In the hours following the announcement of the permanent injunctions, camp members and OPP members were involved in a confrontation at the back entrance of the camp, located on Argyle Street near Highway 6 in Caledonia. Unidentified camp members damaged police cruisers during the confrontation. In response, officers used "non-lethal force", which was described by camp members as rubber bullets and a taser.

Raid on Camp

On July 31, 2020 — the day following the approval of the first temporary injunction issued on July 30, 2020 — OPP served the injunction to the camp members. Several members remained and on 5 August 2020 the OPP enforced the injunction by raiding the camp. A confrontation ensued, during which nine unidentified members were arrested. The camp was reoccupied the following day. In response to the raid, camp members set fire to tires along Argyle Street and on Highway 6, forcing the OPP to shut both roads. The CN rail line was also blocked. The barricades continued to block several roads in the area until August 21–22, 2020, when they were dismantled by camp members. The barricades were mounted again on October 5, 2020, in response to an attempted arrest of a camp member who was not currently at the camp.

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and the Potential for Violence**

Summary

On July 19, 2020, a small group of Indigenous and non-Indigenous individuals set up a protest camp on a residential development site in the south end of Caledonia, Ontario, located 20 km south of Hamilton, Ontario. The site, referred to as McKenzie Meadows, sits on a portion of the disputed Six Nations of the Grand River (Six Nations) land known as the Haldimand Tract.¹ According to activists, this development infringes on Indigenous sovereignty.² There have been no incidents of serious violence to date; this paper is for domain awareness purposes only.

Key Points

- To date,

However, critical infrastructure near the camp has been damaged, vandalized or disrupted during the protest. The damage to critical infrastructure and the potential disruption to services have implications not only for Caledonia, but southern Ontario as a whole.

- The ongoing protests are not a community initiative and do not have the formal approval from the Haudenosaunee Confederacy Chiefs Council (HCCC) or the Six Nations Elected Council. Public support for the activists has been expressed by Indigenous and non-Indigenous individuals through demonstrations, financial support and visits to the protest site.
- Two permanent injunctions related to the protest camp have been granted by the Ontario Superior Court and have led to confrontations between activists and Ontario Provincial Police (OPP); road blockades have also been put in place. Since early August 2020, more than 30 individuals have been arrested in connection with the injunctions. To date, all the road blockades remain in place. The OPP continues to be fully engaged in the situation.

Six Nations of the Grand River

Six Nations is one of the nine Mohawk Nations that are part of the broader Haudenosaunee Confederacy. Six Nations Reserve is located in the Caledonia, Ontario, area and is the most populous First Nations Reserve in Canada.

In 2006, members of Six Nations set up a protest camp on the Douglas Creek Estates, a proposed housing development site that borders the McKenzie Meadows site. After several months of protest, blockades and violent altercations with police and counter protesters, the Ontario provincial government purchased the land from the developers and held it in trust for Six Nations until negotiations settled the land claim.

¹ The Haldimand Tract was granted to the Haudenosaunee Confederacy in 1784. The tract encompassed six miles of land on each side of the Grand River, which runs through southern Ontario into Lake Erie. Six Nations allege that lands were improperly sold, leased or given away by various Canadian governments, leaving only 5% of the original lands under Six Nations control. (U)

'1492 Land Back Lane' Camp

1. On July 19, 2020, Indigenous and non-Indigenous activists protested at 1535 McKenzie Road in Caledonia in order to stop the construction of a 25-acre housing subdivision. The site, which protesters renamed '1492 Land Back Lane'³, leads to the planned McKenzie Meadows housing development that borders Caledonia and the Six Nations Reserve. Activists maintain that the site, which is part of the Haldimand Tract, was never legally or legitimately ceded to the Crown.

Broader Support for Protesters

3. On August 15, 2020, the HCCC released a statement opposing the development of the McKenzie Meadows site. The HCCC indicated that they did not grant any type of consent for development as the site is located in what the council considers is a 'red zone' of its ongoing development moratorium on contested lands.

4. Non-indigenous support for the activists has been consistent through media and social media forums.

5. On October 9, 2020, a 'Day of Action' was held in support of the protesters. A rally and march held on October 25, 2020, drew support from labour unions. In addition, over 100 Indigenous and non-Indigenous supporters attended a gathering near the site that was hosted by protesters on November 7, 2020. There has also been an increase of support — through social media forums — in organizing the collection and delivery of provisions for the protesters.

³ This is a reference to the discovery of the Americas by Christopher Columbus, thereby ushering in the era of European colonization. (U)

Police Raid on the Protest Site

6. On July 31, 2020 — the day following the approval of the first temporary injunction issued on July 30, 2020 — OPP served the injunction to camp members. However, several members remained and, on August 5, 2020, OPP enforced the injunction by raiding the camp. A confrontation ensued during which nine individuals were arrested. Protests returned to the site the following day. In response to the raid, activists set fire to tires along Argyle Street and on Highway 6, forcing the OPP to shut down both roads. The CN rail line was also blocked with vehicles. The barricades continued to block several roads in the area until August 21–22, 2020, when they were dismantled by protesters. The barricades were mounted again on October 5, 2020, in response to an attempted arrest of an activist who was not currently at the camp.

Injunctions and Subsequent Reaction

7. On October 22, 2020, at the request of the developer, Foxgate Development, Ontario Superior Court Justice John Harper granted a permanent injunction against the protesters' activities at the site, ordering them to leave permanently. An injunction against road blockages was also granted to Haldimand County, where Caledonia is located. Both injunctions, first filed on July 30, 2020, were initially temporary in nature.

8. In the hours following the announcement of the permanent injunctions, activists and OPP members were involved in a confrontation at the back entrance of the camp, located on Argyle Street near Highway 6. Unidentified protesters damaged police cruisers during the confrontation. In response, officers used non-lethal force equipment, which OPP confirmed to be a rubber bullet and a Taser.

10. Since August 5, 2020, more than 30 individuals have been arrested in connection with the protest and enforcement of the injunctions, including members of Six Nation and non-Indigenous individuals from Hamilton, London and St. Catharines, Ontario.

Notable Concerns Regarding Critical Infrastructure

Outlook

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