

Indigenous

Injunction against First Nations land reclamation camp sparks skirmish with police

Camp spokesperson says judge is 'pitting Canada against Indigenous people'

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Tires burned on Argyle Street in Caledonia, Ont., on Thursday hours after a judge granted a permanent injunction against a land reclamation camp known as 1492 Land Back Lane that has halted a housing development. (CBC News)

Blazing wooden pallets and tires blocked one side of a street leading into a southern Ontario community on Thursday, after a skirmish between police and members of a First Nation land reclamation camp.

The confrontation in Caledonia, Ont., came hours after a judge granted a permanent injunction against the camp's presence, which has stopped construction of a subdivision.

A electrical power pole was also set on fire by members of the Six Nations of the Grand River.

People at the blockade said officers with the Ontario Provincial Police (OPP) used a Taser on one person and fired at least one rubber bullet.

The OPP said police cruisers parked on the street were "heavily damaged" by the protest and that officers responded with "appropriate non-lethal force." There were no injuries and an investigation is underway, the force said on Twitter. Several cruisers had been used to create a buffer zone between the burning blockade and the public.

Camp spokesperson Skyler Williams said the police ignited the situation.

"It's another example of the OPP coming in here with violent acts of aggression against people that are just occupying their traditional territory. I think all of us are quite sick of it," he said.

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The confrontation that sparked the blockades

► October 22, 2020 | 0:47

This footage, provided by Six Nations community members, was recorded at the back entrance to the 1492 Land Back Lane reclamation camp, which was set up by members of Six Nations in July to stop a housing development in Caledonia, Ont.

Williams said the blockade would last until the people decide it should end.

"As long as they want to keep pulling guns on our people, as long as the OPP wants to keep committing these acts of violence toward us," he said.

"Now we have barricades up and people across the country talking about coming here to support what's going on. I lay this at the feet of the OPP for continuing these violent tactics of peaceful occupiers of their own territory."

Behind the buffer zone created by OPP cruisers, a group of local residents gathered, watching the smoke billow into the air as evening fell.

Lewis Walker, from Caledonia, said Prime Minister Justin Trudeau needs to step in and deal with this long-running conflict.



Ontario Provincial Police cruisers create a buffer zone between a blockade of burning tires and the public on Thursday in Caledonia. (CBC News)

"Why is the conflict is still going on?" said Walker.

"Deep down inside, this is a federal issue, and we're tired of it ... bring that guy down here."

Earlier, Ontario Superior Court Justice R.J. Harper granted the injunction sought by Foxgate Development and Haldimand County, the municipality that oversees Caledonia, after removing Williams from the proceedings.

Harper, who insisted that Williams was the leader of the effort, said he showed "contempt" for the court by refusing to obey the previous, temporary injunctions, and by insisting the Cayuga, Ont., courtroom was part of the "colonial" court system.

Harper said the court must acknowledge the "abuses that have been put upon the Aboriginal community."

However, he added, "claims and grievances in our society ... must be done respectfully, must be done in compliance with the orders."



Skyler Williams, spokesperson for 1492 Land Back Lane, speaks to reporters on the reclamation site following the court ruling. (CBC News)

Members from Six Nations of the Grand River, which sits next to Caledonia about 22 kilometres south of Hamilton, set up the camp in July to stop the construction of the McKenzie Meadows development.

The camp, dubbed 1492 Land Back Lane, was raided by the OPP on Aug. 5, triggering a day of road and railway blockades. Demonstrators set tires ablaze and threw rocks and police fired rubber bullets.

A senior OPP officer said, in an affidavit filed as part of the injunction, that a second enforcement operation could trigger a stronger reaction that could see railways, bridges and power stations "attacked and damaged in retaliation." The affidavit also said infrastructure could be targeted in other parts of the country.

Call for chief to step in

Six Nations member Gowenetoh said she wants to see elected council Chief Mark Hill take a stronger role in the evolving situation and approach the traditional government, the Haudenosaunee Confederacy Chiefs Council, to find a solution.

"He hears our cries," she said. "He could rectify this. All he needs to do is go knock on the Confederacy door and say, 'I'm willing to help us get our lands back.'"

The Six Nations members of the reclamation camp have historical records they say show that the land the development sits on was sold by a squatter to a settler who then received a land patent from the colonial authorities in 1853.



Six Nations member Gowenetoh said she wants to see Six Nations elected council Chief Mark Hill take a stronger role. (CBC News)

The property is part of the Haldimand Tract granted to Six Nations of the Grand River in 1784 for allying with the British during the American Revolution. The granted land encompassed 10 kilometres on both sides of the 280-kilometre Grand River which runs through southern Ontario and into Lake Erie. Six Nations now has less than five per cent of its original lands.

The Six Nations elected council has stated that, according to Ontario court decisions, there was no requirement for a private entity like a developer to accommodate Six Nations for developing lands that were taken illegally in the 1800s. Yet, the council said, Foxgate had transferred 17 hectares of land and \$352,000 to Six Nations for accommodation.

Foxgate never consulted with the Haudenosaunee Confederacy Chiefs Council, the traditional Six Nations government, before commencing its project. The Confederacy Chiefs Council has supported 1492 Land Back Lane and deems the property to be in a red zone of land over which it contests title.

The Six Nations elected council has an ongoing court case, filed in 1995, against Ottawa and Ontario over lost lands. It is scheduled to go to trial in 2022.

The Six Nations elected council did not respond to a request for comment.

The Haudenosaunee Confederacy Chiefs Council could not be reached for comment.

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Haldimand County Mayor Ken Hewitt said the blame fell on the federal government for allowing the situation to fester for decades.

"The federal government has a huge role to play," he said.

"It has abdicated its duties over the years in giving the people of Six Nations a platform for them to voice their concerns and push those concerns through a process. That is why we are here today."

Hewitt said if Ottawa stepped in to negotiate, it may create a path away from what the OPP says will lead to conflict.

"I would hope there is enough respect between the two communities and ties between the two communities that we can find a better way to bring this to the front of the federal government," he said.



Demonstrators from nearby Six Nations have occupied 1535 McKenzie Road in Caledonia since July. (Dan Taekema/CBC)