

**THE SIX NATIONS LAND "OCCUPATION AND PROTEST"**

PROTESTING THE “PROTEST”:  
UNDERSTANDING “NON-NATIVE” REACTIONS AND RESPONSES TO  
THE SIX NATIONS LAND “OCCUPATION AND PROTEST”  
IN CALEDONIA, ONTARIO

By  
AMANDA VYCE, B.KIN., B.A.

A Thesis  
Submitted to the School of Graduate Studies  
in Partial Fulfillment of the Requirements  
for the Degree  
Master of Arts

McMaster University

© by Amanda Vyce, May 2010

MASTER OF ARTS (2010)

McMaster University

(Political Science)

Hamilton, Ontario

TITLE

Protesting the “Protest”: Understanding  
“Non-Native” Reactions and Responses  
to the Six Nations Land “Occupation and  
Protest” in Caledonia, Ontario

AUTHOR

Amanda Vyce, B.KIN., B.A.  
(McMaster University)

SUPERVISOR

Dr. Will Coleman

NUMBER OF PAGES

80

## Abstract

The Six Nations land “occupation and protest” in Caledonia, Ontario, provides an important case study through which to better understand the attitudes and responses of local “non-Native” peoples to “Native” land disputes. This study explores the ways in which the residents of Caledonia think about the Six Nations claim that encompasses the land subject to the “occupation”; the ways in which the provincial and federal governments responded to the “occupation”; the tactical activism that was employed to buttress the land claim; the response of the Ontario Provincial Police to the “occupation”; and the perception that there has been an iniquitous application of the rule of law between “Natives” and “non-Natives” leading to a system of “two tier justice” in Caledonia. This study also examines how the discourse of opposition employed by the residents of Caledonia towards the “occupation” is embedded in the liberal democratic notion of equality. I argue that vehement opposition to the Six Nations’ land claim stems from the residents’ desire to preserve their own economic interests, which they think would otherwise be threatened by Six Nations ownership of the disputed property. I found that the tactical activism employed by “protestors” created more tension, hostility, and concern for the residents of Caledonia than the Six Nations claim to the disputed property. Lastly, I found that many residents believe they would have been as hostile towards any group that closed down their roads and inconvenienced their daily lives, as they were with the Six Nations. Although opposition to the “occupation” was tempered by racism on the part of *some* individuals, I argue the concept of racism does not adequately explain the opposition arising from *all* individuals. Instead, opposition to the “occupation” is primarily grounded in the rhetoric of equality. The case of Caledonia is important because the “occupation and protest” has had lasting impacts on individuals from both the Six Nations and Caledonia. It has also damaged the previous harmonious and amicable relationship between the Six Nations and Caledonian communities. As well, the climate of “non-Native” public opinions towards “Native” Peoples and issues can act as a vehicle or an impediment to the settlement of “Native” land claims and the decolonization of “Native” Peoples from the state. Thus, it is important to understand the nature of local public opinions since they could impact the ability of the Six Nations to achieve swift and fair settlements to their land claims throughout the Haldimand Tract.

## Acknowledgement

I would like to acknowledge the following people for their assistance and support throughout this project. I am particularly thankful to Dr. Will Coleman for supervising and guiding me through the research process and dissertation, and for sharing his vast expertise regarding the Six Nations and Indigenous-settler politics. Thank you to the twelve residents of Caledonia who participated in and implicitly supported the undertaking of this study. Thank you to Drs. Nibaldo Galleguillos and Peter Nyers who sit on my thesis committee and who have helped guide my thinking about the politics of Indigeneity. Thank you to Rick Monture for helping me to conceptualize my approach to this project. Thank you to Dr. Eva Mackey who provided me with invaluable technical advice regarding my fieldwork and ethics review. Thank you to Tom Keefer who allowed me to preview a chapter he has written about non-Indigenous responses to the Six Nations reclamation, which is to be published in an upcoming edited volume. Thank you to Govind Rao whose undergraduate course in 'Development and Public Policy' drew my attention to the vital need to better understand and address the systemic issues that perpetuate the internal underdevelopment and colonization of Indigenous Peoples in Canada. Thank you to Randell Hill and Tamara Botting who graciously permitted me to access and helped me find my way through, the archives of *The Tekawennake* and *The Grand River Sachem*. Lastly, thank you to the Social Sciences and Humanities Research Council of Canada for providing the funding that enabled me to conduct this project.

## Table of Contents

Descriptive Note .....	ii
Abstract .....	iii
Acknowledgements .....	iv
Table of Contents .....	v
Introduction .....	1
The Argument .....	2
Organization of the Thesis .....	4
Research Methodology .....	5
Chapter One: An Overview of the Six Nations Land “Occupation and Protest” and the Reactions of the Residents of Caledonia.....	8
Chapter Two: Attitudes Towards the Six Nations Land Claim .....	17
Chapter Three: Attitudes Towards Provincial and Federal Government Responses to the Land Claim and “Protest” .....	20
Chapter Four: “Protest” and Tactical Activism .....	26
Chapter Five: Policing, “The Rule of Law”, and “Two Tier Justice” .....	31
Chapter Six: Race and Resistance .....	44
Chapter Seven: Analysis and Conclusions .....	47
The Impact of Public Attitudes and Opinions .....	47
Tactical Activism and the Right to Protest .....	48
Equality .....	50
The Rule of Law .....	51
Review of Findings .....	53
Final Conclusions .....	55
Bibliography .....	58

## Introduction

Since forced to further the creation of settler colonies by the French and British empires and the subsequent creation of the Canadian state as an autonomous dominion with the British Empire, “Native” Peoples across Canada have been actively engaged in counter-colonial forms of political struggle. These include various forms of protest and resistance to reclaim land from which they were dispossessed or which were given under treaties and then subsequently taken over. (McCue 1994) In contrast to other previously colonized societies, Canada has not radically decolonized itself. When Canada began to move towards responsible government under the British Empire, gradually increasing levels of authority were transferred from the British Empire to colonial governments, including authority over “Native” Peoples. Accordingly, when Canada became a self-governing "Dominion" under the former British North American Act in 1867, responsibility for "Indians and Lands reserved for the Indians" was transferred to the federal government in Section 92(24). Thus, Canada’s settler population assumed authority over the new country's “Native” population and was to deepen colonial relations with an increasingly complex regulatory structure under the Indian Act, first passed in 1876.

Canada's “Native” Peoples have continued fighting colonization over the past 143 years since the Dominion of Canada was first formed. And this struggle, if anything, has intensified since the end of the Second World War. “Because decolonization in the form of the removal of [“non-Native”] settlers and governments will not occur in Canada,” “Native” political activity often contests existing and proposes alternative, relationships that structure “Native”-settler relations in Canada. (Furniss 1999: 12) In the past thirty-five years, for example, “Native” Peoples have engaged in at least twenty-four major occupations and blockades as a means to affirm and exert their rights to lands and resources.<sup>1</sup> Questions regarding “Native” title contest the notion of who owns and possesses the rights to lands and resources in Canada and land claims act as a catalyst for changing the power-sharing relationship between “Native” and “non-Native” Peoples and the state. “Native” land claim protests, occupations, and blockades have received attention from York and Pindera (1991), Blomley (1995), Pertusati (1997), Ramos (2006), Wilkes (2006, 2004a, 2004b), and DePasquale (2007). In part, these scholars help to explain the collective political actions of “Native” Peoples and the issues that underlie them. Released fifteen months into the Six Nations occupation of the “Douglas Creek Estates (DCE)”, the Report of the Ipperwash Inquiry (2007) further examined the causes, prevention, and policing of “Native” occupations and protests. These works help us to better understand the evolution and use of occupations and other acts of civil disobedience by “Native” communities as means of buttressing their land claims.

Equally important to our understanding of “Native” land claim protests are the responses of “non-Native” Canadians to land claims and the collective action used by “Native” Peoples to advance those claims. Ponting and Gibbins (1981a, 1981b, 1980), Ponting (2000, 1984), and Langford and Ponting (1992) have examined the attitudes of

---

<sup>1</sup> For a brief description of many of the occupations and blockades referred to, see Borrows (2005).

“non-Native” Canadians towards “Native” Peoples and issues including “Native” protests and forms of tactical activism. Moreover, Menzies (1994), Furniss (1999), Hamilton (2006), and Mackey (forthcoming, 2005, 2002, 1999) have analysed some of the virulent reactions of “non-Native” people to “Native” land claims and to the collective action “Native” Peoples employ to advance their claims in Australia, the United States, and Canada.

The collective action of the Six Nations at the “DCE” is of particular historical significance. In April 2006, the Six Nations Elected Band Council handed the responsibility of negotiating a resolution to the “occupation and protest” over to the traditional Confederacy Chiefs Council and Clan Mothers. (Windle 2006f) The resurgence of the traditional government of the Six Nations signifies the first time the federal government has officially acknowledged and agreed to negotiate with the Confederacy since it tried to forcibly eliminate it under the *Indian Act* in 1924. (Weaver 1994) As well, by framing the “occupation and protest” as a political issue, “[ ] the struggle around the Douglas Creek Estates poses not only the question of a struggle over the possession of a particular parcel of land, but also raises the very question of [Six Nations] political sovereignty.” (Keefer 2007) Questions regarding the historical antecedents of the Six Nations land claim(s) and the implications of achieving or failing to achieve a settlement to those claims for the Six Nations community, would help us to better understand how the Six Nations view the “occupation and protest” in relation to their historical grievances. These questions are, however, best answered by scholars and members of the Six Nations who for many years have actively engaged in efforts to educate the local public about their community’s history and land claims, and more recently about the objectives of the “occupation and protest” at the “DCE”. Thus, this project makes no attempt to speak for or on behalf of the Six Nations. It is not my goal or purpose in this thesis to address the merits of the “occupation and protest”, nor the validity of the Six Nations land claim, which encompasses the “DCE”.

Caledonia is the town whose territory borders and surrounds, in part, the disputed land. In this thesis, I explore the reactions and responses of its residents towards the Six Nations “occupation”, “protest”, and land claim. I have focused on two major questions. First, how have the residents of Caledonia reacted and responded to the Six Nations land claim and the type of direct political action used to buttress their claim(s)? Second, what are the ideological foundations upon which responses to the “occupation” and land claim are premised? Are individuals who oppose the “occupation”, the tactics employed by Six Nations “protestors”, and other circumstances arising out of the “protest” expressing a “colonial” mentality (which has long been characteristic of the mainstream Canadian polity and society), or is this opposition based on other types of beliefs?

## **The Argument**

Through a case study of the Six Nations “occupation and protest” of the “DCE” property in the Town of Caledonia, I explore the views that the residents of Caledonia hold towards the Six Nations land claim that encompasses the “DCE” and the methods they employed to buttress their claim. In turn, I examine how those views influenced the



ways in which Caledonians reacted and responded to the “occupation” and related circumstances.

In the research that follows, I outline the diverse attitudes of the residents of Caledonia towards the Six Nations land claim that encompasses the “DCE” property and to the potential transfer of ownership of the “DCE” from the Province of Ontario to the Six Nations. In relation to those individuals who expressed strong, direct opposition to the land transfer, I argue that such opposition stems from the residents’ desire to protect and preserve their own entrenched economic needs and interests, which they think would otherwise be threatened by Six Nations ownership of the disputed property. Opposition to the potential land transfer can be explained in relation to Waldron’s *Supersession Thesis* (2004, 1992). Like Waldron, the residents of Caledonia argue that the historical grievances of the Six Nations cannot supersede their own economic interests. Caledonians fear that Six Nations ownership of the “DCE” will result in negative economic impacts for the residents and Town. Thus, even if the reallocation of the land to the Six Nations would help to rectify the historical grievances of the Six Nations, the residents of Caledonia believe the land should not be transferred because of the injustice they think it would create for the residents and Town.

My research also demonstrates that Caledonian residents are highly critical of the ways in which both the provincial and federal governments have reacted and responded to the Six Nations land claim and “occupation and protest”. They recognize that the province made some attempts to help resolve the situation vis-à-vis the implementation of the Residential Assistance and Business Recovery Programs. Many residents remain critical, however, of the province’s decision to purchase the “DCE” property. They also criticize the lack of leadership shown by the federal government throughout the dispute. Caledonians felt betrayed and abandoned by the federal government. More generally, my research outlines the ways in which the provincial and federal governments responded to the “occupation and protest”. The response from the Harper government suggests to the residents of Caledonia that land claims are not a priority for the federal government. They think that politicians avoid “hot-button” issues and seek to avoid the potentially disastrous political fallout that could result should a land claim dispute become violent, as was the case with Oka and Ipperwash. Other Caledonians argued the land claim dispute created a no-win situation. They contend that if the province and OPP had brought a swift and potentially violent end to the “occupation and protest”, the country would face immediate acts of retaliation from other “Native” communities across the country. Lastly, I show that residents believe that the federal government has been dragging its feet with respect to resolving the Six Nations land claim because the government lacks sufficient evidence to prove the claim is invalid.

The thesis also outlines how my informants expressed a variety of differences in opinion regarding the purpose of the Six Nations “occupation and protest”. Most argued it was probably necessary for the Six Nations to take action of such magnitude in order to gain the attention and commitment of the federal government with respect to addressing their claims and grievances. While many Caledonians expressed that they could understand the frustrations of the Six Nations, they disapproved of the tactics the “protestors” employed to buttress their land claim because they felt they were victimized

and unfairly burdened by them. In the research, I found that the tactical activism employed by “protestors” created more tension, hostility, and concern for the residents of Caledonia than the Six Nations claim to the “DCE” property itself. The informants draw clear distinctions between acceptable (and thus, permissible) and unacceptable (and thus, impermissible) forms of protest and collective action. Drawing on Ponting (2000) and Langford and Ponting (1992), I propose that social factors including prejudice, neoconservatism, and perceived group conflict influence the views “non-Natives” hold towards the types of protest tactics employed by “Native” collectivities. For example, when “non-Native” perceptions of group conflict increase, their opposition to “Native” demands and political action also increases.

Finally, in my exploration of the relationships between racism and opposition to the Six Nations “occupation and protest”, I find that my informants strongly believe they would have been as angry and hostile towards any group that closed down their roads and inconvenienced their daily lives, as they were with the Six Nations. Although opposition to the “occupation and protest” was embedded in racism on the part of *some* individuals, I argue the concept of racism does not adequately explain the opposition arising from *all* individuals. Rather than employing a racist rhetoric, the residents tend to draw on a discourse of “equality” to ground their opposition to the “occupation” and their perceptions regarding the application of the rule of law throughout the land claim dispute.

### **Organization of the Thesis**

In researching these questions and thinking about the results of my fieldwork, I explore five thematic areas. I begin in Chapter One with the provision of the necessary factual background information needed to contextualize the protest. Chapter Two looks to the first thematic area, the attitudes of the residents of Caledonia towards the Six Nations land claim. I outline the ways in which Caledonians think about the land claim which asserts that the Six Nations are the rightful owners of the “DCE” property, and their thoughts regarding the potential transfer of ownership of the “DCE” property to the Six Nations. I argue that residents directly, and in some cases, vehemently oppose the transfer of the “DCE” property to the Six Nations. They think the preservation of their own (economic) needs and interests that arise from ownership of the “DCE” property supersede the Six Nations' interest in rectifying historic injustices via the reallocation of land to the Six Nations community. This view is held regardless of whether the land was misappropriated and directly associated with the historical grievances of the Six Nations People.

Chapter Three discusses the attitudes of the residents of Caledonia towards the ways in which the provincial and federal governments have reacted and responded to the Six Nations land claim and the “occupation and protest” and the reasons why they think the governments responded in select ways. Chapter Four examines the reactions and responses of the residents of Caledonia to the Six Nations land “occupation and protest”. I describe what Caledonians think the individuals involved in the “occupation” were protesting and what they think about the tactics and strategies that were employed by the “protestors” to buttress the “occupation” and land claim. I argue that the residents were

incensed by and opposed to the tactics the Six Nations utilized to buttress their land claim and that the forms of tactical activism that were used, created more tension and hostility for the residents than the Six Nations claim to the land itself.

In Chapter Five, I examine how the residents of Caledonia reacted and responded to the policing of the “occupation and protest”. I discuss the perception that throughout the dispute, the Ontario Provincial Police (OPP) iniquitously applied the rule of law to “Native” “protestors” on the one hand and “non-Native” residents of Caledonia on the other. I also explore their impression that the OPP’s approach to policing the “occupation” was a direct result of the Ipperwash Inquiry. As well, I examine how perceptions regarding the iniquitous application of the rule of law have given rise to the view that there is a system of two tier justice in Caledonia. I describe how the residents of Caledonia define the notion of “two tier justice” and the ways in which they think the rule of law should function in Canada. I argue that perceptions about two tier justice contest their understanding of the fundamental Canadian ideal of equality and of the notion that all Canadians should possess equal rights. Contrary to the presupposition that all individuals are equal before the law and despite public disdain for collective rights, however, I argue that the law acknowledges that “Native” Peoples persist as distinct societies with explicit collective rights within the framework of Canadian society. These collective rights stand in direct tension to the normative assumptions embedded within the rhetoric of equality. (Furniss 1999)

In Chapter Six, I examine the relationship between racism and opposition to the “occupation and protest”. I argue that Caledonian residents believe they would likely have been equally as angry at *any* group of people, regardless of race and regardless of what that group was protesting, that blocked their roads, inconvenienced their lives, and were not immediately stopped from doing so by the OPP. I also argue that the concept of racism does not provide a sufficient or adequate analytical framework through which to explain the opposition of *all* individuals to the “occupation” and/or related circumstances. Although some Caledonians oppose the Six Nations land claim and most oppose the tactics used to advance the claim, the discourse of opposition employed by the residents cannot be “simply characterized as expressions of racism” in all instances. (Furniss 1999: 139) The racist rhetoric that has historically been employed to justify the colonization of “Native” Peoples has instead been replaced by the discourse of equality.

## Research Methodology

The major reactions and responses examined in this study were selected following an analysis of newspaper articles published between March 2006 and March 2007 (i.e., within the first twelve months of the “occupation and protest”). Three newspapers were selected: *The Hamilton Spectator*, a daily newspaper published in the City of Hamilton, Ontario<sup>2</sup>; *The Grand River Sachem*, a weekly newspaper published in the Town of Caledonia; and *The Tekawennake*, a weekly newspaper published on the “Six Nations

---

<sup>2</sup> Hamilton is a large city of some 500,000 people, approximately ten kilometers from Caledonia, and the place where many townspeople work.

Reserve”. All three newspapers were selected for the study because they devoted a significant amount of coverage to events, activities, and reactions concerning the “occupation and protest” and thus, served as key data sources. Articles from *The Hamilton Spectator* were available in a full-text, online database. Articles in *The Grand River Sagem* and *The Tekawennake* were only available in hard copy; thus, each issue was searched manually for relevant items. Articles that contained any information or reference to the “occupation and protest” were examined, including editorials, opinion letters, and general news stories. The time frame selected for this study was limited to twelve months and only three newspapers were selected for analysis, in order to fit the spatial and time limitations of the project.

A purposive sampling method was used to recruit participants for the study. Semi-structured interviews were conducted with twelve “non-Native” individuals identified as “key informants” (four women and eight men). Key informants were individuals who were found to have publicly expressed statements of opposition to the Six Nations “occupation” and/or certain circumstances related to the “protest” between March 2006 and March 2007. All statements were published in at least one of the three newspapers selected for this study in news articles, editorials, or opinion letters. All key informants were residents of Caledonia throughout the period under study and continue to live in Caledonia today. News items that expressed the views and opinions of key informants were interpreted as implicit statements of opposition to the actions taken by, and/or the land claim and objectives of, the Six Nations “protestors”. A few of the key informants were also identified as those who had participated in some form of direct action against the “occupation” and/or in certain circumstances related to the “protest”. Key informants were asked to elaborate on the meaning and implications of their statements and actions to help the research move beyond the ways in which events and reactions concerning the “occupation and protest” were represented and interpreted by the media.

One of the primary limitations of the study pertains to the sample size and sampling method selected for the study. Given that the small sample size represents only a fraction of the total population of Caledonia and that interview participants could be publicly identified as those who had spoken or acted against the “occupation and protest”, it is possible that the views and opinions expressed by key informants may not accurately reflect the general attitudes and opinions of the broader Caledonian citizenry. Second, the Canadian newspaper industry’s coverage of “Native” protests and collective action tends to be “negative, centred on conflict, disruptions, and crime.” (Singer 1982: 351) Articles about and photographs of the “Oka Crisis”, for example, portrayed “Natives” who participated in the blockade at Oka as “unreasonable, bent on hostility and a threat to established order.” (Grenier 1994: 326) Little attention was paid to the wider political and historical context of the long-standing grievances of the Mohawks at Oka. Instead, coverage focused on events or activities “in which a real or perceived potential for *physical hostility* exist[ed].” (Grenier 1994: 327, emphasis in original) The portrayal of the “Oka Crisis” in Canadian newspapers was therefore found to “incite negative feelings about the Mohawks” (Skea 1993-1994: 21) and to influence public perceptions about the Mohawk struggle and political action at Oka.

A number of informants in this study indicated they relied heavily on the media to help keep them abreast of new developments concerning the “occupation and protest” in Caledonia. As in the case of Oka, it is plausible to contend that the views and opinions of some of the residents who were interviewed for this study may have been informed or influenced by the media. At the same time, it is important to acknowledge that the media may not have accurately represented the views and opinions of some of the residents of Caledonia towards the “occupation and protest”. With these possibilities in mind, all informants in the study were subsequently asked to clarify whether they thought their views and opinions and the events surrounding the “occupation and protest”, were accurately reflected in the media.

At this point, it must be acknowledged that several contentious language choices were deliberately made in conducting and writing this project. First, despite recent criticism by Alfred and Cornthassel (2005), the term “Native(s)” is used rather than “Indigenous Peoples”. Second, the collective action of the Six Nations is described as an “occupation and protest” rather than a “reclamation”. Third, the land subject to the “occupation and protest” is referred to as the “Douglas Creek Estates (DCE)” rather than “Kanohstaton,” which means “the protected place”. Fourth, individuals who participated in the “occupation and protest” are referred to as “protestors” rather than “activists” or “land protectors”. Fifth, “protestors” are referred to as members, residents, or people of Six Nations although they prefer to identify themselves as “Haudenosaunee” (meaning “People of the Longhouse”). Lastly, the “Six Nations of the Grand River Territory” is referred to as the “Six Nations Reserve”.

The discourse employed in this study epitomizes the ways in which the “non-Native” residents of Caledonia talk and think about their reactions to the “occupation and protest”, the people of Six Nations, and “Native” Peoples across Canada more generally, in their everyday conversations. These language choices do not accurately reflect the ways in which the people of Six Nations, and in particular, those directly involved in the “occupation and protest”, think about themselves, their land claim(s), and the action they have undertaken to buttress their claim(s). Indeed, while it is certainly not the project’s intent to do so, it is acknowledged that the terminology employed in this study may be offensive to the people of Six Nations and other Onkwehon:we people across Canada. While this study does not wish to endorse these language choices per se, these choices are nonetheless important to the study. Disparities in the discourse utilized by the residents of Caledonia and the people of Six Nations highlight not only the different ways in which settlers and “Native” Peoples view land claims and the action used to advance those claims, but also they impact the positions settlers advance in ongoing debates about “Native” political issues.

## **Chapter One: An Overview of The Six Nations Land “Occupation and Protest” and the Reactions of the Residents of Caledonia**

On 25 October 1784, Sir Frederick Haldimand, Governor of Quebec, issued the Haldimand Proclamation, which granted 950,000 acres of land extending six miles deep on either side of the Grand River, beginning at Lake Erie and extending to the head of the river, to members of the Mohawk Nation under the leadership of Chief Joseph Brant. As loyal allies of the British during the American Revolution, the land was granted to the Mohawks “in perpetuity” to provide them with a new settlement following Britain’s defeat in the Revolution and the subsequent loss of their homelands in the Mohawk Valley of New York State. (Johnston 1994 and Tooker 1994) For over two hundred years, the Six Nations have been contesting encroachments and developments on, as well as the mishandling of, their land within the Haldimand Tract. At the start of 2006, both the Six Nations Elected Band and Confederacy Councils endorsed the ‘Six Miles Deep’ campaign, which, if implemented, sought to educate local publics about their assertions to land rights and the facts surrounding their land claims, within the Haldimand Tract. Concerned that the proposed education campaign would be ineffective and unable to protect Six Nations lands from further unwanted encroachments, two Six Nations women, Janie Jamieson and Dawn Smith, argued it was necessary to take direct action (i.e., to occupy an area of contested land) in order to successfully push the federal government to settle the Six Nations’ outstanding land claims within the Haldimand Tract and to prevent any further erosion of the Six Nations land base.

On 28 February 2006, the Six Nations began one of the longest continuous land occupations and cases of direct political action by a “Native” community in Canadian history. Driven by the leadership of Jamieson and Smith, approximately two dozen members of the Six Nations physically occupied and peacefully halted construction on a housing development known as the “Douglas Creek Estates” (DCE), in Caledonia, Ontario.<sup>3</sup> The forty-acre tract of land upon which Henco Industries (a land development company owned by brothers Don and John Henning) intended to build seventy-two new homes, is subject to the ‘Hamilton-Port Dover Plank Road’ land claim filed by the Six Nations against the Crown in 1987.<sup>4</sup> The lands encompassed within the Plank Road claim are located along the eastern side of the “Six Nations Reserve”, stretch north to south between the Towns of Caledonia and Hagersville, and are part of the Haldimand Tract. Ten uninhabited homes were in various stages of construction when Six Nations “protestors” peacefully blocked the access of construction vehicles and workers to the “DCE” property. A large banner declaring the site as “SIX NATIONS LAND” was

---

<sup>3</sup> The Town of Caledonia is located ten kilometers south of the City of Hamilton and fifteen kilometers east of the City of Brantford. The Douglas Creek Estates property is located at the south end of Caledonia on the east side of the town’s main road, Argyle Street. The south side of the DCE property abuts Sixth Line and the north side borders the backyards of homes located on Thistlemoor Drive, part of a housing subdivision adjacent to the disputed land.

<sup>4</sup> It is important to note that the Hamilton-Port Dover Plank Road claim is only one of twenty-nine claims filed by the Six Nations against the federal government between 1980 and 1995. Of these claims, only one has been settled to date.

strung between two lamp posts at the entrance to the property and the “protestors” vowed to sustain the occupation until they achieved a resolution to their community’s outstanding land claim(s). (Windle 2006a) As the “occupation” progressed, numerous allies of the Six Nations from other “Native” communities and the Warrior’s Society came from across Canada to support the “occupation and protest”.

In March 2006, Henco Industries applied for and Ontario Superior Court Justice David Marshall approved, an injunction ordering all protestors off the “DCE” property. The injunction required all “protestors” to end the occupation by 9 March 2006, or they would be arrested and held in contempt of court. Since the “protestors” did not voluntarily leave and the Ontario Provincial Police (OPP) did not forcibly remove the “protestors” from the “DCE”, Justice Marshall issued a second injunction again requiring all “protestors” to vacate the “DCE” by 22 March 2006. “Protestors” refused to comply with the court orders since they do not recognize the jurisdiction of the provincial courts and argued the land claim and their direct action could only be resolved through the actions of the federal government. On 20 April 2006, two hundred OPP officers conducted a pre-dawn raid on the “DCE” in an attempt to enforce the court injunction and to forcibly remove “protestors” from the disputed land. Although many “protestors” were arrested, the raid was ultimately a failure. Hundreds of Six Nations residents rushed from their homes on the “Reserve” to the “DCE” to reinforce the occupation and to regain control of the land, thus prompting the OPP to back down and retreat from the site.

Jamieson and Smith originally intended the “occupation” to be informational, peaceful, unarmed, and carried out in accordance with the principles embedded in the Iroquois *Great Law of Peace*. They saw themselves as defenders and protectors of the land, not as aggressors. After the OPP raid, however, *some* protestors began to utilize more militant tactics to protect “protestors” and the “occupation” from further incursions by the OPP and angry retaliation from “non-Native” residents of Caledonia. They also sought to increase pressure on the federal government to negotiate a settlement more expediently to the “occupation” and land claim with the Six Nations. These more militant tactics included: barricading the major access routes in and around Caledonia for a period of six weeks (Argyle Street and the Highway Six Bypass); digging up a portion of Argyle Street in front of the DCE with a backhoe; blocking a VIA railway line; burning the Stirling Street railway bridge; dumping a large pile of gravel on Argyle Street; setting fire to a large pile of tires on Argyle Street; and pushing a vehicle off a bridge onto the Highway Six bypass. Many residents (and the Mayor of Caledonia) also accused protestors of setting fire to a transformer station located a short distance from the “occupation” site, which knocked out hydro power and caused a two-day blackout throughout Caledonia and parts of surrounding communities and the Six Nations. Although the incident was investigated by the OPP, to date, no charges have been laid. Nonetheless, many residents in Caledonia continue to hold “Native” “protestors” responsible for this offence.

Residents of Caledonia, and particularly those who own property along Sixth Line and in the subdivision that directly abuts the “DCE”, have also reported numerous instances in which they were subjected to violence, threats, and intimidation by “Native” “protestors”. A member of the Caledonia Fire Department had his life threatened by a

“protestor” when he responded to and attempted to extinguish, the fire at the Stirling Street Bridge. Homeowners had rocks thrown at their houses. Families were fearful of “protestors” who peered at them over their fences and through their windows. “Protestors” threatened residents by claiming they were going to occupy or burn down their homes. ATVs ran up and down the streets of the subdivision and along the backyards of the homes directly abutting, the “DCE” property. Some nights, residents were subjected to the constant noise of loud music, ATVs, horns, and spinning tires. Some residents were drawn into the streets at all hours of the night when “something was going on” (Interviewee 5, Interviewee’s Home, 23 November 2009) at the “DCE”. Such events would attract “protestors” to an open area that lies between the “DCE” and the subdivision, leading to verbal and physical confrontations between some residents and “protestors”. A massive confrontation also broke out between numerous “protestors” and residents of Caledonia when they ran around the perimeter of the police line on Argyle Street and broke into fistfights with one another. Individuals who spoke out against the “occupation and protest” were also subject to personal threats. One individual reported receiving a phone call at home warning him that “he had better watch what he said” (Interviewee 3, Café Amore, 19 November 2009) while another reported that “Natives” would park their vehicles in front of his house and stare at his home. (Interviewee 10, Café Amore, 14 December 2009)

Many residents also felt threatened by “protestors” who wore bandanas across their faces throughout the “occupation”. Numerous residents of Caledonia perceived this form of dress as an act of aggression and felt it was very intimidating. Some residents feared the masked “protestors” were “ready to go to war” and would have “died for their cause if they had to”. (Interviewee 7, Tim Horton’s, 27 November 2009) Others felt that by hiding themselves behind a bandana, the “protestors” completely obscured and delegitimized the original objectives of the “occupation” and the Six Nations land claim. Residents also saw “protestors” brandishing hockey sticks, baseball bats, two-by-fours, and socks filled with rocks, which they perceived as weapons. There were also rumours that “protestors” had guns stashed on the occupation site. No informants reported seeing any “protestors” possessing a gun and a search for hidden weapons by several politicians and lead negotiators who toured the occupation site, turned up empty. Nonetheless, many residents feared there was a real potential for hostilities to escalate into an armed confrontation. Memories of the “Oka standoff” that occurred in the summer of 1990, lingered in the minds of many residents who were concerned that “protestors” at the “DCE” might also take up arms to reinforce their “occupation” as the Mohawks had done in Oka sixteen years earlier.

Three other major incidents that occurred on 9 June 2006 also led the residents of Caledonia to regard the “occupation and protest” as violent. First, an elderly couple drove up to the entrance of the “occupation” site to take pictures. When confronted by several “protestors”, the couple left the site and drove to the nearby Canadian Tire parking lot. Two vehicles followed and surrounded the couple’s car. The couple, who were removed from the situation by OPP officers, had their car confiscated by “Native” “protestors”. The car was held in a compound but eventually turned over to the OPP that evening. The second incident involved a CHTV news crew that filmed the confrontation



involving the elderly couple at Canadian Tire. “Protestors” demanded that the camera operator turn over their film. When the camera operator refused to comply, he was surrounded by “protestors” who confiscated the film and attacked him. He was punched and kicked in the head and suffered a scalp wound and facial abrasions. The second CHTV crew member was also attacked when he tried to intervene and alleged that OPP officers standing approximately forty feet away when the attack occurred, saw the dispute and ignored his cries for help. On the same day, an officer with the American Alcohol, Tobacco, and Firearms Agency was surrounded by “protestors” and his vehicle was stolen. Two OPP officers sitting in the back seat were forced to jump out of the vehicle as it sped away. One of the officers was seriously injured and as he lay on the ground, the individual who stole the vehicle, tried to run the officer over. Arrest warrants were issued for five individuals from Six Nations and one “protestor” from Victoria, British Columbia, for offences ranging from attempted murder, assaulting a police officer, robbery, intimidation, assault, and theft of a motor vehicle.<sup>5</sup> (Pearson and Knisley 2006)

Because of the violent acts that were perpetrated by some “protestors” and the barricades that blocked residents from traveling freely in and around Caledonia, the “occupation and protest” has been described in local newspapers as: a “drama”,<sup>6</sup> “terrorism”,<sup>7</sup> “illegal”,<sup>8</sup> a “disruption” to the “normal” lives of the residents of Caledonia,<sup>9</sup> a “sad reality of political correctness run amok”,<sup>10</sup> a “fiasco”,<sup>11</sup> a “state of emergency”,<sup>12</sup> “idiocy”,<sup>13</sup> tearing apart Canada for “ridiculous reasons”,<sup>14</sup> “wrong-headed”,<sup>15</sup> a “circus”,<sup>16</sup> “stupid and unnecessary”,<sup>17</sup> “violent”,<sup>18</sup> “bogus”,<sup>19</sup> an “intolerable situation”,<sup>20</sup> a “living nightmare”,<sup>21</sup> “chaos and mayhem”,<sup>22</sup> activities

---

<sup>5</sup> Six Nations Confederacy Chief Allan MacNaughton condemned and expressed deep regret for the incidents that occurred and promised that the individuals involved would be dealt with in accordance with the *Great Law of Peace*.

<sup>6</sup> See Cavanagh 2006.

<sup>7</sup> See Dawson, 2007b, Cronk 2006, Deboer 2006, Delio 2006b, Fenton 2006a, Gordon 2006, Hartless 2006, Healy 2006, Hemsworth 2006, Howatt 2006b, Pearson 2006d, Puley 2006, Rothwell 2006, Side 2006, B. Thompson 2006d, 2006f, and Vansickle 2006.

<sup>8</sup> See Bayda 2006, Danko 2006a, 2006b, Delio 2006a, Dicy 2006, Fenton 2006b, 2006b, Gogischwili 2006, Hartless B. 2006, Howatt 2006a, Maxwell 2006, Pearson 2006a, S. Smith 2006, Sorrell 2006a, Stone 2006, Thompson 2006a, 2006b, 2006c, 2006d, Vansickle 2006, Whidden 2006, Wiersma 2006, and Wooley 2006.

<sup>9</sup> See Heeg 2006a, Knisley 2006a, Pearson 2006c, Prokaska 2006a, and S. Smith 2006.

<sup>10</sup> See Trites 2006.

<sup>11</sup> See Horne 2006.

<sup>12</sup> See Kruchak et al. 2006.

<sup>13</sup> See Sorrell 2006b.

<sup>14</sup> See Terry 2006.

<sup>15</sup> See Prokaska 2006b.

<sup>16</sup> See Fenton 2006a, and Koocher & Koocher 2006.

<sup>17</sup> See Galasso 2006.

<sup>18</sup> See Nelson 2006.

<sup>19</sup> See B. Thompson 2006a, 2006b.

<sup>20</sup> See Sorrell 2006c.

<sup>21</sup> See Dawson 2006a.

<sup>22</sup> See Barrett 2007, and Nolan 2006.

financed by “organized crime”,<sup>23</sup> “absolute nonsense”,<sup>24</sup> “a war in our own country”,<sup>25</sup> “the epicenter of a civil ‘cold war’ conflict raging across the nation”,<sup>26</sup> the “Wild West”,<sup>27</sup> “poor and/or shameful behaviour on the part of the Six Nations”,<sup>28</sup> and “inexcusable and immature”.<sup>29</sup>

Some residents thought they and the Town were being “held hostage”<sup>30</sup> or were “under siege”<sup>31</sup>. “Protestors” were thought of as “law-breaking people”<sup>32</sup> who instigated a state of “lawlessness” in town.<sup>33</sup> Some residents said they were living in a state of constant “fear”<sup>34</sup> since they were the “victims”<sup>35</sup> of “intimidation”,<sup>36</sup> “harassment”,<sup>37</sup> “thuggery”,<sup>38</sup> and threats of violence throughout the “occupation”,<sup>39</sup> and because they generally felt the “protest” made Caledonia an “unsafe” place to live.<sup>40</sup> Grave concern was also expressed by some townspeople regarding the impact of the “occupation and protest” on their property values,<sup>41</sup> the economy of Caledonia,<sup>42</sup> and the safety of children attending an elementary school whose property borders the “DCE”.<sup>43</sup> As the “occupation” progressed and it became evident that the “protestors” were determined to remain on the “DCE” property until ownership of the land was returned to the Six Nations, residents began to complain that “no one cared about them”<sup>44</sup> or their rights or

---

<sup>23</sup> See Nolan 2006a.

<sup>24</sup> See Danko 2006b.

<sup>25</sup> See Martin 2006.

<sup>26</sup> See R. Vanderwyk 2006a.

<sup>27</sup> See Niro 2006, and Byers 2006.

<sup>28</sup> See Parent 2007, Rothwell 2006, and B. Thompson 2006e.

<sup>29</sup> See Jablonski 2006.

<sup>30</sup> See Bayda 2006, Byers 2006, Hemsworth 2006, King 2006, Maxwell 2006, Nevison 2006, Parent 2007, Pearson 2006c, 2006i, Rothwell 2006, Sewell 2006, *The Grand River Sachem* 2006a, and L. Thompson 2006.

<sup>31</sup> See Healey 2006, and Knisley 2006f.

<sup>32</sup> See Deboer 2006, Delio 2006a, 2006c, Gordon 2006, Pearson 2006a, and Wheeler 2006.

<sup>33</sup> See Byers 2006, Danko 2006b, Delio 2006b, Knisley 2006c, 2006d, 2006e, Pearson 2006e, 2006g, Sloat 2006, S. Smith 2006, S. Thompson 2006, R. Vanderwyk 2006a, 2006b, and Vanderwyk & Vanderwyk 2006.

<sup>34</sup> See Acciaccferro 2006a, Byers 2006, Davies 2006, Dring 2006, Fragomeni 2006, Knisley 2006b, 2006c, Legall 2006a, Muse 2006a, Pearson 2006b, 2006g, J. Smith 2006, and *The Grand River Sachem* 2006a.

<sup>35</sup> See B. Thompson 2006a, and Trites 2006.

<sup>36</sup> See Barrett 2007, Byers 2006, Danko 2006b, Fleming 2006a, Hartless 2006, Kinsley 2006b, Muse 2006, Pearson 2006f, 2006h, Prokaska 2006a, 2006c, R. Vanderwyk 2006c, and Wilkinson 2006a.

<sup>37</sup> See Danko 2006b, Muse 2006, Pearson 2006h, 2006j, Prokaska 2006a, and B. Thompson 2006b.

<sup>38</sup> See B. Thompson 2006b, and Vansickle 2006.

<sup>39</sup> See Fenton 2006b, Gordon 2006, Losier 2006, Ryan 2006, and R. Vanderwyk 2006b.

<sup>40</sup> See Acciaccferro 2006a, Billings 2006, Sorrell 2006a, 2006b, and R. Vanderwyk 2006a.

<sup>41</sup> See Boutin 2006, Bryce 2006, Davies 2006, Hemsworth 2006, King 2006, J. Smith 2006, S. Smith 2006, and Windle 2006d.

<sup>42</sup> See Boutin 2006, Davies 2006, Delio 2006a, 2006c, Knisley 2007, Losier 2006, Parent 2006, Rinehart 2006, S. Smith 2006, and *The Grand River Sachem* 2006a.

<sup>43</sup> See Muse 2006, Nelson 2006, Pearson 2006k, Prokaska 2006a, S. Smith 2006, Vansickle 2006, and R. Vanderwyk 2006b.

<sup>44</sup> See Deboer 2006.

interests.<sup>45</sup> Feeling they were caught in the middle of a dispute that had nothing to do with them, some residents expressed a strong desire to “call in the army” to bring an immediate end to the “occupation”, which for many, had “worn out its welcome”.<sup>46</sup>

Of course, not all residents of Caledonia described or responded to the “occupation and protest” as outlined above. In contrast, some residents countered they did not think they, nor the Town of Caledonia, were under siege or being held hostage by the “protestors”; nor did they think of the “protestors” as terrorists (Salerno 2006, Miller 2006). In fact, while some residents acknowledged the blockades established by “protestors” on Argyle Street and the Highway Six bypass were causing some inconvenience for residents in town, they nonetheless expressed direct support for the “occupation.” (Miller 2006) Labour groups such as Hamilton’s Local 1005 of the United Steelworkers of America, the Canadian Labour Congress, Canadian Auto Workers, and the Ontario Public Sector Employees Union, as well as other activist organizations including Hamilton Action for Social Change (Fruch 2006), the Hamilton Quakers (Windle 2006b), the Ontario Coalition Against Poverty, the Ontario Human Interest Research Group, the United Socialists, No One Is Illegal, the Coalition in Support of Indigenous Sovereignty, various student groups (Windle 2006c), and the CUPE 3903 First Nations Solidarity Working Group,<sup>47</sup> have also been directly engaged in supporting the “occupation and protest”.

Citizens of Caledonia, in partnership with local trade union activists and members of the Six Nations, also formed a group called ‘Community Friends for Peace and Understanding with Six Nations’ (herein Community Friends). The goals of the Community Friends group involved supporting the “occupation and protest”, pressuring the Canadian Government to resolve all outstanding Six Nations land claims along the Haldimand Tract, and educating the local “non-Native” public about Six Nations land rights. Community Friends directed their efforts towards engaging with residents of Caledonia in attempts to defuse what they saw as rising levels of racism and tension amongst some townspeople in response to the “occupation”. The group actively sought to dispel the notion that the “occupation and protest” was a political standoff pitting the “Native” Peoples of Six Nations (and their “Native” allies) against the “non-Native” people of Caledonia. Moreover, through public fora such as “Moving Beyond Conflict and Blame: Why Canadians Should Support Six Nations Land Rights”, Community Friends tried to build fundamental support from “non-Native” people and groups for the land rights and rights to self-determination of the Six Nations, as well as for the Six Nations struggle for justice against colonial practices of oppression. (*The Tekawennake* 2006)

While activism and expressions of solidarity in support of the Six Nations have at times been strong, opposition to the “occupation and protest” by “a significant proportion of the local population in Caledonia” has been more vocal and has received more media

---

<sup>45</sup> See Acciaccferro 2006b, Dawson 2007a, 2007b, Gordon 2006, Muse 2006, Nolan 2006, Sewell 2006, J. Smith 2006, Sorrell 2006b, and Stone 2006.

<sup>46</sup> See Baker 2006, Kruchak et al. 2006, Martin & Martin 2006, Pearson 2006e, Sewell 2006, and Windle 2006.

<sup>47</sup> See the CUPE3903 First Nations Solidarity Working Group at <http://3903fnswg.wordpress.com>.

coverage than those who stand in solidarity with the Six Nations. (Keefer 2007) What has been particularly disturbing are the more radical and extreme “anti-Native” acts of aggression targeting Six Nations “protestors” at the “occupation” site by some residents of Caledonia and “outside agitators”. For example, a poster was distributed in May 2006 to residents throughout Caledonia that contained a picture of a large Ku Klux Klan gathering and said:

CITIZENS OF CALEDONIA  
TOWN MEETING TONIGHT  
AGENDA: DISCUSSION ON INDIAN PRO[B]LEM  
WHAT IS THE FINAL SOLUTION?  
7:00 P.M. SHARP  
FULL DRESS MEETING, WEAR YOUR FINEST SHEETS  
SPECIAL SPEAKER ALL THE WAY FROM BURNING CROSS, MISSISSIPPI  
BOBBYLEE RASTMAS, VETERAN OF THE 50’s, 60’s, 70’s  
HEAR ABOUT THE “FINAL SOLUTION” (Windle 2006h)

The OPP were unable to determine the origins of the poster (Legall 2006b) and it was later dismissed as a “hoax”. Nonetheless, the poster gave rise to cause for concern not only because of the racist sentiments it projects, but also because it risked escalating an already volatile situation between Six Nations “protestors” and Caledonian residents who rallied against the “occupation”. (Windle 2006i) Another poster depicting the Ku Klux Klan and containing the logo “White Pride World Wide” was also placed in mailboxes and on car windshields throughout the “Six Nations Reserve” in May 2006. The unknown authors of the poster sought to tell the government they were upset with the blockades placed around the “occupation” site and complained that, “The government treats us (sic) like criminals while they reward them [i.e., “Native” Peoples] with tax free benefits”. (Nelson 2006b)

Hostilities and threats have also been more overtly directed towards “Native” “protestors”. One Caledonia resident said, for example, “Many [Caledonia] residents are hunting enthusiasts who have considered turning their guns on the occupiers during tense situations...There’s times the trigger locks have been off...There’s times when I had my gun out of the cabinet and the gun sitting there ready...We’re making plans and things are going to happen soon...Something is going to be done.” (Dobrota 2006, A10) What this individual was suggesting was that residents frustrated with the pace of the land claim negotiations over the “DCE” property and the ongoing “occupation,” were considering taking up arms to forcibly remove “protestors” from the site to bring an end to the situation. Of course not all residents opposed to the “occupation” advocated the use of arms as a means to ending the dispute. The citizen group “The Caledonia Citizens Alliance” (herein the Alliance), for example, staunchly opposed the occupation of the “DCE” and the blockades erected by the “protestors” (Burman 2006). The objective of the Alliance was to represent the voice and interests of Caledonia in negotiating ways to bring an end to the “occupation”, to reopen the roads and remove the blockades, to obtain compensation for businesses that were impacted by the “occupation”, to pressure the

provincial and federal governments to find ways to resolve the “occupation”, and to provide input regarding how the land could be used if a settlement with the Six Nations is obtained. Although the Alliance utilized peaceful and institutional means to advance their agenda such as public forums and meetings with provincial and federal politicians and representatives from the OPP, their activism conflicted with the objectives of the “protestors” since they adamantly opposed the return of the land to the Six Nations. (Pearson 2006m)

Two rallies in April 2006, involving approximately two thousand Caledonia residents were also organized in opposition to the “occupation and protest” and, in particular, the blockades established on Argyle Street and the Highway Six bypass. Following the rallies, an estimated five hundred people marched towards the blockades, crossing the “buffer” or “no-go zone” established by the OPP to help prevent possible confrontations between “protestors” and angry and hostile residents of Caledonia. (Windle 2006g) Many residents protesting against the blockades “held anti-Native placards while chanting racist slogans” (Keefer 2007) and hurled racial insults towards “protestors” standing behind the blockades. (Windle 2006g) Some of the placards read, “‘Where is John Wayne when you need him?’, ‘Don’t feed the animals. Natives running rampant,’ ‘Oka strike one, Ipperwash strike two, Caledonia strike three,’ and ‘What would George W. Bush do?’” (Milley 2009)

Another rally known as the “March For Freedom,” was held in October 2006 and involved approximately one thousand people. (Dawson 2006b) The march was organized by Gary McHale. At the time, McHale lived in Richmond Hill, Ontario, and had no direct ties to the Town of Caledonia. (Dawson 2006c) McHale hoped to recruit twenty thousand people to march onto the “occupation” site to give a voice to residents against what he calls a two tier system of law in Caledonia. (Dawson 2006d) McHale insisted he had no violent intent and that the purpose of the rally was not to protest against “Native” Peoples per se. Instead, he claimed he wanted to protest against the OPP and draw media attention to what he perceives to be the iniquitous application of the rule of law between “Native” and “non-Native” Peoples in Caledonia. (Windle 2006j, Nelson, 2006c)

In addition to organizing the “March For Freedom”, McHale is also the webmaster of “CaledoniaWakeUpCall”, a website devoted to monitoring the “occupation” and related events in Caledonia. He is also the co-founder and executive director of the group “Canadian Advocates for Charter Equality” (herein CANACE). McHale claims he is working full-time as a civil rights advocate and is “focused exclusively on opposing lawlessness and race-based policing during [“Native”] land claims with the goal of preventing violence and violations of the rights of both native and non-native citizens.” (See “CANACE-Canadian Advocates for Charter Equality”) His goal is to “restore and preserve the rule of law and equality before the law for all citizens irrespective of race, religion or national origin.” (See “CANACE-Canadian Advocates for Charter Equality”) McHale remains a serious concern to the Six Nations and those who continue to stand in solidarity with the Six Nations. McHale poses a legitimate threat to the rights and interests of the Six Nations as well as other “Native” communities across Canada. The space opened by McHale’s rhetoric regarding two tier justice and equality provides a forum to advance “anti-Native”, racist ideologies. Moreover, it creates a space through

which he, and the members of CANACE, actively attempt to generate overt “non-Native” backlash against or contempt for, “Native” rights, land claims, and demands for social justice.

For over two hundred years, residents of Caledonia and the Six Nations have not only been friendly neighbours, their lives have been highly integrated through the public school system, recreation, and commerce. Many residents of Caledonia and the Six Nations grew up together and have remained friends throughout adulthood. As well, some members of the Six Nations live in Caledonia and intermarriage has sustained strong ties between the two communities. The “occupation” of the “DCE” has significantly impacted the previously harmonious and relatively amicable relationship between the communities of Caledonia and the Six Nations. Some Caledonia residents continue to respond to the occupation of the “DCE” and the people of Six Nations in a hostile manner almost four years after the “protest” began. This was evidenced in the summer of 2009, when a group of Caledonia citizens announced they were forming a “Caledonia Militia” to help enforce the law against and to protect private property from “Native lawlessness”. (Babbage 2009) In addition to the “anti-Native” activism promoted by groups such as CANACE, these more dire outcomes of the “occupation and protest” signify that more research needs to be done on the ways in which the residents of the Town of Caledonia have responded to the Six Nations land claim and collective action as well as the implications of the “occupation and protest” on the relationship between the two communities.

## **Chapter Two: Attitudes Towards the Six Nations Land Claim**

Questions regarding the attitudes of the residents of Caledonia towards the land claim that interrogates whether the Six Nations are the rightful owners of the “DCE” property, elicit a broad range of responses. Some Caledonians think the Six Nations have a valid land claim; they agree with the assertion of the Six Nations that the land was not rightfully surrendered nor legally sold. Others are not sure what to think about the land claim because they have not seen any proof from either the Six Nations or the federal government that substantiates whether the land claim is invalid. Others think there is no evidence that supports that the Six Nations are the rightful owners of the “DCE” property; they contend the land was sold and the ownership of the land transferred. However, these same individuals question whether the land was validly surrendered for sale by the Six Nations and/or whether the Crown fulfilled its fiduciary responsibility towards the Six Nations in accounting for and managing the monies earned from the sale of the land. One individual I spoke with said, “All I’ve seen is proof that they’ve given it up. Legitimately or whether they were swindled out of it, who knows.” (Interviewee 3, Café Amore, 19 November 2009) Lastly, some residents of Caledonia do not think the Six Nations have a valid land claim. These individuals agree with the assertion made by Prime Minister Stephen Harper’s Conservative Government that the Six Nations validly surrendered the “DCE” property.

Attitudes regarding the potential transfer of the “DCE” property to the Six Nations were equally as diverse. If it is shown that the Six Nations have a legitimate claim to the land, some Caledonians would have no issue with the Six Nations gaining title to the land. Others contend the issue of ownership of the “DCE” property creates a “no-win” situation for either the people of Six Nations or the Town of Caledonia. They view the issue of land ownership as a zero-sum game. If the Province of Ontario sustains indefinite ownership over the land or transfers title to the land to Haldimand County, the Six Nations would “lose”. If title to the land were to be transferred to the Six Nations, the Town and residents of Caledonia would “lose”. In each scenario, only one of the two communities would be able to benefit from owning the land. These individuals would prefer to see a resolution to the land claim dispute in which the use of the land ultimately becomes mutually beneficial to both the Caledonia and Six Nations communities.

In contrast, other residents of Caledonia are directly and in some cases, vehemently opposed to having the land transferred to the Six Nations for three main reasons. First, for many residents, the wound that was created by the “occupation and protest” is simply too deep to have the land “handed over” to the Six Nations. Because a transfer of ownership of the land to the Six Nations would “do nothing for the residents of Caledonia”, the residents think it would not help to redress the “suffering” of those impacted by the “occupation and protest” nor help to mend the tattered relationship between the Caledonian and Six Nations communities. (Interviewee 5, Interviewee’s Home, 23 November 2009) Second, as noted above, many people do not think the Six Nations have a valid claim to the land. Thus, they do not think the land could on any grounds, be rightfully transferred to the Six Nations. Third, others suggest the transfer of the land to the Six Nations could have potentially disastrous economic impacts on the

Town of Caledonia. As noted earlier, many Caledonians who live in homes that directly abut the “DCE” property have seen their property values decline dramatically as a result of the “occupation”. As well, Haldimand County had factored the housing development at the “DCE” into projected annual budget and growth strategies. Because there is a moratorium on construction, the County has lost the funding it would have otherwise received from the collection of property taxes on the homes that would have been built at the “DCE”. This loss of revenue constrains the County’s ability to fund new development or infrastructure projects in Caledonia as well as its ability to meet its projected payment schedule for more recent development projects, such as the town’s new twin-pad arena and library. Lastly, concern was also expressed regarding the potential economic impact of the land transfer on Caledonian businesses. If the Six Nations were to gain title to the “DCE”, add the land to their “reserve”, and establish businesses on that parcel of land, some residents worry that Caledonian businesses will suffer significant revenue losses. It is feared that if the Six Nations expand their boundaries into the Town of Caledonia, Caledonian residents will choose to patronize the businesses of the Six Nations rather than comparable businesses located throughout town since they would not have to pay tax on purchases made on the “reserve.” There persists a common sense belief that the transfer of the “DCE” to the Six Nations poses a serious threat to the economic survival of Caledonia. Therefore, some residents think the transfer of land ownership to the Six Nations cannot be justified because of the potentially dire economic consequences that could arise for the people and Town of Caledonia as a result of the transfer.

This last sentiment is particularly reflected in and can be partially explained by the political philosophy of Jeremy Waldron. (1992, 2004) For some, the expropriation of “Native” land is regarded as an injustice that continues to be perpetuated by the colonial state since the land that was taken has yet to be returned to “Native” Peoples. It follows that to rectify this injustice, expropriated land and authority over that land ought to be returned to the “Native” society from whom it was taken. Accordingly, “Native” Peoples who held title to the lands and resources on their traditional territories prior to their expropriation during the colonial era, continue to be entitled to ownership over those lands and resources today. Waldron (1992) debates whether the seizure of “Native” lands by European settlers during the colonial era and the contemporary ownership of such lands by successive settlers, can continue to be viewed as a violation of contemporary “Native” land rights. He questions whether entitlements based on the wrongful expropriation of “Native” lands fade over time or whether “Native” Peoples can justly demand title to expropriated lands as a basis for reparation.

Waldron (2004) argues that unjust acts, such as the expropriation and settlement of “Native” lands, may no longer be rendered unjust if the persistent deprivation of that land and its resources over a long period of time changes the circumstances that may reconcile the unjust dispossession of the land. Stated simply, an initially illegitimate and unjust acquisition of land may be transformed over time into a just situation, despite the moral legitimacy of the original expropriation of the land. Waldron contends that if the land previously held as property by “Native” Peoples is returned as a means to rectifying the unjust acquisition of lands by European settlers, this would constitute an injustice



towards the needs and interests of the “non-Native” people who presently inhabit the same society. For Waldron, reparation merely entails the redistribution of resources. In the case of Caledonia and the Six Nations, if reparation were to occur, this would simply involve the movement of the ownership of the “DCE” from one group to another. In this instance, title to the “DCE” would revert to the Six Nations who would enjoy a privileged position in determining how the land would be used and whether local “non-Native” Caledonians would retain any access to that land. According to Waldron, the redistribution of land from the hands of the “non-Native” majority into the hands of a minority of “Native” Peoples could potentially create a new injustice in which the interests of many “non-Native” people could be threatened. As noted earlier, the residents of Caledonia fear the potential land transfer could result in dire economic consequences for the Town and residents. Like Waldron (1992), the residents of Caledonia thus conclude the Six Nations claim to the “DCE” may, therefore, be superseded by the need to distribute the land in a manner that is fair to both the residents of Caledonia and the people of the Six Nations. In advancing this position, some residents of Caledonia are essentially arguing that the preservation of their own economic needs and interests that arise from ownership of the “DCE” property supersedes the Six Nations’ interest in rectifying historic injustices via the reallocation of land to the Six Nations community even if the land was misappropriated and brutally implicated in the historical grievances of the Six Nations People.

### **Chapter Three: Attitudes Towards Provincial and Federal Government Responses to the Land Claim and “Protest”**

Jurisdictional issues hampered the ease with which a resolution could be achieved with respect to the “occupation and protest” and the land claim that encompasses the “DCE” property. In May 2006, a woman from Caledonia complained that the municipal government was doing nothing to address what she referred to as the hardships experienced by the residents and businesses of Caledonia as a result of the “occupation and protest”. Since the municipality permitted development to begin on the “DCE” property, she held the municipality accountable for creating the spark that ignited the “occupation”. Thus, she urged the municipal government to help bring the “protest” to an end. (Parent 2006a) Knisley countered that such complaints were misplaced since the municipal government lacked jurisdiction over the matter. Instead, he argued that a resolution to the “occupation” and Six Nations land claim was “primarily a provincial matter and secondarily a federal issue.” (Knisley 2006g, 6)

Both the residents of Caledonia and some individuals in the media appeared to be confused as to which level of government should have been taking responsibility for addressing the “occupation” and land claim. In June 2006, *The Hamilton Spectator* argued that jurisdictional disputes between the Province of Ontario and the federal government were hampering the achievement of a resolution to the “protest” and land claim. In response, Jim Prentice, then Federal Minister of Indian Affairs and Northern Development, and David Ramsay, then Provincial Minister for Aboriginal Affairs, assured the public that:

...Canada and Ontario...are working together. We have been in frequent contact with each other and that spirit of co-operation extends to all the officials representing both governments at the discussion table...Each government brings different powers to the table, so we must work together and we can assure your readers that we are, in fact, committed to resolving all issues in this complex situation in a manner that is respectful to all parties involved. (*The Hamilton Spectator* 2006d, A17)

Indeed, by May 2006, both the provincial and federal governments had appointed individuals to represent them in talks with representatives from the Six Nations, to negotiate long-term solutions to the Six Nations’ land claim(s). The province appointed Jane Stewart, a former Federal Minister of Indian and Northern Affairs, to represent Ontario. Barbara McDougall, a former Conservative MP who served as a Minister of Finance and the Status of Women, a Minister of Employment and Immigration, and a Minister of External Affairs, was appointed to represent the federal government. (McKay 2006)

Although Prentice and Ramsay vowed the provincial and federal governments were cooperating with one another, they continued to debate who held jurisdictional responsibility for resolving the “occupation” and settling the Plank Road land claim. Moreover, despite the federal appointment of Barbara McDougall to the land claim

negotiations, Prime Minister Stephen Harper announced in May 2006, that the federal government would not involve itself in settling the land claim dispute around which the “occupation” revolved. Harper argued that the “occupation and protest” was a land planning and policing issue, not a land claim issue. Harper’s assertion led many people to question what was being discussed at the negotiating table between provincial, federal, and Six Nations representatives since the federal government (which was participating in what had been referred to as land claim negotiations) was not willing to directly involve itself in settling the land claim which gave rise to the “occupation and protest”. Ten months into the “occupation”, in spite of McDougall’s appointment as the federal representative at the land claim negotiations, Jim Prentice said:

No one should forget this started as the occupation of private land in Ontario precipitated by a development by an Ontario corporation with the approvals of an Ontario land-use planning board under Ontario law. And it then became an Ontario policing issue...At the heart of this there is concern about land claims...There is federal jurisdiction there, not exclusive jurisdiction and I understand that and we’re working on that. The claim itself predates Confederation – it’s a claim Ontario brought into Confederation with it, so to suggest it’s exclusive federal jurisdiction is not the case. (*The Hamilton Spectator* 2006a, A13)

Prentice also argued that since land use planning, civil rights, justice, and law enforcement issues are provincial responsibilities, a resolution to the “occupation” which entailed these very issues, fell under the jurisdiction of the Province of Ontario. (*The Hamilton Spectator* 2006a) Prentice was highly criticized for his remarks. Knisley argued it appeared as though the federal government’s approach to addressing the “protest” was merely to “keep its head down and shuffle responsibility onto the province.” (2006h, 3) One individual I spoke with also felt that the federal government “...want[ed] nothing to do with the situation whatsoever.” (Interviewee 5, Interviewee’s Home, 23 November 2009)

The Province of Ontario initially acknowledged it had a responsibility to help resolve the “occupation”, particularly in relation to negotiating the removal of the blockades established by the “protestors” throughout Caledonia. The province also provided \$430,000 to fund a Residential Assistance Program,<sup>48</sup> \$1.4 million to fund a Business Recovery Program,<sup>49</sup> and spent \$15.8 million to purchase the “DCE” property

---

<sup>48</sup> Residents of Caledonia, particularly those who live in homes directly abutting the “DCE” property, were eligible to receive compensation from the province in amounts ranging from two to ten thousand dollars. The amount of funding received was dependent on how close one’s home is situated to the “DCE” and “occupation”. Those whose homes were closer, received more money. The amounts disbursed to homeowners were determined by the Haldimand County Council.

<sup>49</sup> Businesses, particularly those located in the south end of Caledonia close to the “occupation”, were eligible to receive financial assistance to compensate business revenues lost as a result of the “protest”.

from Henco.<sup>50</sup> The province soon realized, however, that the removal of the blockades and the assistance packages would only resolve some of the short-term issues associated with the “occupation”. In the long-term, the province conceded that a full and satisfactory resolution to the “protest” would ultimately need to involve a settlement of the Six Nations land claim(s), which falls beyond the jurisdiction of the province. (Nelson 2006d) As a result, David Ramsay argued:

...it’s the federal government who should have the lead role. The Ontario government can’t settle a land claim on its own...we’re saying now we’ve exhausted all we can do as a province and to conclude this we really need the federal government to take over. (*The Hamilton Spectator* 2006b, A13)

Premier Dalton McGuinty also demanded that “Ottawa [ ] ‘step up to the plate’ and take responsibility for the Caledonia occupation.” (*The Hamilton Spectator* 2006c, A8)

Ramsay was scheduled to meet with Prentice in October 2006, to ask the federal government to reimburse some of the costs the province had incurred in addressing the “occupation” and to pressure the federal government to take a leadership role in bringing an end to the “protest” and Six Nations land claim, at the negotiating table. (*The Hamilton Spectator* 2006c) Ramsay flew to Ottawa only to be informed by Prentice’s chief of staff (as he sat in Prentice’s office), that Prentice refused to meet with him because of what Prentice referred to as political grandstanding by the province throughout the duration of the “occupation”. (Nelson 2006e, *The Hamilton Spectator* 2006a) Ramsay was reportedly disappointed with the cancellation and referred to the situation as “another example of the federal government failing to live up to its obligation to the people of Ontario.” (Nelson 2006e, A1) Ramsay was also concerned that the lack of leadership from the federal government unfairly trapped the residents of Caledonia in the middle of a dispute between the federal government and Six Nations. (Nelson 2006e) When asked to assess the situation, one individual I spoke with told me he thought, “...[T]he responsibility the federal government has been taking on this issue is negligible at best.” (Interviewee 5, Interviewee’s Home, 23 November 2009)

Some residents of Caledonia looked towards the provincial government, and in particular Premier Dalton McGuinty, to bring an end to the “occupation” and a sense of normalcy to Caledonia. McGuinty was criticized because he did not make an effort to visit Caledonia to observe the situation in town or to speak publicly about what efforts were being made by the province to remove the blockades and resolve the “occupation”.<sup>51</sup> One woman argued, for example, “McGuinty needs to take a drive to Caledonia and spend a few days in the town. He should see first-hand how the community is functioning, perhaps then he will do something.” (Billings 2006, A15) McGuinty was also criticized for failing to “ensur[e] meaningful public safety, law and order, economic stability, real-estate prices, property rights and infrastructure

---

<sup>50</sup> The federal government reimbursed the Province of Ontario for the purchase of the “DCE” property, yet ownership of the property remains with the province.

<sup>51</sup> See Billings 2006, Crawford 2006, Vanderwyk 2006c, and White 2006.

improvements” in Caledonia throughout the “protest”. (Vanderwyk 2006c, A14) In short, this resident thought that the province had failed the community of Caledonia “miserably”. (Vanderwyk 2006c, A14) Other individuals pleaded with McGuinty to “stop dithering” (Baldry 2006, A17); to “deal with the problem” (Benedict 2006, A22); to use his “authority and power to end [the “occupation”]” (Dawson 2006a, 5); and to guarantee that the province would not transfer ownership of the “DCE” property to the Six Nations “under any circumstances.” (Sloat 2006, 4)

One of the most vocal critics of Premier McGuinty throughout the reclamation has been Toby Barrett, Conservative MPP for the riding of Haldimand-Norfolk, which encompasses both the Town of Caledonia and the “Six Nations Reserve”.<sup>52</sup> Barrett criticized McGuinty for failing to take a leadership role in resolving the reclamation,<sup>53</sup> for turning his back on Caledonia (Barrett 2006a), and for repeatedly changing his mind about who he thought was to blame for the ongoing “occupation” and who was to take charge of bringing a resolution to the matter. (Barrett 2006d) As a backbencher in the official opposition party for the Province, Barrett was in a politically advantageous position to vocally and publicly criticize McGuinty, yet lacked the political authority needed to influence the situation, as he desired. Barrett therefore demanded that the McGuinty government take the lead in resolving the “protest”. When McGuinty countered that the federal government was responsible for resolving the “occupation” and outstanding land claim, Barrett claimed that McGuinty was merely using political rhetoric to blame the federal government for the situation and to distract voters from his own political failings.<sup>54</sup>

While some residents of Caledonia looked towards the Province of Ontario, others relied on the federal government to take the lead in bringing an end to the political unrest in their community.<sup>55</sup> Many Caledonians were particularly critical of Diane Finley, Conservative MP for Haldimand-Norfolk and Minister of Human Resources and Skills Development. Since many residents of Caledonia were calling on the federal government to respond to and to end the “occupation”, they expected Finley to actively represent their interests and concerns in Ottawa.<sup>56</sup> One individual I interviewed said:

I think [Diane Finley] should have been more local and more vocal, more visible to her constituents because really, people felt like she was hiding

---

<sup>52</sup> Toby Barrett’s political appointments include Parliamentary Assistant to the Minister of Natural Resources, Parliamentary Assistant to the Minister of Agriculture, Environment Critic, and Agriculture Critic. Currently, Barrett is also a member of the Finance and Economic Affairs and Environment Policy Committees, and Chair of the Rural Caucus and the Standing Committee on Justice and Social Policy. See <http://www.tobybarrett.com/abouttoby.htm>.

<sup>53</sup> See Barrett 2006a, 2006b, 2006c, *The Grand River Sachem* 2006b, “Barrett Demands Leadership In Caledonia Land Dispute”, “Barrett Speaks to Crowd at Caledonia”, and “Barrett/Hudak Submit Caledonia Petitions”.

<sup>54</sup> See “Caledonia – Do You Know Who’s In Charge?”

<sup>55</sup> See Doll 2006, Glendenning 2006, Hemsley 2006, Kennington 2006, Knisley 2006i, Martin 2006, Muse 2006b, Nelson 2006g, and E. Smith 2006, Stone 2006, *The Grand River Sachem* 2006c, 2006d, Ulman 2006.

<sup>56</sup> See Bryce 2006, Fraser 2006, Howatt 2006b, Mitchell 2006, Nelson 2006h, and Pukala 2006.

somewhere and they didn't have a voice and the one person that was representing them was nowhere to be found. And whether or not she could have made any direct impact...people would have felt that they had a voice and that they had some representation because really, she would pop in and out of places and say, well I was here but...she really kept a low profile through that whole process. (Interviewee 6, Café Amore, 23 November 2009)

Some Caledonian residents started a "lawn sign campaign", posting large signs on the front lawns of their homes that read, "Where's Diane?" (*The Grand River Sachem* 2006e) Residents were critical that Finley was not more involved in facilitating the removal of the blockades or an end to the "occupation"; they hoped to "embarrass her into more visible action."<sup>57</sup> (Nolan 2006d, A9)

Neither the provincial nor federal governments escaped criticism from the media and residents of Caledonia regarding their responses to the "occupation", in addition to their disagreements over the jurisdictional issues associated with resolving the "protest". Prokaska (2006e, A16) questioned, for example:

How does this political silliness from both levels of government help the situation in Caledonia? Caledonia residents must be fed up with all the political twitching; grandstanding and finger-pointing don't advance the issue at all. Childish behaviour on the part of our government leaders does little to create or maintain taxpayer confidence that this situation will be resolved any time soon.

Residents of Caledonia (and local surrounding communities) were equally as critical. One individual argued, for example, "The government [was] paralyzed and terrified to make a decision [regarding the "occupation" and land claim], for fear of offending somebody and being criticized." (Trites 2006) The same individual claimed that elected officials were "too nervous to act" and he was ashamed of what he referred to as the governments' "lack of political backbone." (Trites 2006) Other residents characterized the provincial and federal governments as "gutless" (Martin & Martin 2006), while government politicians were characterized as "useless". (Martin & Martin 2006) Likewise, some residents expressed that they were angry, frustrated, and disappointed with the governments' handling of the "occupation", especially the removal of the blockades from the streets of Caledonia.<sup>58</sup>

What some residents appeared to be particularly angry about were thoughts that the government had forgotten or did not care about them;<sup>59</sup> that the government had failed them or let them down;<sup>60</sup> and that they had been abandoned or betrayed by the

---

<sup>57</sup> See also Nelson 2006g, and Nolan 2006c.

<sup>58</sup> See Gordon 2006, Nolan 2006b, and Pearson 2006n.

<sup>59</sup> See Dawson 2007a, 2007b, Pearson 2006g, Sorrell 2006b, Ryan 2006 and King 2006.

<sup>60</sup> See Pearson 2006g, Sardine 2006, and S. Smith 2006.

government and their elected representatives.<sup>61</sup> One individual said, “I really thought they abandoned this town in particular...Not even so much that they abandoned us because they allowed the protest to happen, but when we tried to get answers from them, tried to get them to make statements, tried to get them to explain why they were doing what they were doing, they deflected everything.” (Interviewee 3, Café Amore, 19 November 2009) Other residents were angered by the federal government’s lack of leadership<sup>62</sup> and inaction<sup>63</sup> while one resident warned that the provincial and federal governments were going to gamble away the town “out from under [the] noses” of Caledonian citizens as a means to resolving the “occupation” and Six Nations land claim. (Parent 2007, 5) According to one journalist, residents of Caledonia were “begging Queen’s Park to give them their lives back by resolving the...occupation...” (Fragomeni 2006, A4) Indeed, many residents repeatedly appealed for life to “get back to normal” in Caledonia.<sup>64</sup>

In exploring why the residents of Caledonia thought the provincial and federal governments reacted and responded to the “occupation and protest” as described above, some residents argued that the settlement of “Native” land claims is simply not on Prime Minister Stephen Harper’s political agenda. “[T]he less they say or do, the easier it is for them for plausible denial in the court of appeal, public opinion, and precedent setting across Canada for Native-related issues.” (Interviewee 5, Interviewee’s Home, 23 November 2009) Others think that land claims are a “hot potato” issue and “minefield” for politicians who therefore, avoid addressing the situation in order to protect their political careers. Some residents think that politicians are handcuffed by a perceived need for political correctness; they do not want to be perceived as heavy-handed. As well, politicians want to avoid violence; they do not want to risk the political fallout that could occur from the killing of a “Native” “protestor” as was the case with former Ontario Premier Mike Harris and the deadly shooting by police of Dudley George at Ipperwash. The provincial and federal governments were also perceived to be in a no-win situation. If the OPP had been ordered to shut the “occupation” down and arrest everyone participating in the “protest”, there was a risk that other “Natives” would perform acts of civil disobedience across Canada as a form of backlash against the state’s actions and to show their solidarity with the Six Nations struggle. Lastly, some residents speculated the federal government might not have enough evidence to prove that the Six Nations land claim is invalid. Otherwise, they argued, the government would have simply ordered the OPP to bring an immediate end to the “occupation”.

---

<sup>61</sup> See Dawson 2006a, Delio 2006b, Legall & Morse 2006, Pearson 2006n, Sardine 2006, and Seguin 2006.

<sup>62</sup> See Bayda 2006, Cavanagh 2006, Fragomeni 2006, and Vanderwyk 2006a.

<sup>63</sup> See Bayda 2006, Fleming 2006a, Fragomeni 2006, Harrod 2006, Jaskowich 2006, Knisley 2007, 2006b, Losier 2006, Nelson 2006f, Pearson 2006c, 2006e, 2006p, 2006q, Prokaska 2006f, Seguin 2006, Sloat 2006, Vanderwyk & Vanderwyk 2006, R. Vanderwyk 2006d, V. Vanderwyk 2006.

<sup>64</sup> See Parent 2006b, S. Smith 2006, Spencer & Spencer 2006, and *The Hamilton Spectator* 2006e.

#### **Chapter Four: ‘Protest’ and Tactical Activism**

Questions regarding the perceived purpose of the Six Nations “occupation and protest” elicit a variety of responses. Some Caledonia residents think the objective of the “protestors” was to specifically take back ownership of the “DCE” property. For others, the “protest” involved more than the “DCE” property; it was also about redressing historical grievances related to lands illegitimately surrendered or illegally sold throughout the Haldimand Tract and/or the misappropriation of the monies collected from the sale of Six Nations lands by the Crown. There was a clear recognition by many residents of Caledonia that the people of Six Nations wanted their voice to be heard with respect to their claims and grievances. Many Caledonians emphasized that action of such magnitude was probably necessary for the Six Nations to garner the attention of the media and the provincial and federal governments, and to have the interests and claims of their community recognized. One individual I spoke with said, “If I am to believe what I’ve read through history right across Canada, when has a land claim really taken hold of the federal government’s eye? Usually when there’s some type of protest. A logging company is shut down. A mining company is shut down. There is a blockade somewhere and all of a sudden the federal government shows up to talk about the issue that...that Band...has had for the last ten, twenty, thirty years.” (Interviewee 5, Interviewee’s Home, 23 November 2009) Other residents of Caledonia think that Ken Hill, a prosperous member of the Six Nations community, wanted to build a casino on the “DCE” property. It was rumoured that the farmer who originally owned the property, would not sell the land to Ken Hill. As a result, some residents think Ken Hill personally financed the “protest” so that he could fulfill his desire of building a casino on the land. Lastly, other Caledonians think the Six Nations simply wanted to draw attention to the fact that they oppose any further development in Caledonia since such developments are encroaching closer to the boundaries of the “Six Nations Reserve”, limiting the potential for the “reserve” to expand its own boundaries and accommodate future population growth. Hence, the “occupation” of the “DCE” property is viewed as a strategic move on the part of the Six Nations since the “DCE” provides a buffer zone between the “reserve” and suburban sprawl in the Town of Caledonia.

Many Caledonia residents thought that some of the more militant tactics employed by “protestors” were nonsensical, such as the damage done to Argyle Street, the tire fire, and the burning of the Stirling Street Bridge. What particularly incensed the residents, however, were the road blockades that were erected by “protestors” on Argyle Street and the Highway Six Bypass. The blockades were a source of inconvenience, aggravation, frustration, irritation, and annoyance. People from Caledonia were extremely resentful they had to drive miles out of their way to get around the blockades for the purpose of traveling into or out of the south end of town. They felt the blockades infringed upon their freedom to travel or right to travel down a provincial highway. “...I mean if you block off every route except for the one into Hamilton, you had the bypass closed, you had Argyle closed, and Highway Six was closed a bit of a ways up. You had to go around the back roads to go south to Port Dover. So it stopped traffic through town...so I think that’s where we were literally being held hostage.” (Interviewee 2,



Caledonia Public Library, 16 November 2009) In comparison to the blockades, Six Nations assertions of land rights and the land claim encompassing the “DCE” property created dramatically less concern and less tension and hostility for the residents of Caledonia.

When “protestors” first “occupied” the “DCE” property, some residents did not pay much attention to what the “protestors” were doing. Others felt more ambivalent while some felt the OPP should have removed the “protestors” from the site immediately. After the blockades were erected, however, public opinion towards the “occupation” shifted dramatically and more residents of Caledonia resisted the “occupation” primarily because they wanted the blockades removed from the roads. What also angered Caledonians was the fact they were being told by “protestors” that the “occupation” had nothing to do with them; their issue was with the federal government, not the residents of Caledonia. By shutting down the roads in and around Caledonia, however, the residents felt the “protestors” were involving them in their dispute with the federal government. The day the last barricade was removed from Argyle Street in June 2006, residents rejoiced at the “awesome feeling” they experienced when they were once again permitted to freely drive down the street. (Interviewee 7, Tim Horton’s, 27 November 2009) Although the blockades were down, the “occupation” continued; there was still tension in town but the removal of the blockades provided a significant sense of relief to many residents and restored a semblance of peace between the Caledonia and Six Nations communities. For that one day, “[people] kind of felt that [they] were actually not on either side, it was like they were starting to come together.” (Interviewee 7, Tim Horton’s, 27 November 2009)

Between 20 April 2006 and 24 May 2006, hundreds of residents of Caledonia gathered at the barricades on Argyle Street on Friday nights to, essentially, protest against the Six Nations “occupation and protest”. What raised the ire of many Caledonians was the fact that “protestors” were permitted to indefinitely “occupy” the “DCE” by the provincial government and the OPP after the province purchased the “DCE” property from Henco. Moreover, they were incensed by the tactics the Six Nations utilized to buttress their land claim; they opposed the methods the Six Nations used to advance and address their claim rather than directly opposing the Six Nations claim to the land itself. Many people felt like “pawns” in the Six Nations struggle with the federal government and felt the “occupation and protest” constituted a direct attack on the residents of Caledonia themselves.

Most of the people I spoke with firmly believe that Canadians possess the right to protest, to “fight for their rights,” and to “stand up for what they believe in”. However, they draw definite limits when assessing what constitutes acceptable and unacceptable forms of protest and collective action. Protesting at Queen’s Park or the parliament buildings in Ottawa and holding a parade or handing out leaflets to raise awareness about a cause, are considered acceptable means of protest. Collective action that is militant, becomes violent, or impacts “innocent” third party individuals, however, is considered highly unacceptable. One individual said:

...I have no problem with people protesting, but stay on the damn sidewalk. You know, like you shouldn't be able to stop people from being able to get back and forth to work, stop commerce, stop travel. That's not right...To me, inconveniencing people to promote your cause is not the way to do things....[I]f you want to make a protest, stand on the sidewalk, carry your placards, your signs, jump up and down, blow whistles, shoot fireworks off...But don't stop me from getting to work. Don't stop me from picking up my kid from school...[S]topping the people is not going to make us more sympathetic to your cause. It's just going to annoy people...There's going to be certain factions who say, I agree with what you're doing...but the overwhelming faction are going to say, you're screwing up my day, get off the road and go home...Write a letter. Call the newspaper. Or go to Queen's Park or go to Ottawa and make a noise there...If you want to get something done and embarrass your government, embarrass your government. Don't inconvenience your fellow guy... (Interviewee 3, Café Amore, 19 March 2009)

These findings are consistent with Ponting and Gibbins (1981a) who examined the extent to which the collective action of "Native" Peoples across Canada generated attitudinal backlash in the "non-Native" Canadian public. Lipset and Rabb (1970) define "backlash" as "the directing of hostility towards some agent...believed to be responsible for social change which threatens one's status." (Ponting and Gibbins 1981a, 223) In this sense, backlash is conceived as a "preservationist reaction" which takes the form of a movement attempting to block a change proposed by, or to reverse a change implemented by, another group. Ponting and Gibbins (1981a) argue that "protest backlash" refers not to an individual's hostile reaction towards status-threatening social change, but to the *act of protest itself* or those persons engaging in the protest. Protest backlash is a reaction to "the *means* of protest, and perhaps even the perceived *character* of its protestors" rather than a reaction to the objectives of those engaged in political action. (Ponting and Gibbins 1981a, 223, emphasis in original) Dissidence towards collective action and activists is thus a response to the perceived violation of societal norms that identify certain forms and degrees of protest as permissible or impermissible. (Turner 1969) Attitudinal reactions are related to the degree to which an individual approves or disapproves of the tactics employed by protestors, rather than to the individual's perception regarding the legitimacy of that protest. With respect to the different types of protest tactics employed by "Native" Peoples in Canada, Ponting and Gibbins (1981a) found that more conventional forms of activism such as requests for the formation of Royal Commissions to study "Native" issues, received strong levels of approval while the use of lawsuits and protest marches received moderate levels of approval. In contrast, more militant or radical protest tactics including barricading railways or roads, boycotting private businesses, and threats of violence, were strongly disapproved by a majority of the respondents they surveyed. Thus, "non-Native" Canadians tend to oppose "any escalation of ["Native"] protest tactics beyond a rather tame level." (Ponting 2000: 47)

The degree to which an individual approves of various protest tactics or assesses their degree of legitimacy is dependent upon the way in which they conceive of the rule of law, their beliefs regarding the legal rights they think protestors should be entitled to, and the degree to which they feel the actions of the protestors are morally justified. (Ponting and Gibbins 1981a) The results of large national public opinion surveys conducted in 1976, 1981, and 1998 were compared to determine what factors influence attitudes towards “Native” Peoples and issues, such as the degree of receptivity or antagonism towards “Native” protest. In 1976, social characteristics such as income, economic in/security, age, education, gender, and federal political partisanship bore little to no relationship to public attitudes towards the degree to which an individual approved of “Native” protest.<sup>65</sup> By 1986, however, social characteristics such as prejudice, neoconservatism, and perceived conflict of group interests between “Native” and “non-Native” Canadians, were found to bear a significant relationship to “non-Native” views on “Native” protest. (Ponting 2000) For example, “non-Native” views regarding the transfer of state resources to “Native” Peoples, contemporary “Native” struggles for land rights and political power, and “Native” acts of civil disobedience impact the degree to which an individual will perceive such struggles or the demands of “Native” Peoples, as personally threatening and hence, the extent to which they will oppose policies perceived to favour “Native” interests over those of “non-Natives”. (Langford and Ponting 1992) Particularly noteworthy is the interaction between prejudice and perceived group conflict. Certainly not all Canadians are prejudiced towards “Native” Peoples. However, “when the perception of group conflict [is high] and [ ] combined with prejudice against Native People [there is] a definite tendency towards unfavourable” attitudes towards “Native” Peoples and political action. (Langford and Ponting 1992: 153) Put simply, perceptions of group conflict and underlying prejudice intersect to create strong opposition to “Native” demands and political action.

Some Caledonia residents argued they might have felt more sympathetic towards the Six Nations and their land claim had the original intent of the “occupation and protest”, and the messages the “protestors” were trying to convey through their action, not been overshadowed or lost amidst the violence associated with some of the tactics employed by some of the “protestors”. They felt that acts of intimidation and violence were used to attract attention but had the unintended effect of drawing attention away from the factors that motivated members of the Six Nations to undertake their “protest” in the first place. Most of the people I interviewed think the more militant tactics they witnessed throughout the “occupation”, were carried out by members of the Warrior’s Society rather than individuals from Six Nations. To a significant extent, residents of Caledonia hold the Warriors responsible for pushing an agenda that was incompatible with the objectives originally established by Janie Jamieson, Dawn Smith, and the Six Nations Clan Mothers. Because it was extremely difficult, if not impossible, to distinguish members of the Warriors from other members of the Six Nations, the actions of the Warriors were thought to create a major “black eye” for the Six Nations and the

---

<sup>65</sup> Variations in attitudes were found to be influenced by region of residence and Anglophones were found to be less approving of “Native” protest in comparison to Francophones. (Ponting and Gibbins 1981a)

interests they sought to advance. (Interviewee 5, Interviewee's Home, 23 November 2009) This phenomenon is not unique. During the Oka "crisis" for example, then Prime Minister Brian Mulroney claimed the dispute at Oka was "hijacked" by the Warriors. Describing the Warriors as "terrorists", Mulroney argued the Warriors created a reign of terror and "acted against all the peaceful and noble traditions of Canada's Mohawks." (York and Pindera 1991)

What is particularly interesting is that most of the individuals who vehemently disapproved of the tactics employed by the "protestors" nonetheless conceded they could understand why the Six Nations sought to "occupy" the "DCE". Many said they could understand the frustrations of the Six Nations and felt the Six Nations likely had few, if any, alternatives to get the government's attention and to force the government to respond to their land claims. It was thought that if the Six Nations had gone about things in a quiet manner and had continued to address their land claims through political and institutional channels, such strategies would not "get them anywhere" nor "get things taken care of." (Interviewee 8, Interviewee's Home, 1 December 2009) Some individuals even indicated that if the tables were turned and they found themselves in the same position as the Six Nations, they would likely have resorted to the same type of action that was undertaken by the Six Nations to advance their own interests. One individual said, "I think their tactics were horrendous. But you know what...if I was in their shoes I'd probably be doing the same thing. I would push it and push it and push it...and I would continue to push it until the law came in and shut me down." (Interviewee 8, Interviewee's Home, 1 December 2009) Despite their ability to empathize with the frustrations of the Six Nations and their desire to draw attention to their land claims, it is important to reiterate that the residents remained, as noted above, staunchly opposed to the "burden that ["protestors"] put on individuals" in Caledonia. (Interviewee 5, Interviewee's Home, 23 November 2009) One individual said, "I really understand they want to protect the land, they want to protect what they have, and I understand they want to expand what they have. But there are means to do it. And the means that they have chosen in this particular case, I think are wrong." (Interviewee 3, Café Amore, 19 November 2009) Ultimately, had the tactics employed throughout the "protest" not impacted the residents' daily lives, many residents felt the Six Nations would likely have gained more support for their grievances and land claim from the people of Caledonia.

## Chapter Five: Policing, “The Rule of Law”, and “Two Tier Justice”

The “occupation and protest” was perceived by many people in the Town of Caledonia (and surrounding communities) to have deteriorated into an issue beyond the Six Nations land claim, the blockades, and other militant tactics used to buttress the “occupation”. What began to anger some individuals more than the blockades and the pace of resolving the “occupation”, was the perception that different standards of law were being applied to “Native” “protestors” and the “non-Native” residents of Caledonia who were themselves engaging in acts of protest against the “occupation”, such as the marches and rallies noted above. Put simply, some residents argue there is a double standard with respect to how “Native” and “non-Native” Peoples are treated under the rule of law; they claim the law provides preferential treatment to “Native” Peoples and holds “non-Native” persons accountable to more stringent criterion.<sup>66</sup> One individual said:

...[I]f any other faction of the population did what the Natives did, it would take minutes, not hours, not days, not weeks, not months, for the OPP...to remove a blockade...If we went and blocked Argyle Street now, we wouldn't last ten minutes. Even if I took out a sign to protest that no one's doing anything about Douglas Creek, it could be as legitimate as that, we wouldn't be there ten minutes. (Interviewee 2, Caledonia Public Library, 16 November 2009)

Many Caledonian residents thought the blockades erected by “protestors” demarcated not only a “no-go zone” to the OPP and Caledonian residents; more significantly, they perceived the blockades as a dividing line between the law-abiding citizens of Caledonia and the lawless behaviour of the Six Nations. (Vanderwyk 2006c and Wilkinson 2006b) In fact, some individuals claimed that Six Nations “protestors” flouted the law and thumbed their noses at authority (Baldry 2006, Choi 2006, and Joy 2006); disregarded, disrespected, and were unwilling to follow the rule of law;<sup>67</sup> disrupted other peoples' lives with impunity (Joy 2006); were not acting to keep the peace (Delio 2006b); and made a mockery of the courts.<sup>68</sup> In part, these reactions arose in response to the resilience of the “protestors” who asserted they would remain on the “DCE” property until the land was returned to the Six Nations.

As noted earlier, the OPP were directed by Justice Marshall to remove all “protestors” from the “DCE” property by force, if necessary. Despite his orders, some townspeople and journalists claimed “the OPP [was] more concerned about keeping the natives happy than in upholding the law and keeping officers and the public safe.” (Clairmont 2006a, A2) One Caledonian resident declared, for example, there was “enough videos, snapshots and eyewitnesses to prove the OPP [had] been ordered to keep hands off the natives.” (Howatt, 2006c, A14) Another individual told me, “The law right

<sup>66</sup> See Baldry 2006, Heeg 2006b, Legall 2006d, Munro 2006, Nolan 2006e, Prokaska 2006g, 2006i, *The Hamilton Spectator* 2006f, Wiersma 2006, and Wilkinson 2006a, 2006b.

<sup>67</sup> See Fenton 2006b, Maxwell 2006 and S. Thompson 2006.

<sup>68</sup> See Danko 2006a, Emery 2006, and Vanderwyk & Vanderwyk 2006.

now is saying that it's servicing Six Nations and the protestors...more than it is this community". (Interviewee 5, Interviewee's Home, 23 November 2009) Many Caledonian residents were angered by what they perceived as the failure or refusal of the OPP to enforce the law and to take action against offences committed by some of the "Native" "protestors".<sup>69</sup> Some individuals insisted the OPP enforced one standard of law against "Native" "protestors" and another for everyone else. (Howard 2006) Others thought the OPP prioritized the interests of the "protestors" "ahead of the taxpaying citizens of Caledonia." (Parent 2006c)

It was suggested that OPP officers were prevented from upholding the law and "doing their job" because OPP Commissioner Gwen Boniface, followed by OPP Commissioner Julian Fantino, instructed OPP officers that their top priority or the entire agenda of the OPP in Caledonia, would be to keep the peace. Other Caledonians suspect these orders came directly from Premier Dalton McGuinty, rather than the "top brass" within the OPP. Every informant in this study also suggested the OPP iniquitously applied the rule of law for "political reasons"; namely, to prevent another Oka or Ipperwash-type "crisis" from occurring in Caledonia. Policing decisions in Caledonia were particularly perceived to be the direct outcome of major events that occurred at Ipperwash and the recommendations made as a result of the Ipperwash Inquiry. (Legall 2006c, 2006e Nelson 2006i, Prokaska 2006d, 2006h)

Pursuant to the *War Measures Act* in 1942, the federal government seized the Stoney Point Reserve, located on the southern shores of Lake Huron near the town of Grand Bend, Ontario, and forcibly relocated the Chippewa People from the reserve to Kettle Point so the land could be used as a military training base. The government promised that the relocation would be temporary and that they would return the land to the members of the reserve after World War II. The community on the reserve was destroyed and sacred burial grounds were desecrated by the military. The federal government had failed to uphold its promise to protect, maintain, and respect the burial sites. Fifty years after WWII ended, and despite persistent attempts by the people of Stoney Point to persuade the federal government to return their land, the government failed to fulfill its promise. As a result of their ongoing frustrations with both the federal and provincial governments, descendants of the original members of the Stoney Point Reserve and their "Native" allies peacefully occupied Ipperwash Provincial Park<sup>70</sup> on 4 September 1995, to protest the federal government's refusal to relinquish title to the reserve, and to assert their rights to land that was part of their traditional territory. Two days after the occupation of the park began, Dudley George, an unarmed "Native" "protestor", was shot and killed by an OPP sniper. (Linden 2007a) To many "Native" People across Canada "...the shooting of Dudley George...was the inevitable result of centuries of discrimination and dispossession. Many ["Native"] People also believed that

---

<sup>69</sup> See Acciaccferro 2006b, Choi 2006, Hartless 2006, Howard 2006, Prokaska 2006h, Sorrell 2006a, 2006b, Thibeau 2006, B. Thompson 2006c, and Wilkinson 2006a, 2006b.

<sup>70</sup> Ipperwash Provincial Park, established by the Province of Ontario in 1936, is a fifty-six hectare park that lies adjacent to the former military facility that was established on the Stoney Point Reserve. The park contains some of the burial grounds of the Kettle and Stoney Point Band.

the explanation for killing an unarmed [“Native”] occupier was rooted in racism.” (Linden 2007a: 2)

The Ipperwash Inquiry was established by the Province of Ontario. Evidentiary hearings were conducted between July 2004 and August 2006. The mandate of the Inquiry was to investigate the events surrounding the death of Dudley George as well as systemic and operational policy issues related to “Native” occupations. The Commissioner of the Inquiry, the Honourable Sidney B. Linden, defined systemic policy issues as the issues and dynamics that underlie and lead “Native” people to “mount protests or occupations.” (Linden 2007b: 179) Operational policy issues were identified as “issues [that] arise once an occupation has begun” (Linden 2007b: 179) and include the policing of “Native” occupations, (Linden 2007b and 2007c) avoiding “violence in similar circumstances,” (Government of Ontario 2007) and “government involvement in policing policy and operations.” (Linden 2007d: 301) With regard to the policing of “Native” occupations, Commissioner Linden argued:

The objectives of the police services and police leaders during [“Native”] protests and occupations should be to minimize the potential for violence, to facilitate the exercise of constitutionally protected rights, to protect and restore public order, and, if possible, to facilitate the building of trusting relationships that will assist [“Native”] and [“non-Native”] policy-makers in resolving the dispute at issue constructively. (Linden 2007b: 179)

The residents of Caledonia think the recommendations advanced in *The Report of the Ipperwash Inquiry*, particularly in relation to the policing of “Native” “occupations and protests”, dictated how the OPP was to respond to the “occupation” in Caledonia. The recommendations contained within the report were thought to have handcuffed the possible approaches the OPP could have taken in policing the “occupation” in Caledonia. Townspeople felt that OPP officers were under a “non-engage order” implying they were not to engage “Native” “protestors” but merely keep the peace between the “protestors” and the people of Caledonia. (Interviewee 2, Caledonia Public Library, 16 November 2009) Some Caledonians feel that neither the province nor the OPP wanted to force an end to the “occupation” and face the dual risks of a “Native” “protestor” being killed and the province and OPP being held accountable for mishandling the situation. One individual I spoke with also argued that the problem with *The Report of the Ipperwash Inquiry*:

...[I]s that it’s a report. It’s not legislation. It’s not the law. It’s ways to deal with [the issue of “Native” “occupations”]. It doesn’t explain how to deal with the fallout of [“Native” “occupations”] on the other end. There needs to be...some kind of action plan that needs to be put in place for the affected community as much as it needs to be put in place for the “Native” community that’s involved in the occupation or protest. (Interviewee 5, Interviewee’s Home, 23 November 2009)

Subsequently, the role and actions of the OPP throughout the “occupation” were highly criticized by many Caledonian residents. Residents argued the OPP was unable or failed to protect the people of Caledonia from threats of intimidation and acts of violence committed by “Native” “protestors” (Hartless 2006 and Heeg 2006b); were not committed to the rule of law (Hartless 2006); and were not serious about performing their job since they ignored the court order directing them to remove “protestors” from the “DCE” property (Fenton 2006b). In short, all of the individuals who participated in this study indicated they felt that the OPP had incurred into a dereliction of duty. One of the OPP’s own officers (who is also a resident of Caledonia) stated publicly he was ashamed that OPP officers were treating “Native” “protestors” “differently” from the “non-Native” citizens of Caledonia, that law and order had “taken a back seat to politics”, and that the OPP had “mishandled the Caledonia situation” and “let down the people of Caledonia.” (Clairmont 2006b, A2) The officer claimed the public was right to question the OPP’s ability and willingness to uphold the law. He said, “If we’re going to be told not to enforce the law, why even go out there in the first place?...We’re tolerating lawlessness and thuggery...” (Clairmont 2006b, A2)

The residents of Caledonia were also incensed that the line of OPP officers that was positioned on Argyle Street to help maintain the peace between the “protestors” and people of Caledonia faced the residents of Caledonia rather than the “occupation” site. Since the “eye of the law” was on the residents of Caledonia and not the “protestors”, Caledonians felt the OPP were treating them as if they were a “bunch of troublemakers” (Interviewee 8, Interviewee’s Home, 1 December 2009) or the “bad guys” (Interviewee 4, Café Amore, 20 November 2009) in this situation. Moreover, because the OPP line was seen facing the residents of Caledonia instead of forcing the removal of the barricades on Argyle Street, the OPP was perceived to be implicitly condoning the illegal actions of the “protestors”. Since the residents had established their own blockades on Argyle Street to protest the “occupation”, they felt the OPP were also holding them responsible for aggravating or inflaming the already tense situation in town. One individual said, “During the barricades, the OPP is facing me. The OPP should be turning around and facing them. We’re not the problem. We didn’t bring this to anyone’s doorstep.” (Interviewee 5, Interviewee’s Home, 23 November 2009)

Because of their perceived failings, some citizens stated publicly they had lost respect for the OPP (Clairmont 2006b and Windle 2006k); that OPP officers were a disgrace and should be embarrassed and disgusted with themselves (Heeg 2006b); and that the OPP was committing an injustice against the people of Caledonia (D’Angelo 2006 and Parent 2007). One Caledonian argued, “...[T]he idea that the OPP are not willing to do their jobs...will exist for a very, very long time because not only did the parents see it, but their kids saw it. And kids saw how their parents reacted so that stigma, it’s going to be there. And if people believe that they can’t trust their police force, you really deteriorate and demoralize the community.” (Interviewee 5, Interviewee’s Home, 23 November 2009) Others implored the OPP to take action to



protect the people and community of Caledonia and to enforce the rule of law.<sup>71</sup> Several residents also issued stern warnings towards the OPP. One resident said:

The OPP are lucky that Caledonia residents have been a patient group. In the olden days they would have been tarred and feathered and thrown out of town for the way they have treated Caledonia residents. (Parent 2006d)

Others suggested the OPP be fired for its inability and/or unwillingness to uphold the rule of law. (Maxwell 2006 and Sloat 2006) Perhaps even more alarming was one resident's warning that "if the police do not do their job, the people of Caledonia may have no choice but to do their job for them." (Delio 2006a) Members of the press similarly argued that the people of Caledonia deserved better treatment from the OPP. (Howard 2006)

The perceived inaction of the OPP and iniquitous application of the law between "Native" and "non-Native" Peoples led many residents (and members of surrounding communities) to assert there is a system of two tier justice in Caledonia.<sup>72</sup> What the people of Caledonia seemed to argue was that two tier justice implies that all people are not equal under the law and that the laws embedded within the Criminal Code of Canada are differentially applied based on one's race. (Nelson 2006a) Because the Six Nations assert they are a sovereign nation with their own systems of law and governance, many people of the Six Nations do not recognize Canadian law. Some Caledonian residents counter that the Six Nations merely use this assertion to excuse themselves from the application of Canadian laws, including the court injunction ordering them off the "DCE" property.<sup>73</sup> Others argue that the failure of the OPP to immediately comply with the injunction issued against the "protestors" on the "DCE" and thus, to uphold the rule of law partially illustrates that a two tier justice system exists in Caledonia.<sup>74</sup> (Knisley 2006d and Wooley 2006) Caledonians were concerned that two tier justice meant that the right of Caledonian citizens to protection under the rule of law and other civil liberties, were no longer guaranteed;<sup>75</sup> and that the legal principles of their "free society" had been sacrificed. (Sorrell 2006a, Vanderwyk 2006b, and Vanderwyk and Vanderwyk 2006) Of greatest concern was the belief that all "Native" and "non-Native" individuals in Canada are and should be treated as equals with the same rights and responsibilities under a single system of the rule of law.<sup>76</sup> This sentiment was invoked by residents who adamantly pressed for, "One people, one law." (Thibeau 2006) Because some residents thought that land claim negotiations and the historic grievances of the Six Nations should

---

<sup>71</sup> See Knisley 2006b, McLachlin 2006, Nolan 2006a, and Vanderwyk 2006b.

<sup>72</sup> See Burley 2006, Clairmont 2006b, Dawson 2007d, 2007c, 2006d, Dring 2007, Faulkner 2006, Fleming 2006b, Nelson 2006i, 2006j, Nolan 2006e, Parent 2007, 2006c, Prokaska 2006g, 2006j, 2006k, Ryan 2006, *The Grand River Sachem* 2006f, G. Thompson 2006, Wilkinson 2006a

<sup>73</sup> See Fragomeni 2006, Jablonski 2006, Prokaska 2006i, and Sewell 2006.

<sup>74</sup> After the failed OPP raid on the "DCE", the OPP made no further attempts to forcibly remove "protestors" from the "DCE" property despite the court orders issued by Justice David Marshall.

<sup>75</sup> See Dring 2007, McLachlin 2006, Parent 2006c, and *The Grand River Sachem* 2006g.

<sup>76</sup> See Billings 2006, Dicy 2006, Payne 2006, Pearson 2006c, 2006s, Prokaska 2006d, 2006i, Sloat 2006, Trites 2006, and Wasik 2006.

not “trump” the rule of law, they argued the Six Nations ought to settle their dispute(s) through legal, institutional means (e.g., the courts), rather than engaging in collective action “on the streets” to buttress their political interests. (Pfefferle 2006 and *The Grand River Sachem* 2006h)

In exploring the notion of two tier justice, the informants in this study conveyed that the residents of Caledonia were subjected to race-based discrimination because of the OPP’s iniquitous application of the law between “Natives” and “non-Natives”. In the minds of Caledonian residents, two tier justice is not characterized by two sets of laws (i.e., one set of laws for “Natives” and another set of laws for “non-Natives”), rather it is the perception that there are vast differences in the way in which the law is enforced between “Natives” and “non-Natives”. In short, people think the law is not being enforced equally amongst all people and that discretion is exercised by the OPP when it determines how to best respond to events involving “Native” individuals. When asked what the notion two tier justice meant to them, one individual I spoke with replied:

It’s that perception that there’s one set of rules for one set of people and a different set of rules for Native People...It’s like if I commit an offence, however minor it is, speeding or something like that, that I would be treated in a different fashion than someone else from Six Nations would. I haven’t experienced anything like that myself. I guess it’s just in the back of my mind that should something happen, I’ll probably be treated differently being a non-Native person than had I been a Native person. (Interviewee 3, Café Amore, 19 November 2009)

The notion of reverse discrimination was similarly employed in a dispute between the Musqueam Indian Band and the “non-Native” tenants of Musqueam Park in Vancouver, British Columbia. Musqueam Park is an “affluent residential subdivision nestled on forty acres of the Musqueam Indian Reserve 2 (IR2).”<sup>77</sup> (Hamilton, 2006: 88) Seventy-three tenants, or leaseholders, own their homes and hold ninety-nine year leaseholds to Musqueam Park property while the Band maintains collective title to the underlying land. The federal *Indian Act* prevented “Native” Bands from independently negotiating the lease or sale of reserve lands on the open market. Rather, Bands were required to “surrender” (i.e., transfer) their interests in the land to the federal government which would then negotiate the sale or development of that land on the Band’s behalf. In 1960, the Musqueam Band conditionally surrendered its interest in the land that would become Musqueam Park. In 1965, the federal government negotiated the terms of the leases to properties on Musqueam Park on behalf of the Band. Throughout the first thirty years of the agreement, leaseholders were to pay an annual rent of approximately CAN\$300-\$400. In 1995, however, the leases specified the leasehold rents could be renegotiated to reflect a “‘fair rent’ based on 6 percent of the ‘current land value’ of the property.” (*Musqueam Indian Band v. Glass* [2000] 2 S.C.R.; hereafter *Glass*)

---

<sup>77</sup> The Musqueam Band has three urban reserves located throughout Vancouver.

Because of the (originally) advantageous lease terms, desirable location, and booming Vancouver housing market, land rents in Musqueam Park were set to increase by more than 5,000 percent in 1995, jumping from \$400 to approximately \$36,000 per year. Panicked leaseholders argued that these increases would displace them from their homes and lead them to financial ruin. The Band countered that despite leaseholder claims to the contrary, the increases were legitimate, not only reflective of property values in the area but also supported by common-law real estate practices. (Hamilton, 2006: 90)

As a result of their disagreement over the terms of the leasehold agreement, the Musqueam Band and its “non-Native” tenants became embroiled in a dispute lasting from 1995 to 2000, over the meaning and value of ‘leasehold reserve land’. The dispute played out in the courts, the media, the political arena, and the public sphere.

The crux of the dispute rested on incommensurable conceptualizations regarding how to interpret the value of ‘leasehold reserve land’ and thus, how to calculate “fair” leasehold rents. The Musqueam Band argued that lots in Musqueam Park should be valued according to their fee simple value, or the price the lots would obtain for sale on the open market. However, the tenants of Musqueam Park argued the value of the lots ought not to be appraised in comparison to similar freehold lots (in nearby southwest Vancouver, for example) since the lots were situated on reserve rather than freehold land. The manner in which the value of the land was interpreted was extremely significant. According to appraisers working on behalf of the Musqueam Band, the lots in Musqueam Park were worth an average of \$600,000 to \$700,000. Appraisers working on behalf of the Park’s tenants, however, argued that because the lots were located on reserve land that is collectively owned, inalienable, and subject to “Native” title, the lots could not be appraised in accordance with the policies used to appraise the value of fee simple land. Although the Musqueam Band had their land appraised at the market value of \$600-700,000 per lot, the tenant’s appraisers countered the lots were only worth \$132,000.

In 1997, the Federal Court of Canada (FCC) sided with the Park’s leaseholders and ruled that the “‘current land value’ for Musqueam Park lots should be 50 percent of the fee simple value less the value of improvements, resulting in an average rent per lot per year of \$10,000.” (Hamilton, 2006: 100) This amount was much less than the anticipated increase in rent to \$36,000 per year that was expected by the Musqueam Band. In 1998, the Band appealed the FCC’s decision in the Federal Court of Appeal (FCA), which subsequently overturned the ruling of the FCC. In contrast to the FCC, the FCA stipulated the FCC’s decision discriminated against “Native” Peoples because it allowed for the appraisal of the land to take into account the identity of the land’s owner. The decision of the FCA did not end the dispute, however, as the tenants of Musqueam Park continued to press their case in the Supreme Court of Canada (SCC). In a majority decision, the SCC upheld the original decision of the FCC. The SCC maintained that “because of their location on reserve land, Musqueam Park properties should be appraised at 50 percent of the value of similarly situated fee simple land” (Hamilton, 2006: 90) and thus, agreed with the leaseholders that leasehold reserve land is

“significantly less valuable than other privately held forms of property.” (Hamilton, 2006: 88-89)

Throughout the dispute, leaseholders presented themselves as victims of the “unscrupulous”, “profit-seeking”, and “morally suspect” behaviour of the Musqueam Band. Leaseholders also presented the dispute as iconic of the government’s willingness to sacrifice the rights and interests of “ordinary Canadians” as a means of resolving the long-standing claims of “Native” Peoples. (Frank, 2000) The discourse employed by the leaseholders has important implications regarding the manner in which “ordinary Canadians” contest “Native” claims to or the use of, their reserve land. In the case of Musqueam Park, “debates about ‘fair rent’ and ‘current land value’ exceeded the boundaries of the courtroom, often becoming deeply racialized debates about *what* or *who* were fair and valuable.” (Hamilton, 2006: 90, emphasis in original) The leaseholders frequently appealed to both the government and the courts for protection from what they characterized as “apartheid” and “ethnic cleansing by fiscal means.” (Hamilton, 2006: 97)

Through the evocation of terms such as ‘fiscal cleansing’ and ‘apartheid’, leaseholders presented themselves as the victims of *race*-based oppression, a discursive move that simultaneously effaces their economic and political privilege *and* casts aspersions on the moral legitimacy of the Band’s legal claims. (Hamilton, 2006: 97)

In a sense, the leaseholders were analogizing their situation to that of colonialism.

The Band’s title to Musqueam Park was never a point of contention throughout this dispute. What concerned the leaseholders was the potential for the Band to obtain the legal right to collect higher rents and unsettle the “symbolic and material” dominance of the leaseholders. (Hamilton, 2006: 97) The discourse employed by the leaseholders was not characterized by a fear of displacement from the Park per se. Rather, the leaseholders were responding to the perception that their landlord-tenant relationship with the Musqueam could create an iniquitous power relationship that would favour the interests of their “Native” landlords. The fear of dislocation unsettles the traditional power relationship between “Native” and “non-Native” Peoples of Canadian settler society, as well as settler notions of entitlement and belonging. The discourse of difference, which has traditionally been employed to justify the colonization and discrimination of “Native” Peoples by their “non-Native” colonizers, was instead appropriated by the leaseholders to characterize themselves as the victims of difference and discrimination in the struggle over Musqueam Park. In doing so, they limited the ability of the Musqueam to participate as equals in British Columbia’s booming housing market, restricted their ability to maximize the profit generating capabilities of their capital investment, and enabled the value of the disputed land to accrue to those who lease, rather than own, the land. (Hamilton 2006) As historically privileged citizens of the state both the residents of Musqueam Park and the residents of Caledonia, have thus co-opted the rhetoric of discrimination to counter the claims and actions of their respective “Native” landlords and neighbours. (Mackey 2005)

Most informants in this study acknowledged that throughout the “occupation”, some “Native” “protestors” *were* arrested for committing various criminal offences. However, the townspeople witnessed many incidents in which the “Natives” committing a criminal offence were not immediately arrested by the OPP, such as the assault on the CHTV camera operator and the theft of the American Alcohol, Tobacco, and Firearms Agency vehicle described earlier, or in which they thought no arrests were made at all. While most Caledonians thought the actions of the OPP in these instances were deplorable, some residents viewed these and other similar situations through a different lens. Some residents contend that if an OPP officer witnessed a “Native” “protestor” committing an illegal act, they would quietly make note of who committed that act instead of immediately responding to the situation and arresting the individual(s) involved in order to prevent any backlash or an escalation in violence from the remaining “protestors”. Through this approach, it was thought the OPP would wait until the “dust had settled” and the situation was not as “hot”, before proceeding further and quietly arresting the individual(s) at their home(s) away from the conflict at the “occupation” site. (Interviewee 12, Tim Horton’s, 11 January 2010) The residents viewed this strategy, of discretely laying charges and making arrests against some “Native” “protestors”, as a necessary and deliberate decision that was needed to prevent further escalations in violence. However, because this strategy was not publicized by the OPP (if indeed it was a strategy that they were employing at the time), some Caledonians were left thinking that many of the individuals that ought to have been arrested and charged with various criminal offences, were simply never brought to justice, thus reinforcing the notion that there is a system of two tier law enforcement practiced by the OPP. For others, two tier justice is not confined to the ways in which the law is enforced between “Natives” and “non-Natives”. It is not just about whether “...people are being arrested if they’re doing unlawful things but within the legal system, is it being pursued through the courts? Are they being fined? Are they being jailed for what they have done?...[I]t doesn’t mean anything if they’re arrested but nothing is being followed through...[I]t’s taking it that step further and whether or not there’s been any sort of punishment or proper hearing to see that everything’s being dealt with fairly.” (Interviewee 6, Café Amore, 23 November 2009)

The perception that there is a system of two tier justice in Caledonia was reinforced by notable public figures including Ontario Superior Court Justice David Marshall, then Ontario Conservative Party and Opposition Leader John Tory, and Conservative MPP Toby Barrett. Justice Marshall argued it was “common knowledge” that the rule of law had not been enforced in Caledonia throughout the “occupation” and that the security of the town had been “replaced by lawlessness.” (Knisley 2006e, 7) In addition, he claimed:

The fact that the Douglas Creek property is still occupied by protesters and remains under blockade in spite of a court order and after many months, with no appeal taken to the order, is strong evidence for many that the rule of law is not functioning in Caledonia. (Windle 2006m, 2)

Justice Marshall argued that by defying his orders, the OPP had diminished the reputation of the court (Legall 2006f and Pearson 2006h) and seriously compromised the rule of law. (Pearson 2006h) He reasoned that had the federal government and OPP quickly responded to his orders, the rule of law and peaceful relations between the Six Nations and Caledonian communities could have been successfully restored. (Knisley 2006e) The perception that the rule of law was not being upheld in Caledonia outraged Justice Marshall. He asserted that without the rule of law, democracy could not function (Legall 2006f and Knisley 2006j) since the rule of law constitutes the “pre-eminent condition of freedom and peace in a democratic society” and serves to protect individual democratic rights. (Rinehart 2006, D21) As a result, Justice Marshall argued it was the court’s prerogative to ensure that all individuals are treated as equals before the law. He ruled that the “barricades must come down, the rule of law return and the police begin to enforce the law on the [“DCE”] property.”<sup>78</sup> (Knisley 2006e, 7) In addition, he ruled the Ontario Government should suspend land claim negotiations with the Six Nations until the “occupation” of the “DCE” property was brought to an end. (Knisley 2006e and Rinehart 2006)

Like Justice Marshall, John Tory also publicly stated that the rule of law was being ignored in Caledonia and the town had deteriorated into a state of lawlessness. According to Tory, the situation in Caledonia was reaching a crisis point that could not be resolved until the rule of law was restored. (Legall 2006f and Tory 2006) To do so, Tory called for an end to the “occupation”, the enforcement of Justice Marshall’s court orders, and the suspension of the land claim negotiations until all “protestors” were removed from the “DCE”. (Legall 2006f) Toby Barrett explained that:

...[T]he rule of law is central to our political and economic systems. In order for any society to achieve peace and stability, there must be a deeply rooted, and widely accepted, decision-making apparatus. Our political and economic systems are premised on democratic rights, and *equality before the law*. (Barrett 2006e, 5, my emphasis)

Barrett also criticized the Ontario Government for what he thought of as the government’s tacit and willing tolerance for the suspension of the rule of law. Like Justice Marshall and John Tory, Barrett publicly urged the Province of Ontario not to negotiate with the Six Nations until the rule of law was respected and restored in Caledonia. (Barrett 2006f, 2006g)

In exploring the ways in which the residents of Caledonia think the rule of law *should* function in Canada, all informants argued that criminal law should be universal. In short, they contend there should be one set of laws to guide all Canadian citizens, the law should apply evenly and fairly to all people, and all people should be treated as equals under the law. Some individuals I spoke to claim the law is not necessarily “black

---

<sup>78</sup> Interestingly, on 14 December 2006, the Ontario Court of Appeal overruled Justice David Marshall’s ruling which held activists from the Six Nations who refused to leave the Douglas Creek Estates property in contempt of court. The ruling from the Court of Appeal enabled activists to legally remain on the reclamation site and to continue to negotiate their land claim with the government. (See Dawson 2006e)

and white”; there is some “grey”. At the same time, however, they argued that there should be a limit to the amount of “grey” or the extent to which discretionary decisions can be made with respect to the rule of law. Other individuals indicated there should be no “grey” area in the law and the police should not be able to use discretion in determining how they will apply the law to any person. One informant told me:

I think everybody should be treated the same way when it comes to the law. There shouldn't be special considerations for people because you know, I'm not only talking about the Natives, you know I don't care what colour you are, why should anyone have a free ride because of some political correctness that we seem to be handcuffed by in this country right now...Everybody should be treated the same. If you try to take advantage of whatever, we'll call it a handicap or whatever your particular niche is to not getting prosecuted, or to getting a free ride because of this political correctness, I think it's wrong...All we're asking for is some kind of balanced approach to law... You shouldn't be more privileged just because you're a visible minority or have a handicap of some sort or you've got a political agenda that the government doesn't want to deal with. I think it should be one rule for everybody. (Interviewee 3, Café Amore, 19 November 2009)

In contemporary debates about “Native” title in Australia, Mackey (1999) found that “non-Native” Australians employ the discourse of equality to contest “Native” struggles for land and other collective rights. The notion of equality enables Australians to remove race-based ideologies from debates about “Native” title and to proclaim that such debates are premised upon a sense of egalitarianism rather than racism. The language of equality was also invoked in a land claim dispute involving the Cayuga Indian Nation in Upper New York State, US. “[L]andless for over two hundred years” the Cayuga experienced a “volatile backlash” to a land claim they launched from the neighbouring “non-Native” community. (Mackey, forthcoming) The Cayuga Indian Nation’s land claim includes 64,000 acres of land located on the northern edge of their traditional territory on Lake Cayuga, or compensation for the land. Since the mid-1990s, a group called the Upstate Citizens for Equality (hereafter UCE) has vociferously opposed the Cayuga land claim. Strategies employed by the UCE to protest the Cayuga land claim include a lawn sign campaign that involved the posting of signs at residential properties and in area fields that said, “NO SOVEREIGN NATION – NO RESERVATION,” “ONE NATION,” and “EQUALITY IS NECESSARY FOR JUSTICE.” (Mackey, forthcoming) The UCE also “organized demonstrations and a huge car rally, petitioned local, state, and federal governments, hired lawyers, began court cases, attended local meetings and court hearings, held money-making events such as bottle drives, and persisted [tenaciously] to have the claim rejected.” (Mackey, forthcoming) In 2002, the court chose not to award the Cayuga with a defined land settlement as a resolution to their claim. Instead, the Cayuga received a \$243 million settlement in compensation that would enable them to purchase land on the open market.

In 2005, however, opponents of the Cayuga land claim, including the UCE, “won an appeal of the Cayuga decision.” (Mackey, forthcoming)

The opposition of the UCE to the Cayuga land claim is mobilized around assertions of patriotism. (Mackey, 2005) The notions ‘citizen’ and ‘equality’, which partially constitute the group’s name, have been mobilized to invoke a group identity premised upon a sense of patriotism and loyalty to the nation. The UCE argues “there should be no separate sovereign nations *within* the US, and that all citizens should have the same *equal* rights.” (Mackey, 2005: 17, emphasis in original) Thus, because the Cayuga assert they are a sovereign nation, they are thereby conceived as “disloyal outsiders to the [United States] because they demand special, privileged and thus *unequal* status within it.” (Mackey, 2005: 17, emphasis in original)

In a similar case study, Furniss (1999) examined “non-Native” public discourse about and opposition to Cariboo-Chilcotin land claims in Williams Lake, British Columbia.<sup>79</sup> Furniss examines how political processes, specifically “Native” land claims, impact relations between “Native” and “non-Native” Peoples in small cities and towns across rural Canada. “Non-Native” civic leaders and community members at Williams Lake were apprehensive about publicly opposing the Cariboo-Chilcotin land claims “for fear of being branded as racist.” (Furniss 1999: 141) In order to avoid condemnation as racists, opponents of the Cariboo-Chilcotin land claims embed their discourse in the public ideal and liberal democratic notion of equality. Furniss (1999) is particularly helpful in explaining the notion of equality that is embedded in the discourse employed by the residents of Caledonia with respect to their views regarding the rule of law in Canada.

The perception that there is a system of two tier justice in Caledonia violates the fundamental Canadian ideal of equality and the notion that all Canadians should possess equal rights. Caledonians oppose two tier justice because it perpetuates a division amongst Canadians along racialized lines and grants special rights and privileges to “Native” Peoples. The belief that all individuals in Canada should be equal before the law and subject to the same laws on an equal footing is valued as the fundamental basis of Canadian society. In the spirit of equality, many individuals seek an end to the preferential treatment “Native” Peoples are perceived to enjoy. Because they believe there is one law for all Canadians, many people I spoke with cannot tolerate policies or political actions that contravene their ideas about equality. They believe that separate rights for “Native” Peoples are unacceptable and that the same rules and regulations should apply to all individuals. (Mackey forthcoming)

The discourse of equality is a central dynamic of a colonial mentality that seeks to erase the distinctiveness of “Native” Peoples within the Canadian polity and to homogenize “Native” Peoples into the dominant, “non-Native” majority. (Neu and Therrien 2003 and Furniss 1999) The idea that all individuals in Canada are equal perpetuates the assimilationist and normative assumption that all people “are the same”

---

<sup>79</sup> The Cariboo-Chilcotin region of British Columbia encompasses fifteen Secwepemc, Tsilhqot’in, and Carrier “Native” communities. These communities “comprise at least 10 to 15 percent of the regional population.” (Furniss 1999: 6)



and should be treated in the same manner. Embracing the ideals of individualism and individual rights, Caledonian residents argue that no group should be granted special collective rights, treatment, or protections under Canadian law. This idea dates back to the liberal democratic principles advanced by Locke who argued that “Native” Peoples were entitled to rights as individuals, but not collective political protections. (Mackey forthcoming) The discourse of equality thus supplants the historic and constitutionally entrenched principle of “Native” rights and seeks to abolish the rights that distinguish “Native” Peoples from settler Canadians as the original inhabitants of the territory we now call Canada. (Furniss 1999)

However, Furniss reminds us that, “distinct [“Native”] societies have persisted in Canada despite centuries of colonization and their encapsulation within Canadian society and its institutions.” (1999: 148) Since the period of initial contact with Europeans, “Native” Peoples across Canada have actively resisted attempts by the state to assimilate them into the mainstream polity, society, and culture. Moreover, they have struggled to maintain their collective and distinct rights, such as rights to “Native” title, and have had these rights recognized and affirmed by the Canadian Government, Canadian courts, and the Canadian Constitution. While many Canadians deny that “Native” Peoples do or should possess collective rights as distinct Peoples since such rights contest the principle of equality, Canadian public policy and law affirms that “Native” and “non-Native” Peoples are not equal since “[“Native”] peoples hold collective rights not shared by [settler] Canadians.” (Furniss 1999: 148)

Moreover, while the *Canadian Charter of Rights and Freedoms* protects the right of all individuals to be treated equally under the law, equality is not interpreted to mean that all individuals are to be treated the same in order to receive just treatment. For example, differential treatment is accorded to groups on the basis of “factors such as level of income, physical capability, and religion” to protect collective cultural and religious rights and collective rights to a just distribution of opportunities and resources. (Furniss 1999: 149) In principle, such practices are encoded in the Charter to protect members of society against discrimination, which arises from the laws and decisions of the state and state institutions that systematically advantage the dominant majority in Canada. (Barry 2005) With respect to “Native” Peoples in Canada, collective rights, encoded in Section 35 of the *Charter*, are accorded not merely as a form of redistributive justice, but as a form of reparation to restore the rights from which “Native” Peoples were wrongfully dispossessed by the colonial regime. Contrary to the presupposition that all individuals are equal before the law and despite public disdain for collective rights, the law acknowledges that “Native” Peoples persist as distinct societies with explicit collective rights within the framework of Canadian society. Thus, through their employment of the rhetoric of equality, my fieldwork and research has shown there is an obvious and inherent contradiction between my informants’ belief in the ideal of equality and everyday legal and government practice in Canada. (Furniss 1999)

## Chapter Six: Race and Resistance

As noted earlier, many townspeople actively participated in the public rallies and marches that were held in Caledonia to protest the Six Nations “occupation”. A few of the people interviewed for this study had participated in the rallies and marches organized by Gary McHale, and/or are members of the “civil rights” group “Canadian Advocates for Charter Equality” (CANACE), and/or followed McHale’s “CaledoniaWakeUpCall” website throughout the height of the “occupation”, and/or attended the first meeting partially organized by McHale to discuss the “Caledonia Militia.” Of the three individuals who discussed their participation in these more radical acts against the “occupation”, only two of these individuals remain active in McHale’s movement and committed to CANACE. The more radical activism organized against the “occupation” by McHale has recently been addressed by Milley (2009) and Keefer (forthcoming). Thus, this research makes no further contribution to the dialogue regarding the spaces and places of McHale’s activism nor the ideologies that underlie the CANACE movement. Instead, this project is interested in better understanding what motivated the “average” Caledonian resident to participate in the rallies and marches, their self-initiated acts of protest against the “occupation”, and the objectives they hoped to achieve through their participation.

Most, but not all, of the informants who participated in this study were involved in a direct act of protest against the “occupation”. These acts ranged from gathering at the barricades on Argyle Street on Friday nights, to attending the rallies organized by the Caledonia Citizens Alliance, to participating in the “March for Freedom”, and/or participating in self-initiated acts of civil disobedience. Other individuals submitted opinion letters to their local newspapers and felt their letter writing enabled them to effectively express their frustrations and objections towards the “occupation” and related issues. It would be extremely difficult, if not impossible, to argue that none of the reactions and responses of the people in Caledonia to the “occupation and protest” were an outcome of racism or the racist beliefs that some people hold towards the Six Nations or “Native” Peoples more generally. Racial slurs were frequently heard at the barricades and Milley notes that some individuals that gathered chanted, “Burn Natives burn.” (2009: 94) At the same time, it is also difficult to argue that racism underlies the reactions and responses of *all* the residents of Caledonia and *all* those individuals who publicly expressed some form of opposition to the “occupation” and/or related circumstances and/or who directly engaged in an act of protest to contest the “occupation”.

Many Caledonians, however, feel the media and Canadian public have characterized *all* townspeople as “racist radicals”. (Interviewee 7, Tim Horton’s, 27 November 2009) As a result, many residents feel their “side of the story”, that is their explanations for what they were reacting to in relation to the “occupation” and why they were responding in certain ways, has been misunderstood or too readily dismissed as mere racism. Several people I spoke to felt that because they stated publicly that they disagreed with the “occupation” or thought some of the tactics employed by some “protestors”, such as the blockades, were wrong, they were unfairly labeled a racist.

Many residents argue the core issues towards which they directed their anger and which were of primary concern to them throughout the “occupation”, particularly some of the “protest” tactics and the decisions and actions of the OPP, were not premised upon race-based or racist ideologies. One individual said:

...[E]veryone wants to make it about race. And you know what, I don't think it had as much to do with race. If that was a group of white people doing that, you know what, these people are still going to be pissed. I don't care what colour your skin is. So although it comes across as racist, it didn't have anything to do with race. It had to do with the fact that whoever you are, you're blocking my road, you're burning tires, you're shutting down my town, and you're causing absolute chaos and fear, no matter what colour your skin. (Interviewee 1, McMaster Hospital Corner Café, 13 November 2009)

The informants I spoke to are adamant that they would have been equally as angry at *any* group of people, regardless of what that group was protesting, that blocked their roads, inconvenienced their lives, and were not immediately stopped from doing so by the OPP.

This finding is consistent with Menzies (1994) who examined the response of individuals and organized coalitions involved in the fishing industry to Gitksan and Wet'suwet'en land claims in Prince Rupert, British Columbia. The Pacific Fishermen's Alliance (herein the Alliance) is a coalition of vessel owners, the Prince Rupert Fishermen's Co-operative Association (PRFCA), and the Co-operative Fisherman's Guild and is dedicated to preserving “non-Native” fishers' access to the commercial fishery.<sup>80</sup> (Menzies 1994: 780) The Alliance has taken direct political action in opposition to the settlement of “Native” land claims in British Columbia in order to protect the fishing industry as well as fisheries jobs for “non-Native” Canadians. In 1986, “when the Gitksan-Wet'suwet'en attempted to use provisions under the *Indian Act* of Canada to enact a band by-law establishing a commercial fishery on the Skeena River, inland from Prince Rupert, the Alliance was instrumental in securing an injunction preventing the by-law.” (Menzies, 1994: 781) In 1990, the Alliance also organized a harbor blockade at the Prince Rupert government ferry dock to delay the departures of the B.C. and Alaska State ferries, thereby bringing attention to their demands for the right to participate in land claim negotiations between the federal and provincial governments and the “Natives” seeking a resolution to their claims. On the afternoon of the harbor blockade, “Native” and “non-Native” Peoples marched through the streets of Prince Rupert to express their support for the Kanesatake Mohawk land protest at Oka, Quebec, and to help buttress support for local land claims. Menzies, who had participated in the harbor blockade, also joined the march. Despite Menzies' attempts to explain his participation in these events in relation to his research and work as an anthropologist, his actions were nonetheless interpreted by some “non-Native” fishermen as “an unequivocal

---

<sup>80</sup> The Co-operative Fishermen's Guild is “a direct charter, Canadian Labour Congress union that represents crewmembers in the Prince Rupert Fishermen's Co-op.”

repudiation of their way of life.” (Menzies 1996: 782) One fisherman who learned about Menzies’ participation in the march said to him, “I heard what you’ve been doing... You were marching with those Indians... There is only one side.” (Menzies 1996: 782) The fisherman then held his fingers in the shape of a gun, touched the muzzle of the “gun” to Menzies’ forehead and pulled the “trigger” before walking away and leaving Menzies in silence.

Since the late nineteenth century, the struggle of “Native” Peoples in British Columbia to “regain control of their traditional land and resources [has brought] them into direct conflict with [“non-Native” Peoples] employed in resource extraction industries such as fishing.” (Menzies 1996: 779) The Gitksan and Wet’suwet’en, for example, “launched a land title action against the province of British Columbia and the government of Canada in October 1984” to resolve their claims to ownership and jurisdiction over their traditional lands and resources in northwestern British Columbia. (Menzies 1996: 786) The proposed Gitksan and Wet’suwet’en coastal fishery management plan possessed the potential to radically restructure British Columbia’s fisheries industry and to restore the base of the Gitksan and Wet’suwet’en economies. While the new management plan would have no major impact on processing firms, many “non-Native” fishers feared that a fisheries-related “Native” land claim settlement would restrict their ability to participate in the fishery. Thus, many “non-Native” fishers perceived the land claim as a direct attack on their livelihood. They feared a settlement to the claim would relegate them to the status of second-class citizens and result in “the loss of their jobs and the end of their way of life.”<sup>81</sup> (Menzies 1996: 779) “Non-Native” opposition towards the Gitksan and Wet’suwet’en land claim was tempered by some racist rhetoric. Menzies argues, however, that opposition to the land claim and political action of the Gitksan and Wet’suwet’en was essentially rooted in the potential for Gitksan and Wet’suwet’en assertions of title to fundamentally transform rights to ownership and control over property and resources throughout Prince Rupert and hence, who would be included and excluded from the commercial fishing industry. Thus, opposition arose from the “non-Native” community’s attempt to defend its “existing material privileges” and control over the land claim conflict, rather than simple expressions of racism. (Furniss 1999: 139)

---

<sup>81</sup> In contrast, the United Fishermen and Allied Workers’ Union (UFAWU) stood in support of Indigenous land claims as long as those claims would “not take away jobs from union fishers and shoreworkers.” (Menzies, 1996: 781)

## **Chapter 7: Analysis and Conclusions**

In concluding the thesis I begin with some thoughts and discussion on key dimensions of the findings: the impact of public attitudes and opinions, tactical activism and the right to protest, understandings of “equality”, and notions of the “rule of law”. I then review my findings and draw some conclusions.

### **The Impact of Public Attitudes and Opinions**

Ponting and Gibbins “conducted the first Canadian national scientific survey of attitudes towards Native People and Native issues.” (Ponting 2000: 46) They found that public attitudes and opinions regarding “Native” Peoples and issues are not politically neutral. “The climate of public opinion in Canada may be critical to the realization of [“Native”] goals...in the sense that a hostile climate of public opinion constitutes an obstacle of enormous proportions to...” the often highly politicized struggles between “Native” Peoples and the state. (1981a: 223) This was indeed a prominent outcome of the reactions and responses of the residents of Caledonia to the Six Nations “occupation and protest.” Two examples illustrate this point. First, because Caledonian residents strongly disapproved of the “occupation” and in particular, the more militant tactics employed by some “protestors”, they characterized the collective action of the Six Nations (and their allies) as deviant, threatening, obstructionist, and illegitimate. This characterization led many residents to engage in group and self-initiated acts of protest against the “occupation” to pressure the provincial and federal governments and OPP to bring a decisive end to the Six Nations struggle. Second, I noted that many residents of Caledonia oppose the transfer of ownership of the “DCE” property to the Six Nations because they perceive the transfer as a threat to the economic interests of the Town and residents of Caledonia. Thus, many Caledonians rallied, in part, to persuade the provincial government to block the transfer of the “DCE” to the Six Nations despite the historic struggles of the Six Nations with respect to the land and the implications of the land transfer for the Six Nations community.

These examples illustrate two of the ways in which the antipathetic public reaction to the Six Nations “occupation and protest” was mobilized to “thwart the goals of the protestors or to interfere with [the Six Nations’] right or ability to...protest.” (Ponting and Gibbins 1981a: 336) They also highlight the continued need to research and better understand public reactions and responses to instances of “Native” collective action due to the constraints such reactions and responses impose on conflicts between “Native” Peoples and the state as well as the government’s will to resolve those conflicts. Moreover, unfavourable public sentiments towards “Native” issues and the collective action they use to buttress their interests can impede the ease with which “Native” Peoples can register and retain issues of interest on the government’s policy agenda. (Ponting 2000, 1984) In the absence of favourable public attitudes and opinions, “Native” issues, such as the settlement of long-standing land claims, risk remaining low priorities for policymakers. Or, “in the face of a potentially hostile public, politicians

will use public opinion as an excuse for inaction or as a rationale for the rejection of ["Native"] demands." (Ponting and Gibbins 1980: 93)

In contrast, if the public perceives land claims and the action "Native" Peoples use to buttress their claims as valid and legitimate, "Native" communities and organizations may be able to harness supportive public opinions as a strategic resource in their political struggles. (Ponting and Gibbins 1980) The case of Caledonia is significant because it is indicative of the ways in which public opinion can serve as a beneficial resource for the Six Nations (for example, through the mobilization of various "non-Native" allies such as the 'CUPE 3903 First Nations Solidarity Working Group' and 'Community Friends for Peace and Understanding With the Six Nations') and also as an impediment to issues related to land ownership throughout the Haldimand Tract.

### **Tactical Activism and the Right to Protest**

Although in principle the residents of Caledonia support individual rights such as the Freedom of Peaceful Assembly and the Freedom of Association, my fieldwork demonstrates that they draw clear distinctions between what they perceive to be permissible and impermissible forms of collective action. My informants claim they do not assess the legitimacy of various strategies and forms of tactical activism on the basis of who is performing those acts. Rather, the merit ascribed to various methods of tactical activism is premised upon the extent to which those methods have a perceived adverse impact on the daily lives of those who do not view themselves as involved or implicated in the collective struggles of an identified group. This finding raises an important question about Charter rights and how firmly entrenched basic democratic rights, such as the right to protest and seek redress for grievances against the state, are amongst not only the Caledonian but broader Canadian, public. (Ponting and Gibbins 1981a)

As noted earlier, this finding also highlights the idea that the residents of Caledonia perceive themselves as innocent victims of the Six Nations dispute over the "DCE" property. My informants repeatedly argued that the Six Nations unjustifiably involved the residents of Caledonia in their dispute with the federal government since the cause of the dispute was "not the residents' fault" (Interviewee 7, Tim Horton's, 27 November 2009) and since "they could not do anything to help the Six Nations." (Interviewee 1, McMaster Hospital Corner Café, 13 November 2009) This position suggests that Caledonians do not feel they are responsible for either creating and/or contributing to the land struggles of the Six Nations nor do they hold themselves accountable for assisting in efforts to redress these struggles. One informant said for example:

...[The "Natives"] keep crying about what happened to them in the past. Well my ancestors were driven out of Scotland by the sheep and there's a good chance your ancestors suffered severely somewhere in Europe. But they apparently are the only people who have not pulled themselves up by their bootstraps and they sit there blaming all the foreigners and immigrants. (Interviewee 4, Café Amore, 20 November 2009)

Another informant is also worth quoting at length:

...[T]here's volumes and volumes of history that show how one group swindled another out of their land, especially Native Americans. Yeah, they think they shouldn't have gotten swindled out of it, but if your great, great, great, great, grandfather got swindled, I mean the people that bought Manhattan for a handful of beans, I mean, are they going to go and try to get it back? The Mississauga up here of New Credit have a claim on Toronto. Are they going to get it back? I don't think so... You know, why bother? That's what bothers me. Why don't they just say, to hell with it, why don't we just get on with life? (Interviewee 3, Café Amore, 19 November 2009)

As descendants of settlers of the colonial state, my informants fail to acknowledge that their status as Canadian citizens is linked to the colonial legacy and their implicit relationship to the perpetuation of colonialism within Canada. Furniss argues the “political, economic, social, and cultural marginalization of [“Native” Peoples] in Canadian society” is not merely a result of the “policies, practices, and ideologies of state institutions and their officials” nor “class relations created through the imposition of capitalism.” (1999: 11) Colonialism is also a result of “the everyday cultural attitudes and practices of ‘ordinary’ rural Euro-Canadians who, knowingly or unwittingly, serve as agents in an ongoing system of colonial domination,” such as the attitudes espoused by some of the residents of Caledonia as outlined above. (Furniss 1999: 11)

It is beyond the scope of this study to test whether reactions to the Six Nations “occupation” and in particular, the blockades erected by the “protestors”, would have been near or exactly the same if the “protestors” had been “non-Native”. The informants in this study, however, firmly believe that they do make this separation. They contend the limits of their tolerance for protest and tactical activism applies equally to all people regardless of race. In their attempt to construct themselves as “gentle, tolerant, just and impartial” (Mackey 2002: 39) the residents of Caledonia can be seen as cultivating what Mackey calls the “mythology of white settler innocence.” (2002: 26) Mackey defines this mythology as a “push to construct a settler national identity perceived as innocent of racism” and an attempt to hide systemic inequalities and the oppression of “Native” Peoples, which both the colonial state and settlers themselves have sustained since the period of initial contact. (2002: 25) While it is plausible that prejudice and/or racism may not have motivated the resistance of *all* Caledonians to the Six Nations “occupation and protest”, many of the informants I spoke to argued that racism and even a “deep-seated hatred for the people of Six Nations” has instead been an unfortunate outcome of the dispute over the “DCE” for many people. As a result, the previously harmonious and generally amicable relationship between the Six Nations and Caledonian communities has been disrupted and damaged by a potentially new racialized contempt for and hostility towards the people of Six Nations.

## Equality

The normative logic of equality underlies the notions of two tier justice and the rule of law. Equality is a key universal Western principle and “central concept in liberal discourse”. (Mackey 2002: 161) Liberalism is rooted in individualism; political rights and legal protections are to be ascribed to the individual rather than collectivities. Equality emphasizes the belief that all rules, rights, and laws should be universally applied to all members of a nation. The discourse of equality is invoked so that “non-Natives” can control and manage collective differences in order to limit the extent to which they are themselves perceived to be victimized by the inequalities perpetuated by such differences. In this scenario, “non-Natives” construct themselves as disadvantaged by difference in comparison to their “Native” counterparts. (Mackey 2002)

Many Canadians view themselves as tolerant of all cultures and the multicultural character of Canadian society. They do not seek an overt end to cultural differences or to construct a sense of cultural homogeneity; yet the discourse of equality demands sameness and an opposition to the allocation of distinct rights to culturally diverse groups, such as “Native” Peoples. Despite acknowledged differences, all cultural groups are therefore regarded as equal to the dominant majority. Liberalism firmly insists on uniting people under a common identity and moral standing. This type of recognition, however, overlooks the distinct historical, social, cultural, and political experiences and trajectories of and iniquitous power relations between settlers and “Native” Peoples across Canada. The discourse of equality thus constitutes a political act that serves to marginalize and subordinate “Native” Peoples and to discount their identity-based claims to pre-existing, inalienable rights within the Canadian polity. (Mackey 2002)

Tolerance for “Native” Peoples persists in Canada as long as “Native” demands pose no threat to the liberal ideal of equality. There is an expectation, if not a demand, that “Native” Peoples themselves ought to be loyal to this very principle since loyalty enables the dominant majority to reinforce the hegemony of their liberal ideologies. When this hegemony appears to be threatened by “Native” demands, the cultural differences the dominant majority was once willing to tolerate, subsequently become intolerable. Thus, while liberal democratic societies, such as Canada, promote the ideal of tolerance, the conceptual framework of equality enables and reinforces intolerance for those who seek to challenge the values that lie at the core of Canada’s liberal democratic society. (Mackey 2002)

Furniss argues that, “the legacy of colonialism is evident not only in the ongoing structures of political authority and [“Native”]-settler relations in Canada but also in the cultural fabric of Canadian society.” (1999: 12) Liberal ideologies, embedded in part in the notion of equality, are “central to the very process of establishing and perpetuating colonial relationships.” (Furniss 1999:12) Like the case studies conducted on the Musqueam Band in Vancouver, British Columbia (Hamilton 2006), the Cayuga Nation in Upper New York State (Mackey 2005), and the Secwepemc, Tsilhqot’in, and Carrier Nations at Williams Lake, British Columbia (Furniss 1999), the case of Caledonia illustrates that the discourse of equality remains deeply rooted in the common sense ideologies that underlie settler-“Native” relations. The case of Caledonia thus supports



Furniss's contention that settler-“Native” relations in Canada remain “resolutely colonial in shape, content, meaning, and practice.” (1999: 12)

### **The Rule of Law**

Like the Six Nations, the Kahnawake and Kanesatake Mohawk Nations experienced a vehement reaction from their local “non-Native” neighbours against their struggles for sovereignty, the land claim at Oka, and the collective action they used to buttress the claim in the summer of 1990. Following the “Oka Crisis”, surveys conducted across Quebec found that the “Crisis” resulted in widespread hostility towards the Mohawks. Members of the Kahnawake and Kanesatake Nations were, for example, “attacked and beaten in the streets of Montreal by gangs who called them ‘savages’”. (York and Pindera 1991: 410) In the winter and spring of 1990 and 1991, groups of “non-Native” individuals from Chateauguay, a suburb of Montreal in southwestern Quebec, threatened to take up arms and invade Kahnawake. “Non-Native” backlash against the “Oka Crisis” also led to the circulation of a petition “demanding the elimination of [“Native”] reserves and the assimilation of Native People.” (York and Pindera 1991: 410) A few of the informants I spoke with similarly blamed Canada's reserve system for perpetuating some of the problems they associate with the Six Nations “occupation and protest”. One individual I spoke to said, for example:

I want people to know that Natives aren't downtrodden as many would have you believe. They aren't a downtrodden group. I think the reserve system if it was abolished, they'd be way better off. Way better off because you look at two tier justice, what it does to Native People. It's no good for anybody. Democracy fails if you don't apply the law equally...So I'd like it known that I don't agree with the reserve system because it certainly ghettoizes Natives...We've got the lower class, the middle class, and the upper class and those in the lower class they do have the opportunity to lift themselves up. But they [i.e., “Natives”] don't have that opportunity on the reserves...So no, it's not a system that's conducive to producing good citizens. It just doesn't work... (Interviewee 10, Café Amore, 14 December 2009)

It was noted that in the case of Caledonia, prominent public officials such as Ontario Superior Court Justice David Marshall and Conservative MPPs John Tory and Toby Barrett, argued the rule of law was not upheld throughout the Six Nations “occupation and protest” and that “Native” lawlessness was rampant throughout Caledonia. During the “Oka Crisis”, then Federal Justice Minister Kim Campbell similarly claimed that the Mohawks occupying and protesting at Oka were violating the rule of law. Like the case of Oka, it is counterintuitive that Caledonians would remark that the Six Nations are a lawless people and/or were flouting the law throughout the “occupation and protest” at the “DCE” since the Six Nations have never been a lawless people. Guided by the *Great Law of Peace* the Six Nations, like the Mohawks at

Kahnawake and Kanesatake, argue they have maintained their own traditional systems of law and justice through which they govern their People and communities. (York and Pindera 1991) However, because Six Nations “protestors” refused to abide by the court injunctions issued by Justice Marshall, which demanded the removal of all “protestors” from the “DCE” property, the residents of Caledonia condemned their actions as illegal and unlawful and argued the “protestors” demonstrated a complete disregard for the rule of law.

These individuals fail to acknowledge several key points. First, the people of Six Nations are guided not only by their own traditional laws, but remain subject to both the provincial and federal laws that apply to all citizens of Canada. Second, the rule of law has been historically developed and is simultaneously wielded by the state, to suppress and marginalize “Native” Peoples. For example, the *Constitution Act* of 1867 classified “Native” Peoples as *wards* of the state and from 1876 to 1951, the law refused to recognize “Native” individuals as persons. (Henderson 2002) In 1876, the *Indian Act* was established to fundamentally control virtually every aspect of a “Native” person’s life. No comparable piece of legislation has ever existed to similarly restrict and control the lives of “non-Native” persons in Canada. Federal laws also forced the relocation and segregation of entire “Native” communities onto remote reservations and forced the removal of “Native” children from their families to “educate” and Christianize them in the state’s residential school system. Until 1951, federal laws banned traditional “Native” spiritual practices and ceremonies and prohibited “Native” communities from raising funds to support their land claims. Lastly, the rule of law controlled the movement of “Native” Peoples across “reserve” borders through the state-controlled pass system and also denied “Native” Peoples the right to vote until the *Canada Elections Act* was established in 1960.<sup>82</sup> (See “Backgrounders: The Evolution of the Federal Franchise”)

Third, discussions about the rule of law that draw on the notion of equality cannot be divorced from debates about “Native” sovereignty. The notion “One People, One Law” is incongruent with the reality that historic treaties, such as the *Royal Proclamation of 1763*, have placed “Native” Peoples both inside and outside the state as communities possessing the inherent right to self-determination and autonomy. The rhetoric of equality is thus employed to deny that “Native” communities are distinct societies that possess their “own political structures and cultural orders within contemporary Canadian society.” (Furniss 1999: 146)

The notion of two tier justice can be conceived as a colonial construct employed to manage the perceived threat that “Native” interests and rights pose to Canada’s liberal democratic foundations and to state and corporate interests. In the same way that Caledonians can be seen to have appropriated the notion of reverse discrimination to present themselves as victims of colonization (i.e., in that the colonial system is set-up to inherently favour the interests of “Native” over “non-Native” Peoples) the same argument can be made with respect to the notion of two tier justice. Whereas the

---

<sup>82</sup> Registered Indians living on-reserve were denied the right to vote until 1960. Inuit People, however, had acquired the right to vote in 1953.

iniquitous application of the rule of law has historically resulted in the subordination and marginalization of “Native” Peoples across Canada, Caledonians appropriate this same mentality to argue that they are themselves the victims of an iniquitous application of the law between “Native” and “non-Native” individuals. Demands for equal treatment are therefore made to “protect the power and the privilege of members of the dominant society” and to denounce race-based differential treatment under the law. (Furniss 1999: 147)

## Review of Findings

In the past thirty-five years, “Native” communities have increasingly undertaken political action to assert their collective rights to land and self-determination. Public reactions to “Native” land claims and the actions used to buttress those claims are difficult to measure. Reactions and responses to land claims will vary in relation to the scope, rationale, and potential impact of the claim upon the broader society as well as the degree of publicity the claim receives. (Ponting and Gibbins 1980) Through a case study of the Six Nations “occupation and protest” of the “DCE” property in the Town of Caledonia, this project helps to explain the ways in which the views that the residents of Caledonia hold towards the Six Nations land claim that encompasses the “DCE” and the methods they employed to buttress their claim in turn influenced the ways in which they responded to the “occupation” and related circumstances.

Through my field work I found that the attitudes of the residents of Caledonia towards the Six Nations land claim that encompasses the “DCE” property and to the potential transfer of ownership of the “DCE” from the Province of Ontario to the Six Nations, are diverse. In relation to those individuals who expressed strong, direct opposition to the land transfer, I argued that such opposition stems from the residents’ desire to protect and preserve their own entrenched economic needs and interests, which they think would otherwise be threatened by Six Nations ownership of the disputed property. Opposition to the potential land transfer can be explained in relation to Waldron’s *Supersession Thesis* (2004, 1992). Like Waldron, the residents of Caledonia argue that the historical grievances of the Six Nations cannot supersede their own economic interests. Caledonians fear that Six Nations ownership of the “DCE” will result in negative economic impacts for the residents and Town. Thus, even if the reallocation of the land to the Six Nations would help to rectify the historical grievances of the Six Nations, the residents of Caledonia argue the land should not be transferred because of the injustice they think it would create for the residents and Town.

Caledonian residents are highly critical of the ways in which both the provincial and federal governments have reacted and responded to the Six Nations land claim and “occupation and protest”. They recognize that the province made some attempts to help resolve the situation vis-à-vis the implementation of the Residential Assistance and Business Recovery Programs. However, many residents remain critical of the province’s decision to purchase the “DCE” property. The responsibility the federal government has taken throughout the dispute has also been criticized as negligible. Caledonians felt betrayed and abandoned by the federal government. In examining the ways in which the

provincial and federal governments responded to the “occupation and protest”, the residents of Caledonia argue that land claims are not a priority for the federal government. They think that politicians avoid “hot-button” issues, such as land claims, and seek to avoid the potentially disastrous political fallout that could result should a land claim dispute become violent, as was the case with Oka and Ipperwash. Other Caledonians argued the land claim dispute created a no-win situation. They contend that if the province and OPP had brought a swift and potentially violent end to the “occupation and protest”, the nation would face immediate acts of retaliation from other “Native” communities across the country. Lastly, it was also suggested that the federal government has been dragging its feet with respect to resolving the Six Nations land claim because they lack sufficient evidence to prove the claim is invalid.

The informants with whom I spoke expressed a variety of differences in opinion regarding the purpose of the Six Nations “occupation and protest”. Most of the individuals I spoke to argued it was probably necessary for the Six Nations to take action of such magnitude in order to gain the attention and commitment of the federal government with respect to addressing their claims and grievances. While many Caledonians expressed they could understand the frustrations of the Six Nations, they disapproved of the tactics the “protestors” employed to buttress their land claim because they felt they were victimized and unfairly burdened by them. Caledonians were particularly incensed by the road blockades that were erected on Argyle Street and the Highway Six Bypass; they felt the blockades infringed on their right and freedom of travel. I argued that the tactical activism employed by “protestors” created more tension, hostility, and concern for the residents of Caledonia than the Six Nations claim to the “DCE” property itself. The informants I spoke to draw clear distinctions between acceptable (and thus, permissible) and unacceptable (and thus, impermissible) forms of protest and collective action. Drawing on Ponting (2000) and Langford and Ponting (1992), I argued that social factors including prejudice, neoconservatism, and perceived group conflict influence the views “non-Natives” hold towards the types of protest tactics employed by “Native” collectivities. For example, when “non-Native” perceptions of group conflict increase, their opposition to “Native” demands and political action also increases.

Finally, I explored the relationship between racism and opposition to the Six Nations “occupation and protest”. My informants strongly believe they would have been as angry and hostile towards any group that closed down their roads, “shut down their town”, and inconvenienced their daily lives, as they were with the Six Nations. Although opposition to the “occupation and protest” was tempered by racism on the part of *some* individuals, I argue the concept of racism does not adequately explain the opposition arising from *all* individuals. Rather than employing a racist rhetoric, the residents tend to root their opposition to the “occupation” and their perceptions regarding the application of the rule of law throughout the land claim dispute, in the discourse of equality. This argument is consistent with Menzies (1994) who found that “non-Native” opposition to the Gitksan and Wet’suwet’en land claims in Prince Rupert, British Columbia, while tempered with some racist rhetoric by some individuals, was primarily premised upon the “non-Native” community’s desire to sustain its dominant position in Prince Rupert’s

fishing industry, existing material privileges, and desire to control potential land claim settlements.

## **Final Conclusions**

From my research and fieldwork, I have drawn four major conclusions. First, my project has shown that it is important for scholars to promote a greater understanding and awareness of the roots of settler-“Native” conflicts since public opinions and attitudes constitute both a vehicle of support and a significant obstacle to the politicized struggles of “Native” Peoples with the state. A hostile public reaction towards the land struggles of the Six Nations could constrain the federal government’s willingness to redress the Six Nations’ historical grievances swiftly and fairly. Second, because Caledonians draw distinct limits between what they conceive as permissible and impermissible forms of protest and collective action, they draw into question the extent to which basic liberal democratic rights including the Freedom of Peaceful Assembly and the Freedom of Association, remain embedded in the social fabric of Canadian society. Third, my informants perceive themselves as innocent victims of the Six Nations dispute and project what Mackey (2002) calls “white settler innocence”. The residents divorce themselves from any sense of responsibility for and accountability to the land struggles of the Six Nations. They do not see any connection between their status as citizens of Canada and the state, and thus attempt to divorce themselves from Canada’s colonial legacy. My informants thus illustrate the ways in which settler attitudes and ideologies serve to disrupt efforts to radically decolonize “Native” Peoples from the state.

Fourth, the liberal democratic principle of equality is deeply embedded in discourses regarding settler-“Native” relations and conflicts. The notion of equality is employed to contain collective differences and the allocation of collective rights, which are perceived to create disadvantages for “non-Natives”. This position is ironic given that the discourse of difference has traditionally been employed to subordinate and marginalize “Native” Peoples and to perpetuate the settler state. As well, the notion of two tier justice is also a colonial construct employed to sustain the power and privilege of the dominant (i.e., “non-Native”) sector of society to exert its control and power over settler-“Native” relationships and contemporary conflicts. (Furniss 1999) The case study of the “occupation and protest” in Caledonia is therefore important because it continues to build on a contemporary body of research which shows that settler-“Native” relations in Canada have yet to be fully decolonized.

The timing of this research project coincided with three profound developments with respect to the Six Nations “occupation and protest” at the “DCE”. First, on 28 February 2010, approximately forty members of the Six Nations marched from the “reserve” onto the “DCE” property to commemorate the fourth anniversary of the still active “occupation” of the disputed land. (Tully-Musser 2010) Second, on 29 December 2009, a Caledonian couple finalized an out-of-court settlement with the Province of Ontario and the OPP in response to their allegation that they were abandoned by the province and the OPP throughout the “occupation” of the “DCE” and thus suffered

serious health, financial, marital, and psychological impacts. (O'Reilly 2010) The couple sought seven million dollars in punitive and aggravated damages. While the details of the financial settlement are confidential, settlement conditions were “struck without any admission of liability by the [provincial] government and the OPP” (Nolan 2009) and forbid the couple “from saying anything negative about the government or OPP related to this matter.” (O'Reilly 2010) Third, in February 2010, a Superior Court judge certified a class action lawsuit launched by residents of Caledonia against the OPP, former OPP Commissioner Gwen Boniface, and the Province of Ontario. The four subclasses involved in the lawsuit include a business, property, contractor, and commercial business class. Allegations against the OPP and province range from claims that the two day shutdown of the Hydro One transformer station in Caledonia resulted in a direct economic loss for local businesses to allegations that commercial businesses incurred significant economic losses as a result of the blockades that were erected on Argyle Street and the Highway Six bypass. (Morse 2010)

Outside of these recent developments in Caledonia, *The Globe and Mail* (2010) reported that the Okanagan Indian Band in Vernon, British Columbia recently erected a road blockade to stop Tolko Industries, a forestry company, from logging the Brown's Creek area. The Band fears that logging in the area could threaten the potability of their drinking water. The B.C. Supreme Court issued a court order demanding the removal of the blockade. In response, the Band said it would maintain the blockade and appeal the court's decision. As of 26 February 2010, the RCMP stated they would attempt to mediate a peaceful settlement to the dispute before taking any other type of action.

Scholars should continue to focus their attention on these issues. Future research could address several key questions to which both the Six Nations and Caledonian communities seek answers, such as:

- Why did the federal government take so long to become substantially involved in negotiating a resolution to the Six Nations “occupation and protest” and land claim(s)?
- Was the federal government merely trying to wait out the “occupation” hoping that “protestors” would give up, return home, and not force the government to meaningfully respond to their grievances in a substantial manner? (Keefer 2007)
- Was the federal government afraid of the precedent that resolutions to the Six Nations “protest” could set for other “Native” communities pressing for resolutions to their own outstanding land claims across Canada?
- Finally, how committed are the provincial and federal governments to resolving questions of Six Nations land rights with respect to the “DCE” property and land throughout the Haldimand Tract?

The ongoing occupation of the “DCE” by members of the Six Nations and the recent and current lawsuits against the Province of Ontario and the OPP illustrate that the struggle over the “DCE” has yet to be fully and adequately resolved for both the Six Nations and Caledonian communities. As well, the recent road blockade and political action of the Okanagan Indian Band in British Columbia demonstrate that even if the concerns raised by both the Six Nations and the residents of Caledonia regarding the “occupation and protest” at the “DCE” are resolved, land disputes and the use of

potentially radical tactical activism by “Native” Peoples to push for swift and fair settlements to these disputes will continue to arise across Canada until the broader systemic issues that lead “Native” Peoples to undertake such action are addressed.

## Bibliography

- “About Toby.” <http://www.tobybarrett.com/abouttoby.htm> (accessed August 13, 2009).
- Acciaccferro, Christy. “Fear Escalates After Weekend Riot At Douglas Creek”. *The Grand River Sachem*, August 11, 2006a, 4.
- Acciaccferro, Christy. “When Is It Going To End?” *The Grand River Sachem*, December 8, 2006b, 4.
- Alfred, Taiaiake. *Wasase: Indigenous Pathways of Action and Freedom*. Peterborough: Broadview Press, 2005.
- Alfred, Taiaiake and Jeff Corntassel. “Being Indigenous: Resurgences Against Contemporary Colonialism.” *Politics of Identity* 9 (2005): 597-614.
- Alkerton, Arthur. “Time To ‘Stop The Nonsense’.” *The Hamilton Spectator*, June 26, 2006, A14.
- Babbage, Maria. “Caledonia Militia A ‘Dumb Idea,’ Minister Says.” *The Toronto Star*, June 17, 2009,
- “Backgrounders: The Evolution of the Federal Franchise.” <http://www.elctions.ca/content.asp?Section=gen&document=ec90785&dir=bkg&lang=e&textonly=false> (accessed March 10, 2010).
- Baker, G.M. “Army Should March Into Caledonia – And Stay”. *The Hamilton Spectator*, October 17, 2006, A14.
- Baldry, Robert. “Thumbing Their Noses At Authority – And Getting away With It.” *The Hamilton Spectator*, June 15, 2006, A17.
- “Barrett Demands Leadership In Caledonia Land Dispute.” <http://www.tobybarrett.com/publication/nr/LDBarrett%20demands%20leadership%20in%20Caledonia%20land%20dispute.html> (accessed August 13, 2009).
- “Barrett/Hudak Submit Caledonia Petitions.” <http://www.tobybarrett.com/publication/nr/LD-Barrett-Hudak%20submit%20Caledonia%20petitions.html> (accessed August 13, 2009).
- “Barrett Speaks To Crowd At Caledonia.” <http://www.tobybarrett.com/publication/nr/LD-Barrett%20speaks%20to%20crowd%20at%20Caledonia.html> (accessed August 13, 2009).



- Barrett, Toby. "Unhappy Anniversary Caledonia – February 28." *The Grand River Sachem*, February 23, 2007, 8.
- Barrett, Toby. "A Plan For Land Dispute." *The Grand River Sachem*, May 5, 2006a, 7.
- Barrett, Toby. "What's Going On In Caledonia." *The Grand River Sachem*, May 19, 2006b, 13.
- Barrett, Toby. "What's On Negotiating Table?" *The Grand River Sachem*, July 28, 2006c, 14.
- Barrett, Toby. "Caledonia: Who's In Charge?" *The Grand River Sachem*, November 17, 2006d, 4.
- Barrett, Toby. "Area Must Return To Rule Of Law." *The Grand River Sachem*, August 4, 2006e, 5.
- Barrett, Toby. "Dispute Is Talk Of The Land." *The Grand River Sachem*, August 25, 2006f, 4.
- Barrett, Toby. "Does The Province Now Support Occupation?" *The Grand River Sachem*, September 1, 2006, 4.
- Barry, Brian. *Why Social Justice Matters*. Cambridge: Polity Press, 2005.
- Bayda, Jason. "Hostage to Poor Governance." *The Hamilton Spectator*, 26 June 2006, A14.
- Benedict, Ralph. "Province Needs To Deal With Caledonia Problem." *The Hamilton Spectator*, November 18, 2006, A22.
- Billings, Cathy. "McGuinty Has The Authority, But Not The Will, To Enforce The Law." *The Hamilton Spectator*, August 11, 2006, A15.
- Blomley, Nicholas. "'Shut the Province Down': First Nations Blockades in British Columbia, 1984-1995." *B.C. Studies* 111 (1996): 5-35.
- Borrows, John. "Crown and Aboriginal Occupations of Land: A History and Comparison." Research Paper Commissioned by the Ipperwash Inquiry. [http://www.attorneygeneral.jus.gov.on.ca/inquiries/Ipperwash/policy\\_part/research/pdf/History\\_of\\_Occupations\\_Borrows.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/Ipperwash/policy_part/research/pdf/History_of_Occupations_Borrows.pdf) (accessed 26 June 2009).
- Borrows, John. *Recovering Canada: The Resurgence of Indigenous Law*. Toronto: University of Toronto Press, 2002.

- Boutin, Mary. "There Must Be A Better Way". *The Hamilton Spectator*, May 12, 2006, A19.
- Bryce, Sandi. "Where is Diane Finley?" *The Hamilton Spectator*, May 1, 2006, A14.
- Burman, John. "Negotiation Impasse: Natives, Residents Want Feds To Step In." *The Hamilton Spectator*, August 10, 2006, A3.
- Burley, Ken. "What Country Is This?" *The Grand River Sachem*, December 8, 2006, 4.
- Byers, Jeff. "Who Will Be Our Wyatt Earp?" *The Grand River Sachem*, April 28, 2006, 4.
- "Caledonia – Do You Know Who's In Charge?" <http://www.tobybarrett.com/publication/nr/landnov3.htm> (accessed August 13, 2009).
- CANACE-Canadian Advocates for Charter Equality. <http://joincanace.wordpress.com/about-2/> (accessed July 30, 2009).
- Cavanagh, Kevin. "Caledonia – The Need for Answers." *The Hamilton Spectator*, May 31, 2006, A17.
- Choi, Paul. "OPP Accused Of Taking Sides In Land Dispute; Cops Say Criminal Acts Being Probed." *The Hamilton Spectator*, May 26, 2006, A3.
- Clairmont, Susan. "Are OPP Sacrificing The Law To Keep Natives Happy?" *The Hamilton Spectator*, June 27, 2006a, A2.
- Clairmont, Susan. "OPP Officer Says There's Now Two-Tier Justice." *The Hamilton Spectator*, July 24, 2006b, A2.
- Crawford, Greg. "Still Waiting In Caledonia For A Visit From Dalton McGuinty." *The Hamilton Spectator*, August 12, 2006, A21.
- Cronk, Darrin. "A Scathing Rebuttal". *The Grand River Sachem*, September 8, 2006, 4.
- D'Angelo, Christina. "Caledonia March Is A Protest Against Injustice." *The Hamilton Spectator*, October 13, 2006, A14.
- Danko, J.P. "What Is There To Negotiate?" *The Hamilton Spectator*, August 28, 2006a, A14.

- Danko, J.P. “Continuous Nonsense Coming From Province, Native Occupiers in Caledonia.” *The Hamilton Spectator*, 31 October 2006b, A14.
- Davies, Mair. “As the Dust Settles on the Caledonia Upheaval, Who Suffers?” *The Hamilton Spectator*, May 30, 2006, A15.
- Dawson, Katie. “Grice Hopeful Communities Will Recover From Occupation.” *The Grand River Sachem*, February 23, 2007a, 6.
- Dawson, Katie. “Caledonia Residents Want More Information.” *The Grand River Sachem*, February 16, 2007b, 3.
- Dawson, Katie. “McHale Wants 50 Residents To Go To Jail With Him.” *The Grand River Sachem*, January 19, 2007c, 3.
- Dawson, Katie. “Natives Shout ‘Go Home Gary’.” *The Grand River Sachem*, January 26, 2007d, 1.
- Dawson, Katie. “‘March For Freedom’ Focus Was ‘Two-Tier Justice’.” *The Grand River Sachem*, October 20, 2006a, 5.
- Dawson, Katie. “McHale Leads March.” *The Grand River Sachem*, October 20, 2006b, 1.
- Dawson, Katie. “March Moved.” *The Grand River Sachem*, October 6, 2006c, 1.
- Dawson, Katie. “McHale Arrested During Rally.” *The Grand River Sachem*, December 22, 2006d, 1.
- Dawson, Katie. “Marshall Overruled.” *The Grand River Sachem*, December 22, 2006e, 7.
- Deboer, Joanne. “Barricades Force Traffic Onto Roads That Can’t Handle It.” *The Hamilton Spectator*, May 19, 2006, A19.
- Delio, Mark. “Police Have a Duty to Enforce the Law – Now.” *The Hamilton Spectator*, May 20, 2006a, A21.
- Delio, Mark. “Rights Are Being Denied.” *The Grand River Sachem*, April 28, 2006b, 4.
- Delio, Mark. “No Need For Martyrs.” *The Grand River Sachem*, May 19, 2006c, 4.

- DePasquale, Paul W.. “Natives and Settlers Now and Then: Refractions of the Colonial Past in the Present.” In *Natives and Settlers Now and Then: Historical Issues and Current Perspectives on Treaties and Land Claims in Canada*, edited by Paul W. DePasquale, xv-xxxiii. Edmonton: University of Alberta Press, 2007.
- Dicy, Lisa. “The Wrong Note”. *The Hamilton Spectator*, July 10, 2006, A14.
- Dobrota, Alex. “Caledonia Standoff Threatens To Heat Up Again; Residents Frustrated With Slow Pace Of Negotiations Over Land Rights.” *The Globe and Mail*, September 2, 2006, A10.
- Doll, Jan. “Bring On The ‘Fearless Leaders’.” *The Hamilton Spectator*, April 24, 2006, A16.
- Dring, Neil. “New Year’s Resolution Needed.” *The Grand River Sachem*, January 5, 2007, 4.
- Dring, Neil. “DCE Agreement With Native Occupiers ‘A Long Way Off’”. *The Grand River Sachem*, October 27, 2006, 5.
- Emery, Bernice. “Native Letter Full Of Irony.” *The Grand River Sachem*, June 9, 2006, 4.
- Faulkner, Rob. “Caledonia Rally Fails To Ignite.” *The Hamilton Spectator*, October 16, 2006, A1.
- Feit, Harvey. “James Bay Cree Self-Governance and Land Management.” In *We Are Here: Politics of Aboriginal Land Tenure*, ed. Edwin N. Wilmsen, 68-98. Berkely: University of California Press, 1989.
- Fenton, Bob. “Let the Circus End; Let the Halt to Construction on the (Former) Douglas Creek Estates Remain.” *The Hamilton Spectator*, September 1, 2006a, A15.
- Fenton, Bob. “Caledonia Occupation Is Real”. *The Hamilton Spectator*, July 31, 2006b, A14.
- Fleming, Randy. “Time For Action On Occupation Has Passed”. *The Grand River Sachem*, April 21, 2006a, 4.
- Fleming, Randy. “Skirmish Was With OPP...Not Natives.” *The Grand River Sachem*, December 15, 2006b, 4.
- Fragomeni, Carmela. “Residents Desperate ‘To Live a Normal Life Again’.” *The Hamilton Spectator*, June 22, 2006, A4.

- Fraser, Jim. "Tory Input Missing In Caledonia Standoff." *The Hamilton Spectator*, August 9, 2006, A17.
- Frideres, James and Rene Gadacz. *Aboriginal Peoples in Canada: Contemporary Conflicts*. Toronto: Prentice Hall, 2001.
- Fruch, Andrew. "Hamilton Benefit Concert Raises Money For Reclamation". *The Tekawennake*, July 26, 2006, 4.
- Furniss, Elizabeth. *The Burden of History: Colonialism And The Frontier Myth In A Rural Canadian Community*. Vancouver, UBC Press, 1999.
- Galasso, Joe. "A Near Miss in Caledonia." *The Hamilton Spectator*, September 2, 2006, A19.
- Glendenning, Paul. "Harper Can't Turn His Back On This Land Claim Issue." *The Hamilton Spectator*, June 2, 2006, A17.
- Gogischwili, Charles. "Better Uses for \$8 Million." *The Hamilton Spectator*, May 15, 2006, A16.
- Gordon, Kim. "Anger at the Natives and the Lack of Government." *The Hamilton Spectator*, May, 29, 2006, A16.
- Government of Ontario. "The Ipperwash Inquiry." (2007) <http://www.attorney.general.jus.gov.on.ca/Inquiries/ipperwash/index.html>.
- Grenier, Marc. "Native Indians in the English-Canadian Press: The Case of the 'Oka Crisis'." *Media, Culture & Society* 16 (1994): 313-336.
- Hamilton, Jennifer A. "Resettling Musqueam Park: Property, Landscape, and 'Indian Land' in British Columbia." *PoLAR: Political and Legal Anthropology Review* 29 (2006): 88-109.
- Hartless, David. "OPP Unable to Protect Us". *The Grand River Sachem*, June 9, 2006, 4.
- Harrod, Ron. "No Peace Before Contentious Issues Are Settled." *The Hamilton Spectator*, June 17, 2006, A25.
- Healey, Deirdre. "Rocks Fly in New Caledonia Clash". *The Hamilton Spectator*, August 8, 2006, A3.

- Heeg, Heather. "Time for Authorities to Get Off Their Butts." *The Hamilton Spectator*, April 25, 2006a, A15.
- Heeg, Heather. "Police Quick To Protect Their Own." *The Grand River Sachem*, June 16, 2006b, 4.
- Hemsley, Betty. "Strong Federal Leadership Imperative for Caledonia." *The Hamilton Spectator*, June 29, 2006, A17.
- Hemsworth, Wade. "'A Ghost Town in Six Months'; Caledonia Businesses Becoming Increasingly Desperate With No Sign of a Resolution." *The Hamilton Spectator*, April 26, 2006, A9.
- Henderson, James (Sakej) Youngblood. "Sui Generis and Treaty Citizenship." *Citizenship Studies* 6(2002): 415-440.
- Horne, Terry. "Government Policy: Stall Now, Let Someone Else Pay Later." *The Hamilton Spectator*, May 24, 2006, A17.
- Howard, Robert. "OPP Boss Needs To Rebuild Trust." *The Hamilton Spectator*, August 1, 2006, A15.
- Howatt, Margaret. "Native Protestors Won't Be Leaving Subdivision Easily". *The Grand River Sachem*, April 21, 2006a, 4.
- Howatt, Margaret. "Early Election Predictions". *The Grand River Sachem*, August 11, 2006b, 4.
- Howatt, Margaret. "'Banging Our Heads' Against An OPP Wall Of Resistance." *The Hamilton Spectator*, July 31, 2006c, A14.
- Interview 1. McMaster Hospital Corner Café. 13 November 2009.
- Interview 2. Caledonia Public Library. 16 November 2009.
- Interview 3. Café Amore. 19 November 2009.
- Interview 4. Café Amore. 20 November 2009.
- Interview 5. Interviewee's Home. 23 November 2009.
- Interview 6. Café Amore. 23 November 2009.
- Interview 7. Tim Horton's. 27 November 2009.

- Interview 8. Interviewee's Home. 1 December 2009.
- Interview 9. Café Amore. 4 December 2009.
- Interview 10. Café Amore. 14 December 2009.
- Interview 11, Tim Horton's. 19 December 2009.
- Interview 12. Tim Horton's. 11 January 2010.
- Jablonski, Jeannette. "Native Protestors Must Accept Responsibility for Their Actions". *The Hamilton Spectator*, June 30, 2006, A21.
- Jaskowich, Richard. "Blame It On Government." *The Hamilton Spectator*, May 6, 2006, A23.
- Johnston, Charles. "The Six Nations in the Grand River Valley, 1784-1847." In *Aboriginal Ontario: Historical Perspectives on the First Nations*, edited by Edward S. Rogers and Donald B. Smith, 167-181. Toronto: Dundurn Press, 1994.
- Joy, Barb. "A Tilt In The Scales Of Justice." *The Hamilton Spectator*, April 27, 2006, A17.
- Keefer, Tom. "Contradictions of Canadian Colonialism: Non-Native Response to the Six Nations Reclamation." In *Alliances: Re/Envisioning Indigenous-non-Indigenous Relationships*, ed. Lynne Davis. Toronto: University of Toronto Press, forthcoming.
- Keefer, Tom. "The Six Nations Land Reclamation Roundtable: Overview and Context." *Upping the Anti...A Journal of Theory and Action*, 3 (2007), [http://auto\\_sol.tao.ca/node2630](http://auto_sol.tao.ca/node2630).
- Keeping, Janet. *The Inuvialuit Final Agreement*. Calgary: Canadian Institute of Resources Law, 1989.
- Kennington, Barry. "Crunch Time: Where's Harper?" *The Hamilton Spectator*, May 24, 2006, A17.
- King, Laura. "Does the Government Care...?" *The Hamilton Spectator*, April 29, 2006, A21.
- Knisley, Jim. "Council Concerned Over DCE Costs". *The Grand River Sachem*, February 2, 2007, 8.

- Knisley, Jim. "Look To The Future, Don't Get Lost In The Present". *The Grand River Sachem*, April 28, 2006a, 3.
- Knisley, Jim. "Violence Has Changed The Ground Rules At Subdivision." *The Grand River Sachem*, June 16, 2006b, 3.
- Knisley, Jim. "Council Demands Action." *The Grand River Sachem*, June 16, 2006c, 7.
- Knisley, Jim. "Judge Marshall's Ruling Leaves Room For Interpretation". *The Grand River Sachem*, August 11, 2006d, 4.
- Knisley, Jim. "Negotiations Should Be Suspended Until Douglas Creek Vacated". *The Grand River Sachem*, August 11, 2006e, 7.
- Knisley, Jim. "Well Done, Caledonia." *The Grand River Sachem*, October 20, 2006f, 4.
- Knisley, Jim. "The Elephant." *The Grand River Sachem*, May 5, 2006g, 6.
- Knisley, Jim. "County Just Can't Get Respect." *The Grand River Sachem*, September 1, 2006h, 3.
- Knisley, Jim. "County Remains Hopeful A Resolution Is Near." *The Grand River Sachem*, May 19, 2006i, 14.
- Knisley, Jim. "All The News That Fits." *The Grand River Sachem*, July 28, 2006j, 4.
- Koocher, Fred and Sandra Koocher. "OPP Deserve Respect During Caledonia Standoff". *The Grand River Sachem*, May 5, 2006, 2.
- Kruchak, Matt, Barb McKay and Marissa Nelson. "Caledonia Erupts: Fists Fly as Natives and Non-Natives Take to the Streets; Day of Calm Quickly Takes Turn for Worse." *The Hamilton Spectator*, May 23, 2006, A01.
- Langford, Tom, and J. Rick Ponting. "Canadians' Responses to Aboriginal Issues: The Roles of Prejudice, Perceived Group Conflict and Economic Conservatism." *The Canadian Review of Sociology and Anthropology* 29 (1992): 140-166.
- Lawrence, Bonita. "Rewriting Histories of the Land: Colonization and Indigenous Resistance in Eastern Canada." In *Race, Space, and the Law: Unmapping White Settler Society*, ed. Sherene Razack, 21-46. Toronto: Between the Lines, 2002.
- Legall, Paul. "Round 3: Judge Wants Answers on Caledonia File". *The Hamilton Spectator*, June 22, 2006a, A4.



- Legall, Paul. “‘Final Solution’ Poster May Be A Hoax: Police; Hate Crime Unit Investigating.” *The Hamilton Spectator*, May 4, 2006b, A8.
- Legall, Paul. “OPP Officers Getting Unfair Rap: Residents; Some in Caledonia Feel Police Aren’t Allowed To Do Their Job.” *The Hamilton Spectator*, June 9, 2006c, A9.
- Legall, Paul. “No Double Standard On Caledonia: OPP Boss.” *The Hamilton Spectator*, December 6, 2006d, A1.
- Legall, Paul. “MAKE THEM GO; Lawyer Urges Judge To Force End To Standoff.” *The Hamilton Spectator*, June 2, 2006e, A1.
- Legall, Paul. “Judge Vows Law And Order Will Return To Caledonia.” *The Hamilton Spectator*, July 6, 2006f, A4.
- Legall, Paul and Paul Morse. “Mass Rally To Hear Caledonia’s Anger.” *The Hamilton Spectator*, April 24, 2006, A1.
- Linden, Sidney B. “Commissioner’s Statement – Public Release of Report.” *The Report of the Ipperwash Inquiry* (2007a), [http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/li/pdf/Commissioner-s\\_Statement-may31\\_2007.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/li/pdf/Commissioner-s_Statement-may31_2007.pdf).
- Linden, Sidney B. “Policing Aboriginal Occupations.” *The Report of the Ipperwash Inquiry* (2007b), [http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol\\_2/pdf/E\\_Vol\\_2\\_CH09.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol_2/pdf/E_Vol_2_CH09.pdf).
- Linden, Sidney B. “Bias-Free Policing.” *The Report of the Ipperwash Inquiry* (2007c), [http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol\\_2/pdf/E\\_Vol\\_2\\_CH11.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol_2/pdf/E_Vol_2_CH11.pdf).
- Linden, Sidney B. “Police/Government Relations.” *The Report of the Ipperwash Inquiry* (2007d), [http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol\\_2/pdf/E\\_Vol\\_2\\_CH12.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol_2/pdf/E_Vol_2_CH12.pdf).
- Lipset, Seymour M. and Earl Rabb. *The Politics of Unreason: Right-Wing Extremism in America, 1790-1970*. New York: Harper and Row, 1970. In Ponting, J. Rick, and Roger Gibbins. “The Reactions of English Canadians and French Quebecois to Native Indian Protest.” *Canadian Review of Sociology* 18 (1981a): 222-238.
- Losier, Darlene. “Business As Usual? Far From It”. *The Hamilton Spectator*, May 27, 2006, A23.

- Mackey, Eva. "Competing or Relational Autonomies? Globalization, Property, and Friction Over Land Rights". In *Globalization and Autonomy Series: Dialectical Relationships Shaping the Contemporary World*, edited by William D. Coleman and Nancy A. Johnson. Vancouver: UBC Press, forthcoming.
- Mackey, Eva. "Universal Rights in Conflict: 'Backlash' and 'Benevolent Resistance' to Indigenous Land Rights." *Anthropology Today* 21 (2005): 14-20.
- Mackey, Eva. *The House of Difference: Cultural Politics and National Identity in Canada*. Toronto: University of Toronto Press, 2002.
- Mackey, Eva. "Constructing an Endangered Nation: Risk, Race and Rationality in Australia's Title Debate." In *Risk and Sociocultural Theory: New Directions and Perspectives*, edited by Deborah Lupton, 108-130. Cambridge: Cambridge University Press, 1999.
- Martin, Norma. "Get To Work, Mr. Harper". *The Hamilton Spectator*, June 5, 2006, A16.
- Martin, Doris and Leonard Martin. "Set Up Camp In Ottawa?" *The Hamilton Spectator*, June 10, 2006, A25.
- Maxwell, Ken. "'It's Time to Stop Negotiating With Those People and Remove Them From Our Land'." *The Hamilton Spectator*, November 25, 2006, A22.
- McCue, Harvey. "The Modern Age, 1945-1980." In *Aboriginal Land Claims in Canada: A Regional Perspective*, ed. Ken Coates, 377-417. Toronto: Copp Clark Pitman, 1992.
- McKay, Barb. "Land Negotiators Join Native Talks." *The Hamilton Spectator*, May 4, 2006, A8.
- McLachlin, Michael. "Preserving The Rule Of Law." *The Hamilton Spectator*, May 25, 2006, A17.
- Menzies, Charles R. "Stories From Home: First Nations Land Claims, and Euro-Canadians". *American Ethnologist* 21 (1994): 776-791.
- Miller, Joan. "Standoff Story Skewed By The Media". *The Hamilton Spectator*, April 29, 2006, A21.
- Milley, Kate. "'Where Is John Wayne When You Need Him?': Anti-Native Organizing and the 'Caledonia Crisis'". *Upping the Anti: A Journal of Theory and Action* 9 (2009): 91-104.

- Mitchell, Susan. "MPs Absence Unassuring." *The Grand River Sachem*, June 9, 2006, 4.
- Morantz, Toby. "Aboriginal Land Claims in Quebec." In *Aboriginal Land Claims in Canada: A Regional Perspective*, ed. Ken Coates, 101-130. Toronto: Copp Clark Pitman, 1992.
- Morse, Paul. "Caledonia Suit Certified: With Four Identifiable Groups, Claim Passes Class-Action Test." *The Hamilton Spectator*, February 9, 2010, A3.
- Munro, Gord. "McHale Sympathy." *The Grand River Sachem*, January 26, 2007, 3.
- Muse, Sandra. "Fear-Mongering Continues in Caledonia". *The Tekawennake*, June 21, 2006a, 1-2.
- Muse, Sandra. "St. Amand Wants Answers From Indian Affairs Minister." *The Tekawennake*, June 7, 2006, 10.
- Musqueam Indian Band v. Glass* (2000) 2 S.C.R. In Hamilton, Jennifer A. "Resettling Musqueam Park: Property, Landscape, and 'Indian Land' in British Columbia." *PoLAR: Political and Legal Anthropology Review* 29 (2006): 88-109.
- Natcher, David, and Susan Davis. "Rethinking Devolution: Challenges for Aboriginal Resource Management in the Yukon Territory." *Society and Natural Resources* 20 (2007): 271-279.
- Nelson, Marissa. "Tension Builds Over Rally; Mayor to Declare State of Emergency if Violence Erupts." *The Hamilton Spectator*, October 12, 2006a, A11.
- Nelson, Marissa. "OPP Probes Racist Message At Reserve." *The Hamilton Spectator*, May 13, 2006b, A9.
- Nelson, Marissa. "Caledonia Braces For Rally; Town, Police Ready For Action, But Hope Unendorsed Gathering Fizzles." *The Hamilton Spectator*, October 14, 2006c, A9.
- Nelson, Marissa. "Ottawa Must Step In: Ramsay." *The Hamilton Spectator*, June 3, 2006d, A3.
- Nelson, Marissa. "Feds Won't Meet With Ramsay Over Standoff Bill." *The Hamilton Spectator*, November 1, 2006e, A1.
- Nelson, Marissa. "Delay of 'No Go' Zone Angers Residents." *The Hamilton Spectator*, October 7, 2006f, A14.

- Nelson, Marissa. "Time For Ottawa to Ante Up: Premier." *The Hamilton Spectator*, October 21, 2006g, A15.
- Nelson, Marissa. "MP Makes Light of Plea For Help in Caledonia." *The Hamilton Spectator*, October 27, 2006h, A1.
- Nelson, Marissa. "Caledonia Rally 'A Recipe For Disaster': Minister Offers Queen's Park As Alternate Site, Says Sunday Protestors Are 'Putting Their Lives At Risk'." *The Hamilton Spectator*, October 13, 2006i, A12.
- Nelson, Marissa. "Caledonia Protest Rally Moved To Fairgrounds." *The Hamilton Spectator*, October 3, 2006j, A7.
- Neu, Dean and Richar Therrien. *Accounting For Genocide: Canada's Bureaucratic Assault On Aboriginal People*. Winnipeg: Fernwood Publishing, 2003.
- Nevison, Ron. "Battle Is With Ottawa". *The Grand River Sachem*, September 8, 2006, 4.
- Niro, Gino. "Caledonia Might Well Be the Wild West". *The Hamilton Spectator*, June 13, 2006, A15.
- Nolan, Daniel. "Harassed Family Moving On: Leaving Native-Occupied Area, Day After Settlement Reached." *The Hamilton Spectator*, December 31, 2009, A7.
- Nolan, Daniel. "MPP Backs Off Caledonia Claim; Is Organized Crime Fuelling the Standoff?" *The Hamilton Spectator*, August 29, 2006a, A4.
- Nolan, Daniel. "Townfolk Lose Their Cool; OPP Break Up Shouting Match Between Residents, Native Woman." *The Hamilton Spectator*, May 6, 2006b, A3.
- Nolan, Daniel. "Finley Keeps Tabs On Caledonia." *The Hamilton Spectator*, May 5, 2006c, A8.
- Nolan, Daniel. "Finley: Send Cops To Clear Out Natives; MP Wants Caledonia Returned To 'Normalcy'." *The Hamilton Spectator*, June 9, 2006d, A9.
- Nolan, Daniel. "OPP 'Doing Their Best' Commissioner Backs Officers." *The Hamilton Spectator*, August 2, 2006e, A7.
- Notzke, Claudia. "The Resource Co-Management Regime in the Inuvialuit Settlement Region." In *Northern Aboriginal Communities: Economic Development*, ed. Peter Elias, 36-52. North York: Captus University Publications, 1995.

- O'Reilly, Nicole. "Besieged Family Finally Moving On: New Home, Fresh Start In Caledonia." *The Hamilton Spectator*, January 2, 2010, A4.
- Parent, Lisa. "DCE Has Divided Caledonia". *The Grand River Sachem*, February 16, 2007, 5.
- Parent, Lisa. "Trainer's Out Front While Council Sits On Its Hands". *The Hamilton Spectator*, May 1, 2006a, A14.
- Parent, Lisa. "Occupied Subdivision Could Be Friendship Park." *The Grand River Sachem*, July 21, 2006b, 4.
- Parent, Lisa. "Caledonia Residents Do Support March For Freedom." *The Hamilton Spectator*, October 14, 2006c, A20.
- Parent, Lisa. "OPP Have A Lot Of Nerve For Calling Residents 'Juvenile'." *The Grand River Sachem*, December 15, 2006d, 4.
- Payne, Stephen. "Rule Of Law Must Be A Guide For All." *The Hamilton Spectator*, August 19, 2006, A23.
- Pearson, Mike. "Fact Finder Arrives". *The Grand River Sachem*, March 31, 2006a, 1.
- Pearson, Mike. "Natives Not Backing Down: Land Reclamation Effort in Week Seven". *The Grand River Sachem*, April 14, 2006b, 1, 19.
- Pearson, Mike. "Cooler Heads Prevail At Caledonia Rally: Police Make Two Arrests on Friday, April 28." *The Grand River Sachem*, May 5, 2006c, 5.
- Pearson, Mike. "Friday Night Rallies A Regular Occurrence in Caledonia". *The Grand River Sachem*, May 12, 2006d, 5.
- Pearson, Mike. "A State of Emergency Declared After town Left In The Dark". *The Grand River Sachem*, May 26, 2006e, 3.
- Pearson, Mike. "Residents Still Fear For Safety". *The Grand River Sachem*, June 16, 2006f, 1.
- Pearson, Mike. "Busloads Attend Queen's Park". *The Grand River Sachem*, June 23, 2006g, 1.
- Pearson, Mike. "Province Buys Out Henco, Protest Continues". *The Grand River Sachem*, June 23, 2006h, 5.

- Pearson, Mike. "Arrest Warrants To Be Addressed". *The Grand River Sachem*, July 7, 2006i, 1.
- Pearson, Mike. "Surrey St. Barricade Down". *The Grand River Sachem*, July 14, 2006j, 1.
- Pearson, Mike. "Cautious Return To School In Caledonia". *The Grand River Sachem*, August 25, 2006k, 1.
- Pearson, Mike. "OPP Get An Earful At Meeting." *The Grand River Sachem*, August 25, 2006m, 3.
- Pearson, Mike. "Negotiations Affirm New Hope In Ongoing Standoff." *The Grand River Sachem*, April 28, 2006n, 7.
- Pearson, Mike. "Protesting The Protest: Community Leaders Seek End To Land Claim Dispute." *The Grand River Sachem*, April 7, 2006p, 1.
- Pearson, Mike. "Anger, Frustration Lead to Revolt." *The Grand River Sachem*, April 28, 2006q, 1.
- Pearson, Mike. "Judge Seeks Answers On Native Land Dispute." *The Grand River Sachem*, June 9, 2006r, 5.
- Pearson, Mike. "Rule Of Law Must Return: John Tory." *The Grand River Sachem*, August 4, 2006s, 1.
- Pearson, Mike and Jim Knisley. "Violence Erupts, Protestors Charged." *The Grand River Sachem*, June 16, 2006, 5.
- Pertusati, Linda. *In Defense of Mohawk Land: Ethnopolitical Conflict in Native North America*. Albany: State University of New York Press, 1997.
- Pfefferle, Walter. "More Taxpayer Money Wasted." *The Grand River Sachem*, June 23, 2006, 4.
- Ponting, J. Rick. "Public Opinion on Canadian Aboriginal Issues, 1976-1998: Persistence, Change, and Cohort Analysis." *Canadian Ethnic Studies* 32 (2000): 44-75.
- Ponting, J. Rick. "Conflict and Change in Indian/Non-Indian Relations in Canada: Comparison of 1976 and 1979 National Attitude Surveys." *The Canadian Journal of Sociology* 9 (1984): 137-158.

- Ponting, J. Rick, and Roger Gibbins. "The Reactions of English Canadians and French Quebecois to Native Indian Protest." *Canadian Review of Sociology* 18 (1981a): 222-238.
- Ponting, Rick, and Roger Gibbins. "The Effects of Ethnic Characteristics Upon Orientations Towards Native Indians." *Canadian Journal of Native Studies* 1 (1981b): 1-31.
- Ponting, Rick, and Roger Gibbins. *Out of Irrelevance: A Socio-Political Introduction to Indian Affairs in Canada*. Toronto: Butterworth, 1980.
- Prokaska, Lee. "A Better Year for Caledonia." *The Hamilton Spectator*, December 27, 2006a, A18.
- Prokaska, Lee. "Native Attitude Erodes Goodwill." *The Hamilton Spectator*, September 1, 2006b, A15.
- Prokaska, Lee. "Best Response Is No Response." *The Hamilton Spectator*, September 27, 2006c, A17.
- Prokaska, Lee. "Let the Appeal Bring Clarity." *The Hamilton Spectator*, August 14, 2006d, A14.
- Prokaska, Lee. "Prentice Antics Petty Politics." *The Hamilton Spectator*, November 2, 2006e, A16.
- Prokaska, Lee. "Stalemate In Caledonia." *The Hamilton Spectator*, August 19, 2006f, A23.
- Prokaska, Lee. "Residents Wise To Avoid March." *The Hamilton Spectator*, October 17, 2006g, A14.
- Prokaska, Lee. "Website Unfair To OPP Officers." *The Hamilton Spectator*, July 19, 2006h, A17.
- Prokaska, Lee. "Apply The Law Equally To All." *The Hamilton Spectator*, June 16, 2006i, A19.
- Prokaska, Lee. "Refuse To Rally, Ignore The Call." *The Hamilton Spectator*, October 13, 2006j, A14.
- Prokaska, Lee. "Some Clarity For Caledonia." *The Hamilton Spectator*, December 16, 2006k, A22.

- Pukala, Armas. "Finley Meeting Too Late." *The Grand River Sachem*. August 25, 2006, 4.
- Puley, Aaron. "Government in Hiding." *The Hamilton Spectator*, April 26, 2006, A17.
- Ramos, Howard. "What Causes Canadian Aboriginal Protest? Examining Resources, Opportunities and Identity 1951-2000." *The Canadian Journal of Sociology* 31 (2006): 211-234.
- Report of the Ipperwash Inquiry, Volume 2. "Primer on Aboriginal Occupations." [http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol\\_2/pdf/E\\_Vol\\_2\\_CHO2.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/report/vol_2/pdf/E_Vol_2_CHO2.pdf) (accessed 26 June 2009).
- Rinehart, Dianne. "A Stand Against Tyranny and Terrorism; Please Raise Your Glass to Two Canadians Who Uphold Democracy Over Tyranny – Regardless of the Political Protests". *The Hamilton Spectator*, August 12, 2006, D21.
- Rothwell, Teresa. "Past Wrongdoing Doesn't Justify Poor Behaviour By Protestors". *The Hamilton Spectator*, June 30, 2006, A21.
- Ryan, Kim. "Doing Nothing About Calcedonia Situation Is Not The Answer". *The Hamilton Spectator*, September 29, 2006, A15.
- Saku, James. "Modern Land Claim Agreements and Northern Canadian Aboriginal Communities." *World Development* 30 (2002): 141-151.
- Saku, James and Robert Bone. "Looking for Solutions in the Canadian North: Modern Treaties as a New Strategy." *Canadian Geographer* 44 (2000): 259-270.
- Salerno, Sandra. "We Should Pay Our Dues, Let Cooler Heads Prevail Into the Future". *The Hamilton Spectator*, April 25, 2006, A15.
- Sardine, Winston. "Political Leaders Failing Us." *The Grand River Sachem*, May 12, 2006, 4.
- Seguin, Keith. "Feeling Abandoned." *The Grand River Sachem*, May 19, 2006, 4.
- Sewell, Becki. "We're Angry, Not Racist". *The Hamilton Spectator*, October 23, 2006, A14.
- Side, Greg. "Spread to Hamilton." *The Hamilton Spectator*, May 24, 2006, A17.



- Singer, Benjamin. "Minorities and the Media: A Content Analysis of Native Canadians in the Daily Press." *Canadian Review of Sociology & Anthropology* 19 (1982): 348-358.
- Skea, Warren. "The Canadian Newspaper Industry's Portrayal of the Oka Crisis." *Native Studies Review* 9 (1993-1994): 15-31.
- Sloat, Buck. "Problems Are Far From Over". *The Grand River Sachem*, June 30, 2006, 4.
- Smith, Edna. "Land Dispute Is Between Six Nations And Federal Government." *The Hamilton Spectator*, August 22, 2006, A15.
- Smith, Jim. "Native Land Claim Is Really About A Casino". *The Hamilton Spectator*, August 16, 2006, A17.
- Smith, Scott. "Townfolk Getting Testy Over Blockades". *The Tekawennake*, April 26, 2006, 1-2.
- Sorrell, Karen. "Applauding 'The Good Fight'." *The Hamilton Spectator*, July 20, 2006a, A17.
- Sorrell, Karen. "When Do We See The Other Side Of The Coin?" *The Hamilton Spectator*, May 20, 2006b, A21.
- Sorrell, Karen. "Anyone Want to Buy My House?" *The Hamilton Spectator*, August 18, 2006c, A15.
- Spencer, Stephen and Lora Spencer. "Friendships Being Divided." *The Grand River Sachem*, April 28, 2006, 5.
- Stone, Peter. "The Need to Protect All Rights." *The Hamilton Spectator*, April 27, 2006, A17.
- Terry, Matt. "No One Should Bite the Hand That Feeds Them." *The Hamilton Spectator*, May 5, 2006, A17.
- The Globe and Mail*. "B.C. Supreme Court Order Issued In Logging Dispute." February 26, 2010, <http://www.theglobeandmail.com/news/national/british-columbia/bc-supreme-court-order-issued-in-logging-dispute/article1483461> (accessed February 26, 2010).
- The Grand River Sachem*. "Fear Moves Into Town". April 14, 2006a, 4.

- The Grand River Sachem*. “MPP Barrett Responds To Caledonia Standoff: Calls For Leadership From McGuinty On The Issue.” April 28, 2006b, 21.
- The Grand River Sachem*. “Hoping To Meet Finley.” September 1, 2006c, 13.
- The Grand River Sachem*. “Land Claim May Be Legitimate... Federal Government Needs To Get Involved As Soon As Possible.” March 24, 2006d, 4.
- The Grand River Sachem*. “Finley Met With Residents.” August 18, 2006e, 1.
- The Grand River Sachem*. “Wake Up Gary.” September 29, 2006f, 4.
- The Grand River Sachem*. “John Tory’s Visit Was Grandstanding.” August 4, 2006g, 4.
- The Grand River Sachem*. “Protest Is Two Issues In One.” *The Grand River Sachem*, April 14, 2006h, 4.
- The Hamilton Spectator*. “Jim Prentice, Federal Indian Affairs Minister.” November 2, 2006a, A13.
- The Hamilton Spectator*. “David Ramsay, Provincial Minister For Aboriginal Affairs.” November 2, 2006b, A13.
- The Hamilton Spectator*. “Feds Understand Caledonia: Premier.” November 15, 2006c, A8.
- The Hamilton Spectator*. “Governments Co-operating on Caledonia.” June 28, 2006d, A17.
- The Hamilton Spectator*. “Caledonia Calm On Canada Day But ‘Segregation’ Continues.” July 3, 2006e, A4.
- The Hamilton Spectator*. “Caledonia Rally Will Go Ahead; McGuinty Condemns Plan, But Won’t Take Steps To Stop It.” *The Hamilton Spectator*, October 11, 2006f, A11.
- The Tekawennake*. “Community Friends Plans Forum in Support of Six Nations”. September 20, 2006, 7.
- Thibeau, Bob. “OPP Don’t Deserve Praise Over Caledonia Dispute.” *The Hamilton Spectator*, October 26, 2006, A16.
- Thompson, Bryan. “Myrie Got One Thing Right: The Bitterness Will Linger.” *The Hamilton Spectator*, May 6, 2006a, A23.

- Thompson, Bryan. "Letters Are Nothing More Than Native Propaganda." *The Hamilton Spectator*, August 18, 2006b, A15.
- Thompson, Bryan. "Authorities Displaying Weakness". *The Grand River Sachem*, April 14, 2006c, 5.
- Thompson, Bryan. "Police Action Too Little, Too Late". *The Grand River Sachem*, April 28, 2006d, 5.
- Thompson, Bryan. "Support The Class Action". *The Grand River Sachem*, July 21, 2006e, 4.
- Thompson, Bryan. "Quiet Councilor Criticized". *The Grand River Sachem*, October 27, 2006f, 4.
- Thompson, Gary. "There's Ample Evidence Of Two-Tier Justice In Caledonia." October 21, 2006, A22.
- Thompson, Laura. "Six Months Later, A Great Divide; Attitudes Have Hardened in Caledonia. The Natives Aren't Moving, Residents Feel Like Hostages". *The Hamilton Spectator*, August 28, 2006, A7.
- Thompson, Stacey. "Pointing at the Hotheads". *The Hamilton Spectator*, August 17, 2006, A17.
- Tooker, Elisabeth. "The Five (Later Six) Nations Confederacy, 1550-1784." In *Aboriginal Ontario: Historical Perspectives on the First Nations*, edited by Edward S. Rogers and Donald B. Smith, 79-91. Toronto: Dundurn Press, 1994.
- Tory, John. "Restoring The Rule Of Law In Caledonia." *The Tekawennake*, August 16, 2006, 7.
- Trites, Chris. "Government Paralysed by Lack of Political Backbone." *The Hamilton Spectator*, May 24, 2006, A17.
- Tully-Musser, Erin. "Kanonhstaton's Four Year Anniversary." *The Tekawennake*, March 3, 2010, 1.
- Turner, Ralph. "The Public Perception of Protest." *American Sociological Review* 34 (1969): 815-831. In Ponting, J. Rick, and Roger Gibbins. "The Reactions of English Canadians and French Quebecois to Native Indian Protest." *Canadian Review of Sociology* 18 (1981a): 222-238.

- Ulman, Roslyn. "Shift The Protest To The Federal Government's Doorstep." *The Hamilton Spectator*, June 13, 2006, A15.
- Vanderwyk, Rick. "Some Compromise, Please". *The Hamilton Spectator*, August 14, 2006a, A14.
- Vanderwyk, Rick. "Curb the Violence, Or Step Aside". *The Hamilton Spectator*, June 14, 2006b, A17.
- Vanderwyk, Rick. "McGuinty's Lack of Action has Failed Caledonia Residents Miserably." *The Hamilton Spectator*, October 24, 2006c, A14.
- Vanderwyk, Rick. "Tension Escalating." *The Grand River Sachem*, August 18, 2006d, 4.
- Vanderwyk, Rick and Valerie Vanderwyk. "Caledonia Stuck in Stalemate". *The Hamilton Spectator*, July 17, 2006, A14.
- Vanderwyk, Valerie. "Who Pays For Fixing This Mess?" *The Hamilton Spectator*, May 18, 2006, A19.
- Vansickle, Anne Marie. "Braemar Resident Recounts Life Near Occupation". *The Grand River Sachem*, June 16, 2006, 4.
- Waldron, Jeremy. "Settlement, Return, and the Supersession Thesis." *Theoretical Inquiries in Law* 5 (2004): 237-268.
- Waldron, Jeremy. "Superseding Historic Injustice." *Ethics* 103 (1992): 4-28.
- Warry, Wayne. *Ending Denial: Understanding Aboriginal Issues*. Peterborough: Broadview Press, 2007.
- Wasik, Henrietta. "Enforcement Of Canadian Laws Raises A Question On Selectivity." *The Hamilton Spectator*, May 17, 2006, A17.
- Weaver, Sally. "The Iroquois: The Grand River Reserve in the Late Nineteenth and Early Twentieth Centuries, 1875-1945. In *Aboriginal Ontario: Historical Perspectives on the First Nations*, edited by Edward S. Rogers and Donald B. Smith, 213-257. Toronto: Dundurn Press, 1994.
- Welch, Anne. "Native Action Losing Support." *The Grand River Sachem*, May 19, 2006, 4.

- Wheeler, Len. "Julian Fantino Would Be A Good OPP Commissioner". *The Hamilton Spectator*, August 19, 2006, A23.
- Whidden, David. "Double Standard Being Applied". *The Grand River Sachem*, April 28, 2006, 5.
- White, Karen. "Does Occupied Site Come With Free Hydro?" *The Grand River Sachem*, August 4, 2006, 4.
- Wiersma, Harry. "Everyone Knows There's A Double Standard in Caledonia". *The Hamilton Spectator*, December 9, 2006, A20.
- Wilkes, Rima. "The Protest actions of Indigenous Peoples: A Canadian-U.S. Comparison of Social Movement Emergence". *American Behavioral Scientist* 50 (2006): 510-525.
- Wilkes, Rima. "First Nations Politics: Deprivation, Resources, and Participation in Collective Action." *Sociological Inquiry* 74 (2004a): 570-589.
- Wilkes, Rima. "A Systematic Approach to Studying Indigenous Politics: Band-Level Mobilization in Canada, 1981-2000." *The Social Science Journal*, 41 (2004b): 447-457.
- Wilkinson, Ron. "Remove OPP From Caledonia, Respect Has Been Lost". *The Hamilton Spectator*, October 17, 2006a, A14.
- Wilkinson, Ron. "OPP 'Imports' Bungled It." *The Hamilton Spectator*, May 24, 2006b, A17.
- Windle, Jim. "Six Nations Residents Stand Up In Caledonia." *The Tekawennake*, March 1, 2006a, 1.
- Windle, Jim. "Non-Native Support Streams Into Site of Occupation". *The Tekawennake*, April 12, 2006, 1.
- Windle, Jim. "Busloads of Support Visit Reclamation Site". *The Tekawennake*, May 24, 2006c, 8.
- Windle, Jim. "Barrett Pushed For Compensation". *The Tekawennake*, November 29, 2006, 3.
- Windle, Jim. "McCarthy Would Evoke War Measures Act". *The Tekawennake*, July 12, 2006e, 3.

- Windle, Jim. "Unprecedented Talks Hope to Defuse Occupation." *The Tekawennake*, April 19, 2006f, 2.
- Windle, Jim. "Confrontation Between Caledonians and Natives Thwarted." *The Tekawennake*, April 26, 2006g, 3.
- Windle, Jim. "Protest Organizer Distances Himself From Radicals and Racists." *The Tekawennake*, May 3, 2006h, 3.
- Windle, Jim. "No White Sheets, But Flashes of Racism Evident." *The Tekawennake*, May 10, 2006i, 3.
- Windle, Jim. "McHale Will March on Kanonhstaton This Sunday." *The Tekawennake*, October 11, 2006j, 1-2.
- Windle, Jim. "Judge Marshall Orders Federal Participation." *The Tekawennake*, June 7, 2006k, 5.
- Windle, Jim. "Superior Court Judge Orders 'Marshall' Law On Kanenhstaton." *The Tekawennake*, August 9, 2006m, 1-2.
- Wooley, Pat. "County Holds Subdivision Road Title and Responsibility". *The Grand River Sachem*, April 14, 2006, 4.
- York, Geoffrey and Loreen Pindera. *People of the Pines: The Warriors and the Legacy of Oka*. Toronto: Little, Brown & Company, 1991.