

## **STATEMENT IN SUPPORT OF HAUDENOSAUNEE LAND DEFENDERS/1492 LAND BACK LANE**

From the Truth and Reconciliation Committee  
Faculty of Law, University of Windsor

We voice our unwavering support for the Haudenosaunee land defenders who are currently protecting their land from the encroachment of yet another illegal housing development project called “Mackenzie Meadows”, renamed “1492 Land Back Lane” by the land defenders. The Canadian and Provincial governments have yet to begin to reconcile the land in question at 1492 Land Back lane. Starting as early as 1783, when the British Crown ceded Haudenosaunee land to the United States without consent, Haudenosaunee people have been actively resisting land theft and other colonial acts of violence, challenging government encroachment, asserting their rights to exist and asserting their rights to remain the caretakers of their land, governed by Haudenosaunee law. They await justice.

As recently as 2008, the government has committed to reconciling Haudenosaunee claims regarding the Haldimand tract upon which Mackenzie Meadows is slated to be built. At that time, it was Douglas Creek Estates, now known as Kanonhstaton, that was supposed to be constructed but the development was halted by persistent and brave land defenders. During the Kanonhstaton land protectors’ campaign, land defenders were met with hostile settler-Canadians from surrounding communities, government inaction, and government over reaction in the form of police brutality including criminal charges. Many Six Nations land defenders ended up with criminal convictions that will permanently impact their lives and no recognition of their sovereignty of the land. Over 800 white settler-community members were successful in a class action lawsuit against the Ontario government and ended up with a \$20-million settlement. The government held the land in trust until a resolution could be found. None has been found and the very same dispute continues at 1492 Land Back Lane.

On July 31<sup>st</sup>, 2020 an injunction granted by the Ontario Supreme Court was served against the land defenders who were essentially ordered to abstain from protesting and leave the area. The land defenders, all of whom are Indigenous, were not represented in court. Several land defenders were arrested by the OPP for later returning to the site. They await justice.

We denounce the ways in which colonial laws are continually interpreted and applied to defeat Indigenous claims to land, to sovereignty, and to self-determination. We call for the repudiation of the doctrine of discovery and concepts such as terra nullius that allow the colonial system to continue to excavate, to evacuate, and to pillage Indigenous land. We call for all of this so that law might mean justice. We stand with Haudenosaunee land defenders and support their right to protect the land at 1492 Land Back Lane and we will wait with them, will continue to fight with them, until there is rightful justice for Indigenous people in Canada.

Signed,  
Claire Mummé and Beverly Jacobs  
TRC Co-Chairs 2020-2021