

FIRST NATIONS?

SECOND THOUGHTS

THIRD EDITION

TOM FLANAGAN

Winner of the Donner Prize

First Nations Second Thoughts

Law Commission of Canada



First Nations Second Thoughts:

First Nations? Second Thoughts Thomas Flanagan, 2000 Dissects the prevailing orthodoxy determining public policy toward Canada's aboriginal peoples an orthodoxy holding that aboriginals belong to nations entitled to specific rights For example Indians and Inuit now have rights to self government immunity from taxation hunting and fishing rights beyond those of other citizens free education housing and medical care Flanagan political science U of Alberta argues that such benefits are actually destructive to the people they are supposed to help and that the only people empowered by such entitlements are a small elite of aboriginal activists politicians administrators middlemen and well connected entrepreneurs

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First Nations? Second Thoughts Tom Flanagan, 2019-10-17

Over the last thirty years Canadian policy on aboriginal issues has come to be dominated by an ideology that sees aboriginal peoples as nations entitled to specific rights Indians and Inuit now enjoy legal privileges that include the inherent right to self government collective property rights immunity from taxation hunting and fishing rights without legal limits and free housing education and medical care Underpinning these privileges is what Tom Flanagan describes as aboriginal orthodoxy the belief that prior residence in North America is an entitlement to special treatment Flanagan shows that this orthodoxy enriches a small elite of activists politicians administrators and well connected entrepreneurs while bringing further misery to the very people it is supposed to help Controversial and thought provoking **First Nations Second Thoughts** dissects the prevailing ideology that determines public policy towards Canada's aboriginal peoples Flanagan analyzes the developments of the last ten years showing how a conflict of visions has led to a stalemate in aboriginal policy making He concludes that aboriginal success will be achieved not as the result of public policy changes in government but through the actions of the people themselves

First Nations? Second Thoughts, Second Edition Thomas Flanagan, 2008 Over the last thirty years Canadian policy on aboriginal issues has come to be dominated by an ideology that sees aboriginal peoples as nations entitled to specific rights Indians and Inuit now enjoy legal privileges that include the inherent right to self government collective property rights immunity from taxation hunting and fishing rights without legal limits and free housing education and medical care Underpinning these privileges is what Tom Flanagan describes as aboriginal orthodoxy the belief that prior residence in North America is an entitlement to special treatment Flanagan shows that this orthodoxy enriches a small elite of activists politicians administrators and well connected entrepreneurs while bringing further misery to the very people it is supposed to help Controversial and thought provoking **First Nations Second Thoughts** dissects the prevailing ideology that determines public policy towards Canada's aboriginal peoples In this updated edition Flanagan analyzes the developments of the last ten years showing how a conflict of visions has led to a stalemate in aboriginal policy making He concludes that aboriginal success will be achieved not as the result of public policy changes in government but through the actions of the people themselves

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enriches a small elite of activists politicians administrators and well connected entrepreneurs while bringing further misery to the very people it is supposed to help Controversial and thought provoking First Nations Second Thoughts dissects the prevailing ideology that determines public policy towards Canada's aboriginal peoples *First Nations? Second Thoughts : Third Edition*, 2019 Over the last thirty years Canadian policy on aboriginal issues has come to be dominated by an ideology that sees aboriginal peoples as nations entitled to specific rights Indians and Inuit now enjoy legal privileges that include the inherent right to self government collective property rights immunity from taxation hunting and fishing rights without legal limits and free housing education and medical care Underpinning these privileges is what Tom Flanagan describes as aboriginal orthodoxy the belief that prior residence in North America is an entitlement to special treatment Flanagan shows that this orthodoxy enriches a small elite of activists politicians administrators and well connected entrepreneurs while bringing further misery to the very people it is supposed to help Controversial and thought provoking First Nations Second Thoughts dissects the prevailing ideology that determines public policy towards Canada's aboriginal peoples Flanagan analyzes the developments of the last ten years showing how a conflict of visions has led to a stalemate in aboriginal policy making He concludes that aboriginal success will be achieved not as the result of public policy changes in government but through the actions of the people themselves First Nations, First Thoughts Annis May Timpson, 2010-01-01 Countless books and articles have traced the impact of colonialism and public policy on Canada's First Nations but few have explored the impact of Aboriginal thought on public discourse and policy development in Canada First Nations First Thoughts brings together Aboriginal and non Aboriginal scholars who cut through the prevailing orthodoxy to reveal Indigenous thinkers and activists as a pervasive presence in diverse political constitutional and cultural debates and arenas including urban spaces historical texts public policy and cultural heritage preservation This innovative thought provoking collection contributes to the decolonization process by encouraging us to imagine a stronger fairer Canada in which Aboriginal self government and expression can be fully realized Indigenous Writes Chelsea Vowel, 2017-01-10 Delgamuukw Sixties Scoop Bill C 31 Blood quantum Appropriation Two Spirit Tsilhqot'in Status TRC RCAP FNPOA Pass and permit Numbered Treaties Terra nullius The Great Peace Are you familiar with the terms listed above In Indigenous Writes Chelsea Vowel legal scholar teacher and intellectual opens an important dialogue about these and more concepts and the wider social beliefs associated with the relationship between Indigenous Peoples and Canada In 31 essays Chelsea explores the Indigenous experience from the time of contact to the present through five categories Terminology of Relationships Culture and Identity Myth Busting State Violence and Land Learning Law and Treaties She answers the questions that many people have on these topics to spark further conversations at home in the classroom and in the larger community Indigenous Writes is one title in The Debwe Series **Global Indigenous Politics** Sheryl Lightfoot, 2016-05-20 This book examines how Indigenous peoples rights and Indigenous rights movements represent an important and often overlooked shift in international politics a shift that powerful

states are actively resisting in a multitude of ways While Indigenous peoples are often dismissed as marginal non state actors this book argues that far from insignificant global Indigenous politics is potentially forging major changes in the international system as the implementation of Indigenous peoples rights requires a complete re thinking and re ordering of sovereignty territoriality liberalism and human rights After thirty years of intense effort the transnational Indigenous rights movement achieved passage of the UN Declaration on the Rights of Indigenous Peoples in September 2007 This book asks Why did movement need to fight so hard to secure passage of a bare minimum standard on Indigenous rights Why is it that certain states are so threatened by an emerging international Indigenous rights regime How does the emerging Indigenous rights regime change the international status quo The questions are addressed by exploring how Indigenous politics at the global level compels a new direction of thought in IR by challenging some of its fundamental tenets It is argued that global Indigenous politics is a perspective of IR that with the recognition of Indigenous peoples collective rights to land and self determination complicates the structure of international politics in new and important ways challenging both Westphalian notions of state sovereignty and the neo liberal foundations of states and the international human rights consensus Qualitative case studies of Canadian and New Zealand Indigenous rights based on original field research analyse both the potential and the limits of these challenges This work will be of interest to graduates and scholars in international relations Indigenous studies international organizations IR theory and social movements

Canadian Law and Indigenous Self-Determination Gordon Christie, 2019-09-13 Canadian Law and Indigenous Self Determination demonstrates how over the last few decades Canadian law has attempted to remove Indigenous sovereignty from the Canadian legal social and political landscape

Creating Indigenous Property Angela Cameron, Sari Graben, Val Napoleon, 2020-10-21 Creating Indigenous Property identifies how contemporary Indigenous conceptions of property are rooted in and informed by their societally specific norms meanings and ethics

Freedom and Indigenous Constitutionalism John Borrows, 2016-01-01 John Borrows uses Ojibwe law stories and principles to suggest alternative ways in which Indigenous peoples can work to enhance freedom

Introduction to Indigenous Literary Criticism in Canada Heather Macfarlane, Armand Garnet Ruffo, 2015-12-18 Introduction to Indigenous Literary Criticism in Canada collects 26 seminal critical essays indispensable to our understanding of the rapidly growing field of Indigenous literatures The texts gathered in this collection selected after extensive consultation with experts in the field trace the development of Indigenous literatures while highlighting major trends and themes including appropriation stereotyping language land spirituality orality colonialism residential schools reconciliation gender resistance and ethical scholarship

Indigenous Nationals, Canadian Citizens Thomas J. Courchene, 2018-04-30 Indigenous Nationals Canadian Citizens begins with a detailed policy history from first contact to the Sesquicentennial with major emphasis on the evolution of Canadian policy initiatives relating to Indigenous peoples This is followed by a focus on the

Indigenous Legal Traditions Law Commission of Canada, 2008-01-01 Although Indigenous

peoples had their own systems of law based on their social political and spiritual traditions under colonialism their legal systems have often been ignored or overruled by non Indigenous laws Today however these legal traditions are being reinvigorated and recognized as vital for the preservation of the political autonomy of Aboriginal nations and the development of healthy communities The essays in this book present important perspectives on the role of Indigenous legal traditions in reclaiming and preserving the autonomy of Aboriginal communities and in reconciling the relationship between these communities and Canadian governments Contributors include Andr e Lajoie Minnawaanagogiizhigook Dawnis Kennedy Ghislain Otis Ted Palys and Wenona Victor Paulette Regan and Perry Shawana Common threads linking the essays include the relationship between Indigenous and Canadian legal orders the importance of Indigenous legal traditions for Aboriginal communities autonomy and the ways in which these traditions might be recognized and given space in the Canadian legal landscape In its examination of different aspects of and models for the recognition of Indigenous legal orders this book addresses important issues relating to legal pluralism It will be of interest to a wide audience including lawyers and legal academics teachers students policy makers and members of Aboriginal communities

Towards the Dignity of Difference? Mojtaba Mahdavi, 2016-02-24 The rise of popular social movements throughout the Middle East North Africa Europe and North America in 2011 challenged two hegemonic discourses of the post Cold War era Francis Fukuyama's *The End of History* and Samuel Huntington's *The Clash of Civilizations* The quest for genuine democracy and social justice and the backlash against the neoliberal order is a common theme in the global mass protests in the West and the East This is no less than a discursive paradigm shift a new beginning to the history a move towards new alternatives to the status quo This book is about difference and dialogue it embraces *The Dignity of Difference* and promotes dialogue However it also demonstrates the limits of dialogue as a useful and universal approach for resolving conflicts particularly in cases involving asymmetric and unequal power relations The distinguished group of authors suggests in this volume that there is a third way of addressing global tensions one that rejects the extremes of both universalism and particularism This third way is a radical call for an epistemic shift in our understanding of us other and good evil a radical approach toward accommodating difference as well as embracing the plural concept of the good The authors strengthen their alternative approach with a practical policy guide by challenging existing policies that either exclude or assimilate other cultures that wage the constructed global war on terror and that impose a western neo liberal discourse on non western societies This important book will be essential reading for all those studying civilizations globalization foreign policy peace and security studies multiculturalism and ethnicity regionalism global governance and international political economy

Identities in Transition Paige Arthur, 2010-12-13 In many societies histories of exclusion racism and nationalist violence often create divisions so deep that finding a way to deal with the atrocities of the past seems nearly impossible These societies face difficult practical questions about how to devise new state and civil society institutions that will respond to massive or systematic violations of

human rights recognize victims and prevent the recurrence of abuse

Identities in Transition Challenges for Transitional Justice in Divided Societies brings together a rich group of international researchers and practitioners who for the first time examine transitional justice through an identity lens They tackle ways that transitional justice can act as a means of political learning across communities foster citizenship trust and recognition and break down harmful myths and stereotypes as steps toward meeting the difficult challenges for transitional justice in divided societies

Treaty No. 9 John Long, 2010 Restoring nearly forgotten perspectives to the historical record John Long considers the methods used by the government of Canada to explain Treaty No 9 to Northern Ontario First Nations He shows that many crucial details about the treaty's contents were omitted in the transmission of writing to speech while other promises were made orally but not included in the written treaty Reproducing the three treaty commissioners' personal journals in their entirety Long reveals the contradictions that suggest the treaty parchment was never fully explained to the First Nations who signed it

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American Indian/First Nations Schooling C. Glenn, 2011-06-20 Tracing the history of Native American schooling in North America this book emphasizes factors in society at large and sometimes within indigenous communities which led to Native American children being separate from the white majority Charles L Glenn examines the evolving assumptions about race and culture as applied to schooling the reactions of parents and tribal leadership in the United States and Canada and the symbolic as well as practical role of indigenous languages and of efforts to maintain them

First Nations, Identity, and Reserve Life Simone Poliandri, 2011-11-01 Issues of identity figure prominently in Native North American communities mediating their histories traditions culture and status This is certainly true of the Mi'kmaq people of Nova Scotia whose lives on reserves create highly complex economic social political and spiritual realities This ethnography investigates identity construction and negotiations among the Mi'kmaq as well as the role of identity dynamics in Mi'kmaq social relationships on and off the reserve Featuring direct testimonies from over sixty individuals this work offers a vivid firsthand perspective on contemporary Mi'kmaq reserve life Simone Poliandri begins *First Nations Identity and Reserve Life* with a search for the criteria used by the Mi'kmaq to construct their identities which are traced within the context of their different perceptions of community tradition spirituality relationship with the Catholic Church and the recent reevaluation of the iconic figure of late activist Annie Mae Aquash Building on the notions of self identification and ascribed identity as the primary components of identity Poliandri argues that placing others at specific locations within the social landscape of their communities allows the Mi'kmaq to define and reinforce their own spaces by way of association contrast or both This identification of others highlights Mi'kmaq people's agency in shaping and monitoring the representations of their identities With its theoretical insights this richly textured ethnography will enhance understanding of identity dynamics among Indigenous communities even as it illuminates the unique nature of the Mi'kmaq people

Aboriginal Justice and the Charter David Milward, 2012-11-16 *Aboriginal Justice and the Charter* examines and seeks to resolve the tension between Aboriginal

approaches to justice and the Canadian Charter of Rights and Freedoms Until now scholars have explored idealized notions of what Aboriginal justice might look like David Milward strikes out into new territory by asking why Aboriginal communities seek reform and by identifying some of the constitutional barriers in their path He identifies specific areas of the criminal justice process in which Aboriginal communities may wish to adopt different approaches tests these approaches against constitutional imperatives and offers practical proposals for reconciling the various matters at stake This bold exploration of Aboriginal justice grapples with the difficult question of how Aboriginal justice systems can be fair to their constituents but still comply with the protections guaranteed to all Canadians by the Charter

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