# ABORICINAL RIGHTS IN CANADA

# edited by

Menno Boldt, J. Anthony Long and Leroy Little Bear

# Titles of Individual Contributions are Preliminary Morking Titles Only

PREFACE

TABLE OF CONTENTS

INTRODUCTION (by editors)

I. Legal and Judicial Perspectives on Aboriginal Rights

Introduction

- James Youngblood denderson, "The Doctrine of Aboriginal Title"
- William B. Henderson, "Canadian Legal and Judicial Philosophies on the Doctrine of Aboriginal Rights"
- \*Chief Justice Thomas Berger, "Aboriginal Rights: A Judicial Perspective"
- \*Norman Zlotkin, "Aboriginal Rights and the Canadian Constitution"
- Brian Slattery, "Implications of the Canadian Constitution for Abortoinal Rights"
- II. Traditional Pative Perspective on Aboriginal Rights

Introduction

- Fred Plain, "Aboriginal Rights on the Continent of Worth America"
- Uren Lyons, "Traditional Native Philosophies Relating to Mative Rights"
- \*Harold Cardinal, "Political, Philosophical and Religious Perspectives on Aboriginal Richts"
  - Menno Boldt and J. Anthony Long, "Sovereign Statehood and Tribal Traditions: An ideological Dilemma"

<sup>\*</sup>Tentative Contributions

III. Contemporary Fative Perspectives on Aboriginal Rights

Introduction

- \*Dave Ahenakew, "Aboriginal Rights from the Perspective of the Assembly of First Mations"
  - Clem Cartier, "Aboriginal Rights: The Netis Perspective
  - Peter Ittinuar, "The Invit Perspective on Aboriginal Richts"
- \*Tom Gosnell, "Aboriginal Rights: The Nishoa Experience"
  - Silly Diamond, "Aboriginal Rights: The James Bay Experience"
  - Bill Wilson, "Aboriginal Rights: The Non-Status Indian Perspective"
- IV. The Federal and Provincial Governments Approaches to Aboriginal Rights

Introduction

- \*John Munro, "Aboriginal Pights: The Federal Perspective"
- Sally Weaver, "Federal Difficulties with Aboriginal Rights"
- Roy Romanow. "Aboriginal Rights in the Constitutional Process"
- Richard Dajon, "Provincial Approaches to Aboriginal Rights The Case of Alberta"
- V. Aboriginal Rights in International Perspective

Introduction

- Douglas Sanders, "The Re~emergence of Indigenous Questions in International Law"
- \*Frances Svansson-Reid, "The Inuit of Canada and Greenland: A Comparison"
  - Rudolph Ryser, "The Pan-National Indigenous Peoples' Movement and Aboriginal Rights"

VI. Aboriginal Rights in Canada: Some Critical Perspectives

Thomas Flanagan, "The Metis and Aboriginal Rights"

Gurston Dacks, "Inuit Rights and the Politics of the Borth"

Menno Boldt and J. Anthony Long, "Tribal Traditions and the Canadian Charter of Rights and Freedoms"

James Penton, "Group Pights and Individual Rights: A Fundamental Dilemma?"

# VII. Epilogue

The Editors, "Aboriginal Rights: Toward a Resolution"
LIST OF CONTRIBUTORS

#### LIST OF CONTRIBUTORS

DAVID AHENEKEW

Grand Chief, Assembly of First Nations

THOMAS BERGER

Formerly Chief Justice of the Supreme Court of British Columbia

HAROLD CARDINAL

Formerly President, Indian Association of Alberta

CLEM CARTIER

Indian lawyer: President, Canadian Indian Daw Association

GURSTON DACKS

Professor, Department of Political Science, University of Alberta

RICHARD L. DALGE

Executive Director, Social and Cultural Affairs Division, Federal Intergovernmental Affairs, Covernment of Alberta

BILLY DIAMOND

Chief, Granda Council of the Crees, James Bay Area

THOMAS FLANAGAN

Professor, Department of Political Science, University of Calcary

TON GOSNELL

Chief, Nishoa Band

WILLIAM B. HENDERSON

Lawyer: authority on Mative Law and Mative Land Jurisdiction

PETER ITTIMUAR

Member of Parliament, Northwest Territories; Member of the Standing Committee on Indian Affairs and Northern Development

OREN LYONS

Sub-Chief of the Turtle Clan for the Iroquois Mation; Director and Professor of Mative Studies, University of Buffalo, Buffalo, New York

JOHN WHINEG

Currently Minister of Indian Affairs and Northern Development, Government of Canada

JAMES PENTON

Professor, Department of History, University of Lethbridge

PRED PLAIN

Director, Treaty Wine Grand Council

#### ROY ROMANOW

Formerly Attorney-General, Province of Saskatchewan; formerly Co-chairman of Federal-Provincial Constitutional Committee

#### RUDGLPH RYSER

Special Assistant to the President of the World Council of Indigenous Peoples; has served as a political advisor to a number of Indian tribes and organizations in the U.S.

#### DOUGLAS SANDERS

Professor of Law, University of British Columbia; Counsel to numerous Indian organizations (e.g., AFN, UBCIC, WCIP, MCC)

#### BRIAN SLATTERY

Professor of Law, Osgoode Hall of haw School

#### FRANCES SVENSSON-RETD

Specialist on Comparative Policies for Aboriginal Peoples; formerly Professor, Department of Political Science, University of Michigan

## SALLY VEAVER

Professor of Anthropology, University of Materico

#### BILL WILSON

Vice President, Native Council of Canada

#### JAMES YOUNGSLOOD RENDERSON

Indian lawyer, Adjunct Professor of Law, University of California, Santa Clara

### NORMAN ZLOTKIN

Professor of Law, University of Saskatchewan



# The University of Lethbridge

4401 University Drive Lethbridge, Alberta, Canada T1K 3M4 403-329-2580

DEPARTMENT OF POLITICAL SCIENCE

Mr. Rudolph C. Ryser Deputy Director and Counselor for International Relations National Congress of American Indians 2025 I Street, N.W., Suite 320 Washington, D.C. 20006

August 30 1983

Signer

SEP 2 1983

Dear Mr. Ryser:

Enclosed is a preliminary outline of the volume on aboriginal rights that will be sent to the University of Toronto Press for publication. It represents, in our opinion, a very strong collection of papers and should prove to be an important work in this area.

In order to provide for an expeditious completion of the manuscript, we suggest the following timetable:

- 1. Receipt of all manuscripts by the editors no later than November 1, 1983;
- 2. Review of manuscripts by editors during November and December and return to authors for revisions, if necessary; (For those whose manuscripts we already have, any additional revisions should be made before November 1st.);
- 3. Completion of first final draft of the manuscript for submission to the University of Toronto Press by February 1, 1984.

We would also like you to expand the personal data on yourself contained in the contributors' list, if you feel it necessary. In addition, please complete the enclosed permission to publish form if you have not already done so and return it to me.

I look forward to hearing from you.

Am: 329-1466

Sincerely yours,

J. Anthony Long

JAL/1c

Enclosures