



# THE PLEASURE OF THE CROWN

Anthropology, Law and First Nations

Dara Culhane

TALON

# The Pleasure Of The Crown Anthropology Law And First Nations

**Mark Goodale, Sally Engle Merry**



## **The Pleasure Of The Crown Anthropology Law And First Nations:**

**The Pleasure Of The Crown Anthropology, Law And First Nations**, 2014 A comprehensive look at how Canadian particularly British Columbian society reveals itself through its courtroom performances in Aboriginal title litigation Focusing in particular on the Gitksan and Wet suwet en case the book traces the trial of Delgamuukw v Regina from 1987 and 1991 to its successful appeal to the Supreme Court of Canada which issued a landmark ruling in 1997 **Anthropology and Law** Mark Goodale, Sally Engle Merry, 2017-05-02 An introduction to the anthropology of law that explores the connections between law politics and technology From legal responsibility for genocide to rectifying past injuries to indigenous people the anthropology of law addresses some of the crucial ethical issues of our day Over the past twenty five years anthropologists have studied how new forms of law have reshaped important questions of citizenship biotechnology and rights movements among many others Meanwhile the rise of international law and transitional justice has posed new ethical and intellectual challenges to anthropologists Anthropology and Law provides a comprehensive overview of the anthropology of law in the post Cold War era Mark Goodale introduces the central problems of the field and builds on the legacy of its intellectual history while a foreword by Sally Engle Merry highlights the challenges of using the law to seek justice on an international scale The book s chapters cover a range of intersecting areas including language and law history regulation indigenous rights and gender For a complete understanding of the consequential ways in which anthropologists have studied interacted with and critiqued the ways and means of law Anthropology and Law is required reading **Law's Anthropology** Paul Burke, 2011-11-01 Anthropologists have been appearing as key expert witnesses in native title claims for over 20 years Until now however there has been no theoretically informed detailed investigation of how the expert testimony of anthropologists is formed and how it is received by judges This book examines the structure and habitus of both the field of anthropology and the juridical field and how they have interacted in four cases including the original hearing in the Mabo case The analysis of background material has been supplemented by interviews with the key protagonists in each case This allows the reader a unique insider s perspective of the courtroom drama that unfolds in each case The book asks given the available ethnographic research how will the anthropologist reconstruct it in a way that is relevant to the legal doctrine of native title when that doctrine gives a wide leeway for interpretation on the critical questions *Taking Back Our Spirits* Jo-Ann Episkenew, 2009-05-01 From the earliest settler policies to deal with the Indian problem to contemporary government run programs ostensibly designed to help Indigenous people public policy has played a major role in creating the historical trauma that so greatly impacts the lives of Canada s Aboriginal peoples Taking Back Our Spirits traces the link between Canadian public policies the injuries they have inflicted on Indigenous people and Indigenous literature s ability to heal individuals and communities Episkenew examines contemporary autobiography fiction and drama to reveal how these texts respond to and critique public policy and how literature functions as medicine to help cure the colonial contagion

*Anthropology in the Mining Industry* Glynn Cochrane, 2017-01-14 This book outlines how Rio Tinto one of the world's largest miners redesigned and rebuilt relationships with communities after the rejection of the company during Bougainville's Civil War Glynn Cochrane recalls how he and colleagues utilized their training as social anthropologists to help the company to earn an industry leadership reputation and competitive business advantage by establishing the case for long term on the ground smoke in the eyes interaction with people in local communities around the world despite the appeal of maximal efficiency techniques and quicker easier answers Instead of using ready made formulaic toolkits Rio Tinto relied on community practitioners to try to accommodate local preferences and cultural differences This volume provides a step by step account of how mining companies can use social anthropological and ethnographic insights to design ways of working with local communities especially in times of upheaval

*Making Indian Law* Christian W. McMillen, 2008-10-01 In 1941 a groundbreaking U S Supreme Court decision changed the field of Indian law setting off an intellectual and legal revolution that continues to reverberate around the world This book tells for the first time the story of that case United States as Guardian of the Hualapai Indians of Arizona v Santa Fe Pacific Railroad Co which ushered in a new way of writing Indian history to serve the law of land claims Since 1941 the Hualapai case has travelled the globe Wherever and whenever indigenous land claims are litigated the shadow of the Hualapai case falls over the proceedings Threatened by railroad claims and by an unsympathetic government in the post World War I years Hualapai activists launched a campaign to save their reservation a campaign which had at its centre documenting the history of Hualapai land use The book recounts how key individuals brought the case to the Supreme Court against great odds and highlights the central role of the Indians in formulating new understandings of native people their property and their past

*Temagami's Tangled Wild* Jocelyn Thorpe, 2012-02-03 *Temagami's Tangled Wild* traces the processes and power relationships through which the Temagami area of northeastern Ontario has become emblematic of Canadian wilderness In this sophisticated analysis Jocelyn Thorpe uncovers how struggles over meaning racialized and gendered identities and land have made Temagami a site of wild Canadian nature Despite the fact that the Teme Augama Anishnabai have for many generations understood the region as their homeland rather than as a wilderness the forestry and tourism industries as well as Canadian law have refused to acknowledge this claim Instead the concept of wilderness has been employed to aid in Aboriginal dispossession and to create a home for non Aboriginal Canadians on Native land An eloquent critique and engaging history *Temagami's Tangled Wild* challenges readers to acknowledge how colonial relations are embedded in our notions of wilderness and to reconsider our understanding of the wilderness ideal

**Critical Policy Studies** Michael Orsini, Miriam Smith, 2011-11-01 Traditional definitions of public policy in Canada have been challenged in recent years by globalization the transition to a knowledge based economy and the rise of new technologies *Critical Policy Studies* describes how new policy problems such as border screening and global warming have been catapulted onto the agenda in the neo liberal era The book also surveys the recent

evolution of critical approaches to policy studies which have transformed decades old issues Contributors conceptualize the ways in which public policy questions cut across the traditional fields of policy They cover both topical approaches such as Foucauldian and post empiricist analysis and new applications of established perspectives such as political economy Conventional methodologies reveal new connotations when used to explore such topics as security issues Canadian sovereignty welfare reform environmental protocol Aboriginal policy and reproductive technologies Critical Policy Studies provides an alternative to existing approaches to policy studies and will be welcomed by scholars students and practitioners of political science and public policy

The Bowl with One Spoon: The American empire and the fourth world Tony Hall, 2003 How should citizens of the world respond to the emergence of the United States as the planet's sole superpower and the military commercial and cultural centre of a new kind of global empire This question poses the central dilemma of our time How can we elaborate a global rule of law based on principles of equality and democracy when the world's most powerful polity seemingly acknowledges no higher authority in the international arena than its own domestic priorities For Anthony Hall the answer lies in the concept of the Fourth World an inclusive intellectual tent covering a wide range of movements whose leaders have sought to implement alternative visions of globalization to those that have prevailed since the Columbian conquests began in 1492 Its basic principles include recognition of the inherent rights of all peoples to self determination and an enlightened embrace of the ecology of biocultural diversity role of the United States began at its founding The Royal Proclamation of 1763 which offered a qualified recognition of Aboriginal and treaty rights infuriated many Anglo American colonists Their resulting sense of grievance was articulated in the Declaration of Independence which proclaims the inalienable rights of all men even as it accuses King George III of having endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages The United States has never faced let alone resolved this fundamental contradiction in its founding document This failure manifested itself in the lawlessness and militarism that characterized US treatment of Indigenous peoples in the most formative phase of the country's frontier expansionism The exclusion of savages from the republic's founding ideals of human equality came increasingly to permeate US foreign policy culminating in the ethnic and religious prejudices colouring the so called War on Terrorism policies toward Aboriginals that have done much to shape the interconnected histories of the United States Canada Latin America South Africa Australia New Zealand and many other countries

**Sharing the Land, Sharing a Future** Katherine Graham, David Newhouse, 2021-06-11 Sharing the Land Sharing a Future looks to both the past and the future as it examines the foundational work of the Royal Commission on Aboriginal Peoples RCAP and the legacy of its 1996 report It assesses the Commission's influence on subsequent milestones in Indigenous Canada relations and considers our prospects for a constructive future RCAP's five year examination of the relationships of First Nations Metis and Inuit peoples to Canada and to non Indigenous Canadians resulted in a new vision for Canada and provided 440 specific recommendations many of which

informed the subsequent work of the Truth and Reconciliation Commission of Canada TRC Considered too radical and difficult to implement RCAP s recommendations were largely ignored but the TRC reiterates that longstanding inequalities and imbalances in Canada s relationship with Indigenous peoples remain and quite literally calls us to action With reflections on RCAP s legacy by its co chairs leaders of national Indigenous organizations and the Minister of Crown Indigenous Relations and leading academics and activists this collection refocuses our attention on the groundbreaking work already performed by RCAP Organized thematically it explores avenues by which we may establish a new relationship build healthy and powerful communities engage citizens and move to action     *Aboriginal Peoples in Canadian Cities* Heather A. Howard, Craig Proulx, 2011-04-12 Since the 1970s Aboriginal people have been more likely to live in Canadian cities than on reserves or in rural areas Aboriginal rural to urban migration and the development of urban Aboriginal communities represent one of the most significant shifts in the histories and cultures of Aboriginal peoples in Canada The essays in *Aboriginal Peoples in Canadian Cities Transformations and Continuities* are from contributors directly engaged in urban Aboriginal communities they draw on extensive ethnographic research on and by Aboriginal people and their own lived experiences The interdisciplinary studies of urban Aboriginal community and identity collected in this volume offer narratives of unique experiences and aspects of urban Aboriginal life They provide innovative perspectives on cultural transformation and continuity and demonstrate how comparative examinations of the diversity within and across urban Aboriginal experiences contribute to broader understandings of the relationship between Aboriginal peoples and the Canadian state and to theoretical debates about power dynamics in the production of community and in processes of identity formation

*Forging Alberta's Constitutional Framework* Richard Connors, John M. Law, University of Alberta. Centre for Constitutional Studies, 2005-11 *Forging Alberta s Constitutional Framework* analyzes the principal events and processes that precipitated the emergence and formation of the law and legal culture of Alberta from the foundation of the Hudson s Bay in 1670 until the eve of the centenary of the Province in 2005 The formation of Alberta s constitution and legal institutions was by no means a simple process by which English and Canadian law was imposed upon a receptive and passive population Challenges to authority latent lawlessness interaction between indigenous and settler societies periods pre and post 1905 of jurisdictional confusion and demands for individual group and provincial rights and recognitions are as much part of Alberta s legal history as the heroic and mythic images of an emergent and orderly Canadian west patrolled from the outset by red coated mounted police and peopled by peaceful and law abiding subjects of the Crown Papers focus on the development of criminal law in the Canadian west in the nineteenth century the Natural Resources Transfer Agreement of 1930 the National Energy Program of the 1980s Federal Provincial relations and the role and responsibilities of the offices of Justices of the Peace and of the Lieutenant Governor and the legacies of the Lougheed and Klein governments     **Exploring Race in Predominantly White Classrooms** George Yancy, Maria del Guadalupe Davidson, 2014-02-18 Although multicultural

education has made significant gains in recent years with many courses specifically devoted to the topic in both undergraduate and graduate education programs and more scholars of color teaching in these programs these victories bring with them a number of pedagogic dilemmas Most students in these programs are not themselves students of color meaning the topics and the faculty teaching them are often faced with groups of students whose backgrounds and perspectives may be decidedly different even hostile to multicultural pedagogy and curriculum This edited collection brings together an interdisciplinary group of scholars of color to critically examine what it is like to explore race in predominantly white classrooms It delves into the challenges academics face while dealing with the wide range of responses from both White students and students of color and provides a powerful overview of how teachers of color highlight the continued importance and existence of race and racism Exploring Race in Predominately White Classrooms is an essential resource for any educator interested in exploring race within the context of today s classrooms

**Reshaping the University** Rauna Kuokkanen,2011-11-01 In the past few decades the narrow intellectual foundations of the university have come under serious scrutiny Previously marginalized groups have called for improved access to the institution and full inclusion in the curriculum Reshaping the University is a timely thorough and original interrogation of academic practices It moves beyond current analyses of cultural conflicts and discrimination in academic institutions to provide an indigenous postcolonial critique of the modern university Rauna Kuokkanen argues that attempts by universities to be inclusive are unsuccessful because they do not embrace indigenous worldviews Programs established to act as bridges between mainstream and indigenous cultures ignore their ontological and epistemic differences and while offering support and assistance place the responsibility of adapting wholly on the student Indigenous students and staff are expected to leave behind their cultural perspectives and epistemes in order to adopt Western values Reshaping the University advocates a radical shift in the approach to cultural conflicts within the academy and proposes a new logic grounded in principles central to indigenous philosophies

Rediscovered Self Ronald Niezen,2009-05-18 In a series of thematically linked essays Ronald Niezen discusses the ways new rights standards and networks of activist collaboration facilitate indigenous claims about culture adding coherence to their histories institutions and group qualities Drawing on historical legal and ethnographic material on aboriginal communities in northern Canada Niezen illustrates the ways indigenous peoples worldwide are identifying and acting upon new opportunities to further their rights and identities He shows how within the constraints of state and international legal systems activist lobbying strategies and public ideas and expectations indigenous leaders are working to overcome the injuries of imposed change political exclusion and loss of identity Taken together the essays provide a critical understanding of the ways in which people are seeking cultural justice while rearticulating and at times re dignifying the collective self The Rediscovered Self shows how through the processes and aims of justice distinct ways of life begin to be expressed through new media formal procedures and transnational collaborations

**Signifying Identities** Anthony Cohen,2012-10-12 This

collection of extended papers examines the ways in which relations between national ethnic religious and gender groups are underpinned by each group's perceptions of their distinctive identities and of the nature of the boundaries which divide them. Questions of frontier and identity are theorised with reference to the Maori Australian aborigines and Celtic groups. The theoretical arguments and ethnographic perspectives of this book place it at the cutting edge of contemporary anthropological scholarship on identity with respect to the study of ethnicity nationalism localism gender and indigenous peoples. It will be of value to scholars and students of social and cultural anthropology human geography and social psychology.

**Rights and Redemption** Ann Curthoys, Ann Genovese, 2008 History has been central to a number of heated public debates in recent years. As Indigenous people have sought redress through the law the role of history in the courts has become highly charged. *Rights and Redemption* is a detailed investigation of the uses of history and historians in high profile cases involving Indigenous litigants something not previously attempted. Ann Curthoys Ann Genovese and Alexander Reilly look at cases before the Federal Court during the era of the Howard government a time when Indigenous rights and the place of Aboriginal people in the national story were undermined in government laws and policies. They investigate how the courts have made use of historians as expert witnesses and how the colonial past has been framed and understood by the courts. *Rights and Redemption* is an important record of a unique period of litigation in Indigenous affairs in Australia and a meditation on ways in which law and history might improve Indigenous rights. Book jacket

*The Indigenous Paradox* Jonas Bens, 2020-07-10 An investigation into how indigenous rights are conceived in legal language and doctrine. In the twenty first century it is politically and legally commonplace that indigenous communities go to court to assert their rights against the postcolonial nation state in which they reside. But upon closer examination this constellation is far from straightforward. Indigenous communities make their claims as independent entities governed by their own laws. And yet they bring a case before the court of another sovereign subjecting themselves to its foreign rule of law. According to Jonas Bens when native communities enter into legal relationships with postcolonial nation states they become indigenous. Indigenous communities define themselves as separated from the settler nation state and insist that their rights originate from within their own system of laws. At the same time indigenous communities must argue that they are incorporated in the settler nation state to be able to use its judiciary to enforce these rights. As such they are simultaneously included into and excluded from the state. Tracing how the indigenous paradox is inscribed into the law by investigating several indigenous rights cases in the Americas from the early nineteenth century to the early twenty first Bens illustrates how indigenous communities have managed and continue to manage to navigate this paradox by developing lines of legal reasoning that mobilize the concepts of sovereignty and culture. Bens argues that understanding indigeneity as a paradoxical formation sheds light on pressing questions concerning the role of legal pluralism and shared sovereignty in contemporary multicultural societies.

*Material Evidence* Robert Chapman, Alison Wylie, 2014-12-05 How do archaeologists make effective use of physical traces and material culture

as repositories of evidence Material Evidence takes a resolutely case based approach to this question exploring instances of exemplary practice key challenges instructive failures and innovative developments in the use of archaeological data as evidence The goal is to bring to the surface the wisdom of practice teasing out norms of archaeological reasoning from evidence Archaeologists make compelling use of an enormously diverse range of material evidence from garbage dumps to monuments from finely crafted artifacts rich with cultural significance to the detritus of everyday life and the inadvertent transformation of landscapes over the long term Each contributor to Material Evidence identifies a particular type of evidence with which they grapple and considers with reference to concrete examples how archaeologists construct evidential claims critically assess them and bring them to bear on pivotal questions about the cultural past Historians cultural anthropologists philosophers and science studies scholars are increasingly interested in working with material things as objects of inquiry and as evidence and they acknowledge on all sides just how challenging this is One of the central messages of the book is that close analysis of archaeological best practice can yield constructive guidelines for practice that have much to offer archaeologists and those in related fields

**The Oxford Handbook of Comparative Political Theory** Leigh K. Jenco, Murad Idris, Megan Christine Thomas, 2020 Chapters emphasize exploration of substantive questions about political life in a range of global contexts with attention to whether and how those questions may be shared contested or reformulated across differences of time space and experience An interdisciplinary volume that bridges the gaps between various traditions regions and concerns regarding political theory Provides tags and keywords to aid navigation of the handbook and help readers trace disruptions thematic connections and conceptual contrasts across entries

## **The Pleasure Of The Crown Anthropology Law And First Nations** Book Review: Unveiling the Power of Words

In a world driven by information and connectivity, the power of words has become more evident than ever. They have the capacity to inspire, provoke, and ignite change. Such is the essence of the book **The Pleasure Of The Crown Anthropology Law And First Nations**, a literary masterpiece that delves deep to the significance of words and their affect our lives. Published by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book's key themes, examine its writing style, and analyze its overall affect readers.

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