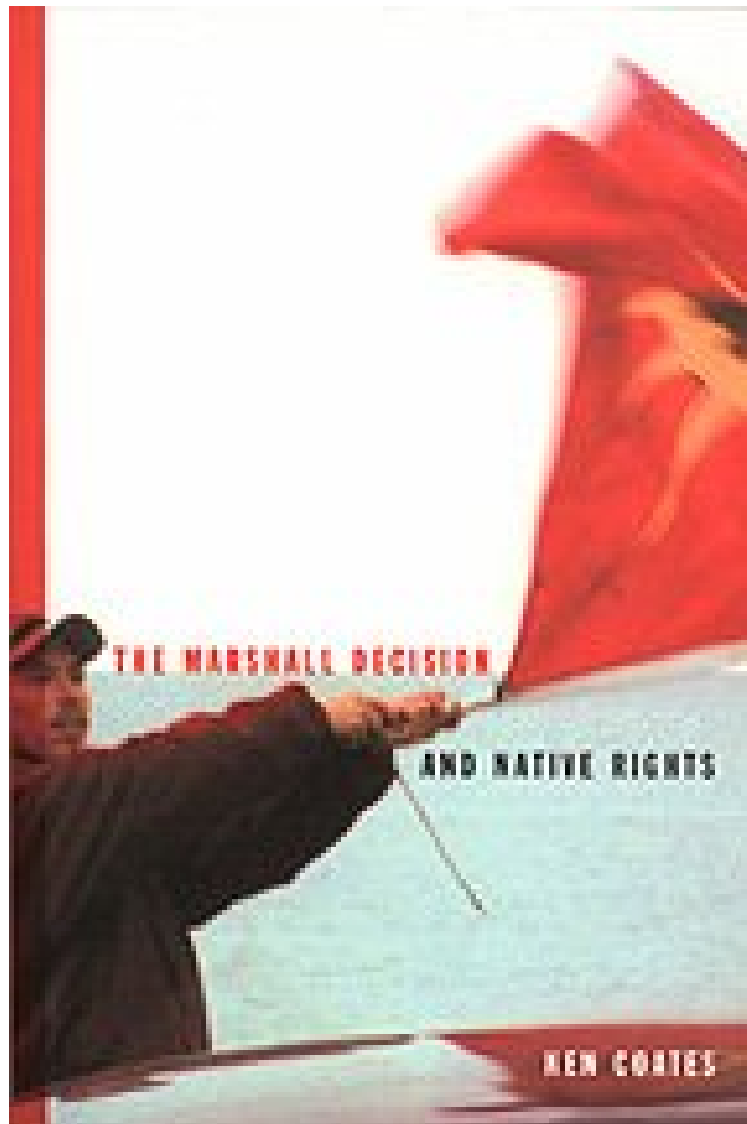


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The Marshall Decision and Native Rights: The Marshall Decision and Mi'kmaq Rights in the Maritimes (McGill-Queen's Native and Northern Series)

Ken Coates

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Mi'kmaq Rights in the Maritimes (McGill-Queen's Native and Northern Series):

1 of 1 people found the following review helpful. A scholarly, informative, and much appreciated contributionBy Midwest Book ReviewThe Marshall Decision And Native Rights addresses the legal history and political implications of a variety of Native American issues within Canada. Treaty issues for hunting, fishing, logging rights, maritime activities, self-governance, and Canadian Supreme Court rulings are presented with a series of essay chapters blending aboriginal history and anthropology with politics, law, and constitutional policy decisions. The Marshall Decision And Native Rights is a scholarly, informative, and much appreciated contribution to Canadian-based Native American studies, reading lists, and reference collections.

In The Marshall Decision and Native Rights Ken Coates explains the cross-cultural, legal, and political implications of the recent Supreme Court decision on the Donald Marshall case. He describes the events, personalities, and conflicts that brought the Maritimes to the brink of a major confrontation between Mi'kmaq and the non-Mi'kmaq fishers in the fall of 1999, detailing the bungling by federal departments and the lack of police preparedness. He shows how political, business, and Mi'kmaq leaders in the Maritimes handled the volatile situation, urging non-violence and speaking out against racism, in contrast to the way federal and regional leaders have responded in other parts of the country. Legal victories such as Marshall, argues Coates, are a double-edged sword that provide greater legal clarity but expand the gap between indigenous and non-indigenous peoples in Canada. Coates recounts the history of Mi'kmaq-white contact in the region and considers the impact of native rights on natural resources, showing that the costs will be borne mainly by rural Canadians. By placing the local and regional reaction to the Marshall decision in the broader historical, national, and international context of indigenous political and legal rights The Marshall Decision and Native Rights shows how little Canada has learned from three decades of First Nations legal conflicts and how far the country is from meaningful reconciliation.

"All Canadians have watched with fascination and dismay the unfolding of events following the Marshall decision by the Supreme Court. Ken Coates' book offers an historical perspective which enables us to comprehend the dispute. At the same time, he has made it clear why First Nations' claims to resources cannot be ignored by Maritimers or other Canadians. They are claims based on constitutional entitlement; they are also the means by which First Nations will achieve a contemporary place in Canadian society." Thomas R. Berger "The Marshall Decision and Native Rights is unusually rich, persuasive, and thought-provoking." Jim Miller, author of Bounty and Benevolence: A History of Saskatchewan Treaties