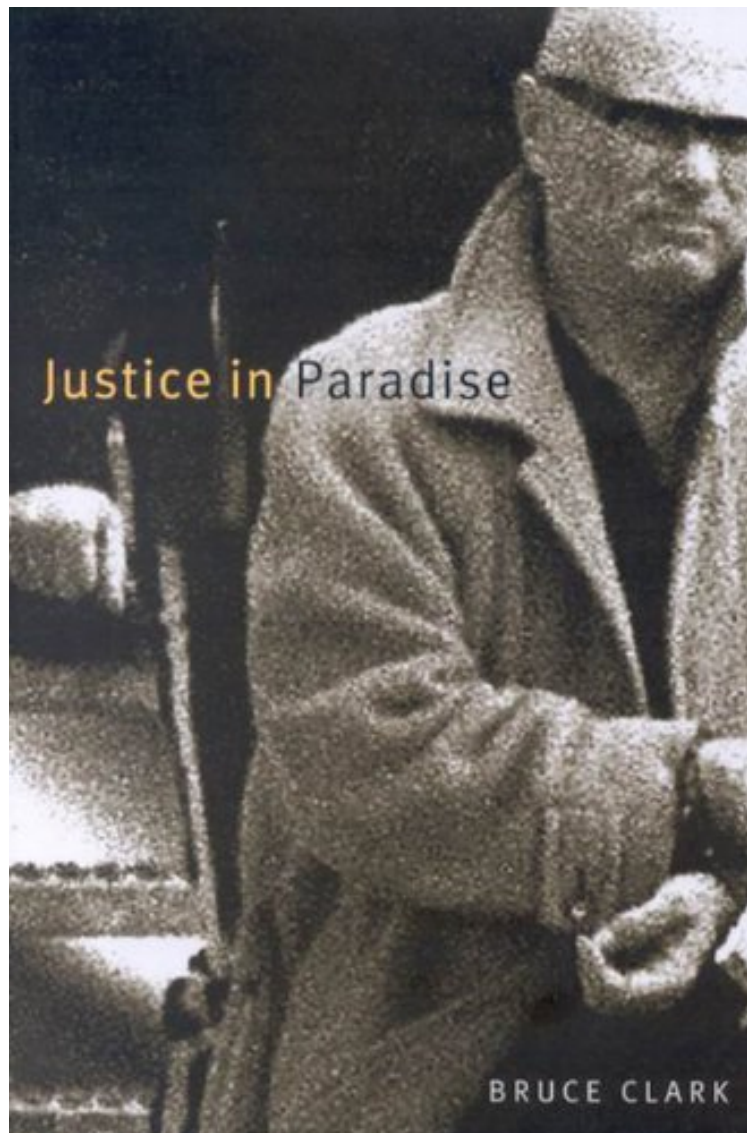


[Mobile pdf] Justice in Paradise (McGill-Queen's Native and Northern Series)

## Justice in Paradise (McGill-Queen's Native and Northern Series)

*Bruce Clark*

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**Bruce Clark : Justice in Paradise (McGill-Queen's Native and Northern Series)** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Justice in Paradise (McGill-Queen's Native and Northern Series):

1 of 1 people found the following review helpful. Worthwhile Controversy By Blake Wright There is no doubt about Bruce Clarke's passion for Aboriginal people in Canada and the U.S. He staked his legal career on such concerns. His passion has made him controversial in many circles in North America. This autobiography/adventure story confirms

that. Clarke presents an interesting legal avenue to pursue Aboriginal concerns and claims within North America. The problem is that no one, and I mean absolutely no one, appears very willing to listen. Clarke appeals to a legal precedent that has never been over-ruled and therefore remains binding on all courts within North America. It is a good argument. However, no court will admit it or even listen to Clarke, usually for procedural reasons. The argument, even though valid, keeps getting shut down in court. It may be of consequence that Clarke has a knack for becoming involved with several explosive situations in an attempt to have the courts hear his argument. He is unsuccessful. He is eventually disbarred as a lawyer. This is a most unusual story, more likely to be found in communities practicing oral traditions. Seldom do we find stories like this within the larger, dominant culture. Although Aboriginal viewpoints are not fully explored, it is Clarke's point of view is fascinating and insightful. Moreover, Clarke provides very helpful appendices which support and compliment the text. This book is a good read, whether you agree with Clarke or not. It provides insight into why he did what he did. Arguably, It is not justification of his deeds, but a call to the reader to examine difficult issues which we want to ignore in our daily lives. It is presented in a well-reasoned argument. Although it may appear that Clarke is bombastic, loud, and obnoxious, I found that he becomes a little more humble along the way (i.e., "Bonfire of the Vanities"). For better or worse, Clarke discovers a little more about himself and the world in which he lives. In turn, we, as readers, ought to do the same.

4 of 4 people found the following review helpful.

Galileo vs. Canada By Floyd Rudmin This is Bruce Clark's third book on the legality of Native land claims in North America. His first two books were: *Indian Title In Canada* (Carswell Law Publishers, Toronto, 1986) and *Native Liberty, Crown Sovereignty: The Existing Aboriginal Right of Self-Government in Canada* (McGill-Queen's University Press, Montreal, 1990). Dr. Clark has made a career of defending native land claims in Canada and the US, based on legal arguments that the taking of native lands without purchase or treaty, by US and Canadian federal and/or state and provincial governments, has been unlawful. The argument is so open-and-shut, that courts refuse to hear it, since part of the argument is that the courts do not have jurisdiction. In over 40 cases, the court has refused to hear or respond to the argument. It is based on 18th century British constitutional law, which has not been repealed, and which is still in force in Canada and the USA. Starting with the Jackson administration in the US, the governments have simply decided to ignore the law on this matter. In the 1690s one of the branches of the great Mohican tribe made a treaty with the colony of Connecticut. The colony then allowed settlers onto the land. The Indians objected, saying the purpose of the treaty had been to prevent settlers from moving in. Connecticut felt the purpose was so that it could allow the settlers to move in. Absolutely opposite viewpoints of the same document. Rather than go to war, the Mohicans wanted to find a peaceful rule of law solution. But they did not want to go into the court system that the colony of Connecticut had set up, since doing that would admit that the intruding settlers had legal jurisdiction. And Connecticut would not accept the Mohican court. The Mohicans petitioned Great Britain's Queen Anne to find a solution. On March 9, 1804, as recommended by the Privy Council, Queen Anne issued an Order in Council (meaning that this decision was constitutionally binding on the British Crown and on all colonial governments in North America) asserting three principles: 1) Creation of a third-party court to adjudicate land disputes between Native Peoples and the colonial governments of the European settlers; 2) This court was to be a trial-level court; 3) Appeals against decisions by this court would be heard by the Judicial Committee of the Privy Council. From 1704 when the Mohicans first applied to the Queen to the beginning of the American Revolution in 1776, the case of Mohegan Indians vs. Connecticut was regarded as the single most important case in the history of the British Empire. It guaranteed colonized peoples the right to independent and impartial third-party adjudication in human rights matters. The genius of that court case was that, if it had not (illegally) been ignored, it could have prevented genocide in North America. Dr. Clark has been disbarred by the Ontario Law Society for making these arguments, and has been charged with contempt of court for making these arguments, even though the courts refuse to hear the arguments; hence, there is no basis for the court to say that they are wrong arguments. Dr. Clark's writing of this book is further basis for contempt of court. Like Galileo, Dr. Clark's only escape from imprisonment for making an argument is to renounce that argument. Which he refuses to do. Law is based on Truth. Arguments are not disproved by the use of force of punishment and jail.

3 of 3 people found the following review helpful.

An impressive Native American issues survey and biography. By Midwest Book Review Justice In Paradise recounts how a commitment to Native rights and an extraordinary passion for the rule of law have determined the course of Bruce Clark's life. From a childhood in an Indian residential school, to the defense of aboriginal rights before the Word Court, to being disbarred, Clark's struggle has led him to fight against the justice system itself. Justice In Paradise explains the legal and philosophical position behind Clark's opposition to the Indian rights industry. Clark argues that the North American legal system causes the genocide of those indigenous peoples who embrace traditional religion and identity and accuses those who administer it with chicanery and abandoning the rule of law. Clark turned his back on a comfortable lawyer's life to defend the rule of law and Native rights across the whole of North America. Justice In Paradise is a candid, fascinating biography that will prove fascinating to students of law, Native American rights, and non-specialist general readers who enjoy reading of men and women who make their mark upon the world with an untiring and activist devotion to their ideals and principles.

A jurisprudential adventure story, *Justice in Paradise* recounts how a commitment to Native rights and an extraordinary passion for the rule of law have determined the course of Clark's life. From a childhood in an Indian residential school, to the defense of aboriginal rights before the World Court, to being disbarred, Bruce Clark's struggle has led him to a fight against the justice system itself. *Justice in Paradise* explains the legal and philosophical position behind Clark's opposition to the Indian rights industry. He argues that the North American legal system causes the genocide of those indigenous peoples who embrace traditional religion and identity and accuses those who administer it with chicanery and abandoning the rule of law. Smeared in the media for his beliefs and attacked from the bench - he has been called "a disgrace to the bar" by the Chief Justice of Canada's Supreme Court - his book *Native Liberty, Crown Sovereignty* has been hailed as "the most important and meticulous recent study of native rights in common law" (*Canadian Journal of Political Science*). Clark turned his back on a comfortable lawyer's life to defend the rule of law and Native rights. He moved with his family to Indian reservations and then to squats while he argued his case before the World Court in Europe. Now, no longer able to practice law, he has been adopted by the Mohicans and together they are fighting for Liberty Island and the Hudson River drainage basin. In his extraordinary memoir, *Justice in Paradise*, Bruce Clark - hero to some, extremist to others - details the battles of a renegade's life.

"This is an important book, advancing a serious, well-researched argument, written by a single-minded lawyer who has, in ways that would be beyond most people, devoted his life to the realization of what most people would describe as an *ide fixe*. It is also a gripping tale of this man's life, and the things that a dissenting person must go through in Canada to win a hearing from his fellows." Boyce Richardson, freelance writer. "a fascinating story that touches on many important episodes and characters of past, present, and future history over a truly global expanse of ideology, philosophy, and geography." Anthony J. Hall, *Native American studies*, University of Lethbridge.