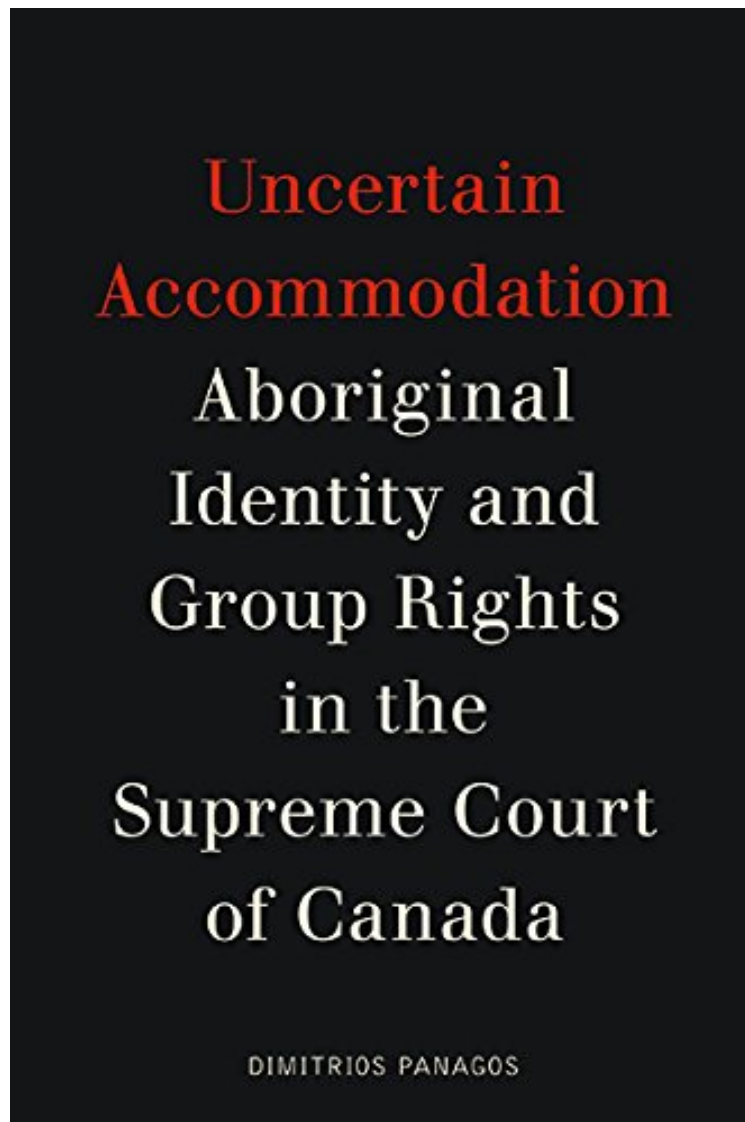


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Uncertain Accommodation: Aboriginal Identity and Group Rights in the Supreme Court of Canada (Law and Society)

Dimitrios Panagos

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Dimitrios Panagos : Uncertain Accommodation: Aboriginal Identity and Group Rights in the Supreme Court of Canada (Law and Society) before purchasing it in order to gage whether or not it would be worth my time, and all praised Uncertain Accommodation: Aboriginal Identity and Group Rights in the Supreme Court of Canada (Law and

Society):

In 1982, Canada formally recognized Aboriginal rights within its Constitution. The move reflected a consensus that states should and could use group rights to protect and accommodate subnational groups within their borders. Decades later, however, no one is happy. This state of affairs, Panagos argues, is rooted in a failure to define what aboriginality means, which has led to the promotion and protection of a single vision of aboriginality that of the justices of the Supreme Court. He concludes that there can be no justice so long as the state continues to safeguard a set of values and interests defined by non-Aboriginal people.

This book is highly recommended for professionals, scholars, and graduate students or simply for those interested in understanding how the state handles identity and group-related rights. (E. Acevedo, California State University, Los Angeles CHOICE 2017-09-18) In 1982, after decades of determined mobilization by Aboriginal groups and their allies, the government of Canada formally recognized Aboriginal rights within its Constitution. The move reflected a consensus that states should and could use constitutionally enshrined group rights to protect and accommodate subnational groups within their borders. Decades later, however, almost no one is happy with the current state of Aboriginal rights in Canada. To some, these rights go too far; for others, they do not go far enough; still others contend that these rights merely perpetuate the ongoing projects of assimilation and colonization. In *Uncertain Accommodation*, Dimitrios Panagos argues that the failure of Canada's Aboriginal rights jurisprudence is ultimately rooted in our inability to agree on what aboriginality means. Through incisive analysis of judicial decisions, legal submissions, and academic debates, he reveals the plurality of conceptions of aboriginality put forth over the past three decades and shows that the singular vision of aboriginality promoted and protected is that of the Supreme Court of Canada itself. Because this vision is fundamentally different from that of Aboriginal people, the courts' jurisprudence not only fails to protect their interests, it actually threatens them. Panagos concludes that there can be no justice as long as the state continues to safeguard a set of values and interests defined by non-Aboriginal people. "With clarity and insight, Dimitrios Panagos traces the origins and subsequent judicial interpretations of section 35 of the Canadian Constitution Act, 1982, and shows that the Supreme Court's jurisprudence has failed to take seriously the self-understandings of Aboriginal peoples. This highly readable book powerfully demonstrates how theory and legality can illuminate each other, and it reveals the distance that Canada has yet to go to build a sufficiently rich conception of its relationship with Aboriginal peoples." Burke Hendrix, author of *Ownership, Authority, and Self-Determination: Moral Principles and Indigenous Rights Claims* About the Author Dimitrios Panagos is assistant professor in the Department of Political Science at Memorial University.