

FIRST PEOPLES LAW READING LIST

Send us your reading suggestions at enquire@firstpeopleslaw.com

Sign up for our First Peoples Law Report at <https://bit.ly/2S3ghWg>

Please consider ordering from independent bookstores offering local delivery across the country at this time at <https://bit.ly/341rH1W>

ABORIGINAL AND INDIGENOUS LAW

Introductory text on Aboriginal law in Canada

- Jim Reynolds, *Aboriginal Peoples and the Law: A Critical Introduction* (Vancouver: UBC Press, 2018)

History and analysis of Aboriginal and Treaty rights in Canadian law

- Bruce McIvor, *Standoff: Why Reconciliation Fails Indigenous People and How to Fix It* (Madeira Park: Harbour Publishing, 2021)
- Gordon Christie, *Canadian Law and Indigenous Self - Determination: A Naturalist Analysis* (Toronto: University of Toronto Press, 2019)
- Joshua Nichols, *A Reconciliation without Recollection? An Investigation of the Foundations of Aboriginal Law in Canada* (Toronto: University of Toronto Press, 2019)
- Kent McNeil, *Flawed Precedent: The St. Catherine's Case and Aboriginal Title* (Vancouver: UBC Press, 2019)
- Jim Reynolds, *From Wardship to Rights: The Guerin Case and Aboriginal Law* (Vancouver: UBC Press, 2020)
- Felix Hoehn, *Reconciling Sovereignties: Aboriginal Nations and Canada* (Saskatoon: University of Saskatchewan Native Law Centre, 2012)
- Hamar Foster, Heather Raven & Jeremy Webber, *Let Right Be Done: Aboriginal Title, the Calder Case and the Future of Indigenous Rights* (Vancouver: UBC Press, 2007)
- John Borrows and Michael Coyle, eds., *The Right Relationship: Reimagining the Implementation of Historical Treaties* (Toronto: University of Toronto Press, 2017)
- Michael Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada* (Toronto: University of Toronto Press, 2014)
- Harold Johnson, *Two Families: Treaties and Government* (Saskatoon: Purich Publishing, 2007)
- Chartrand, Paul L.A.H., ed., *Who Are Canada's Aboriginal Peoples? Recognition, Definition, and Jurisdiction* (Saskatoon: Purich Publishing, 2002)

International, Indigenous and Canadian Law

- John Borrows, Larry Chartrand, Oonagh E. Fitzgerald and Risa Schwartz, eds., *Braiding Legal Orders: Implementing the United Nations Declaration on the Rights of Indigenous Peoples* (Waterloo: Centre for International Governance Innovation, 2019)



- Karen Drake and Brenda L. Gunn, eds., *Renewing Relationships: Indigenous Peoples and Canada* (Saskatoon: University of Saskatchewan Native Law Centre, 2019)
- Sara Mainville, "Hunting Down a Lasting Relationship with Canada—Will UNDRIP Help?" (2020) 57:1 *Osgoode Hall Law Journal* 98
- Sarah Morales and Joshua Nichols, "Reconciliation beyond the Box: The UN Declaration and Plurinational Federalism in Canada" (Waterloo: Centre for International Governance Innovation, 2018)
- Sheryl Lightfoot, *Global Indigenous Politics: A Subtle Revolution* (Abingdon: Routledge, 2016)
- Jackie Hartley, Paul Joffe, and Jennifer Preston, eds., *Realizing the UN Declaration on the Rights of Indigenous Peoples* (Vancouver: UBC Press, 2010)

Indigenous law and legal pluralism

- John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010)
- Angela Cameron, Sari Graben and Val Napoleon, eds., *Creating Indigenous Property: Power, Rights, and Relationships* (Toronto: University of Toronto Press, 2020)
- Hadley Friedland, *The Wetiko Legal Principles: Cree and Anishinabek Responses to Violence and Victimization* (Toronto: University of Toronto Press, 2018)
- Sylvia McAdam (Saysewahum), *Nationhood Interrupted: Revitalizing nêhiyaw Legal Systems* (Saskatoon: Purich Publishing, 2015)
- Aimée Craft, *Breathing Life Into the Stone Fort Treaty: An Anishnabe Understanding of Treaty One* (Saskatoon: Purich Publishing, 2013)
- John Borrows, *Freedom and Indigenous Constitutionalism* (Toronto: University of Toronto Press, 2016)
- Val Napoleon, *Ayook: Gitksan Legal Order, Law, and Legal Theory* (University of Victoria: PhD Dissertation, 2009)
- Aaron Mills, *Miinigowiziwin: all that has been given for living well together: one vision of Anishinaabe constitutionalism* (University of Victoria: PhD Dissertation, 2019)
- Alan Hanna, "Reconciliation through Relationality in Indigenous Legal Orders" (2019) 56:3 *Alta L Rev* 817
- Alan Hanna, "Spaces for Sharing: Searching for Indigenous Law on the Canadian Legal Landscape" (2018) 51:1 *UBC L Rev* 105
- Alan Hanna, "Making the Round: Aboriginal Title in the Common Law from a Tsilhqot'in Legal Perspective" (2013) 45:3 *Ottawa L Rev* 365
- John Borrows, "Indigenous Legal Traditions in Canada" (2005) 19 *Wash U JL & Pol'y* 167
- Antonia Mills, *Eagle Down Is Our Law: Witsuwit'en Law, Feasts, and Land Claims* (Vancouver: UBC Press, 1994)

Aboriginal law case summaries and commentary

- *First Peoples Law, Annotated Aboriginal Law 2022: The Constitution, Legislation, Treaties and Supreme Court of Canada Case Summaries* (Toronto: Thomson Reuters, 2021)
- John Borrows and Leonard Rotman, *Aboriginal Legal Issues: Cases, Materials & Commentary*, 5th Edition (Toronto: LexisNexis, 2018)
- Jonathan Rudin, *Indigenous People and the Criminal Justice System: A Practitioner's Handbook* (Toronto: Emond Publishing, 2018)

Policy analysis

- Yellowhead Institute, *Land Back: A Yellowhead Institute Red Paper* (Toronto: Yellowhead Institute, 2019)
- Yellowhead Institute, *Cash Back: A Yellowhead Institute Red Paper* (Toronto: Yellowhead Institute, 2021)
- Marc Kruse, Carrie Robinson, Yellowhead-SSHRC researchers, *Injunctions by First Nations: Results of a National Study* (Toronto: Yellowhead Institute, 2019)
- Shalene Jobin and Emily Riddle, *A Special Report: The Rise of the First Nations Land Management Regime in Canada: A Critical Analysis* (Toronto: Yellowhead Institute, 2019)

CANADIAN COLONIAL HISTORY

Truth and Reconciliation Commission Final Report

- Truth and Reconciliation Commission of Canada, Final Report of the Truth and Reconciliation Commission of Canada, Volume One, Summary: Honouring the Truth, Reconciling for the Future (Toronto: James Lorimer & Company Ltd., 2015)

National Inquiry into Missing and Murdered Indigenous Women and Girls Final Report

- National Inquiry into Missing and Murdered Indigenous Women and Girls, Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019)

Report of the Royal Commission on Aboriginal Peoples

- Report of the Royal Commission on Aboriginal Peoples (Ottawa: The Commission, 1996)

Foundational works of Indigenous anticolonialism in Canada

- George Manuel and Michael Posluns, The Fourth World: An Indian Reality (Minneapolis: University of Minnesota Press, 1974/2019)
- Lee Maracle, Bobbi Lee: Indian Rebel (Toronto: Women's Press, 1975/1990)
- Harold Cardinal, The Unjust Society: The Tragedy of Canada's Indians (Vancouver: Douglas and McIntyre, 1969/1999)
- Maria Campbell, Halfbreed (Toronto: McClelland & Stewart, 1973/2019)
- Howard Adams, Prison of Grass: Canada from a Native Point of View (Markham: Fifth House Books, 1975/1989)
- Patricia Monture-Angus, Thunder In My Soul: A Mohawk Woman Speaks (Toronto: Brunswick Books, 1995)
- Lee Maracle, I am Woman: A Native Perspective on Sociology and Feminism (Vancouver: Press Gang Publishing, 2003)

Contemporary histories of Indigenous rights and political activism in Canada

- Arthur Manuel, The Reconciliation Manifesto: Recovering the Land, Rebuilding the Economy (Toronto: Lorimer, 2017)
- Bev Sellars, Price Paid: The Fight for First Nations Survival (Vancouver: Talonbooks, 2016)
- Pamela Palmater, Indigenous Nationhood: Empowering Grassroots Citizens (Winnipeg/Black Point: Fernwood Publishing, 2015)
- Arthur Manuel, Unsettling Canada: A National Wake-Up Call (Toronto: Between the Lines, 2015)
- Kino-nda-niimi Collective, The Winter We Danced: Voices from the Past, the Future, and the Idle No More Movement (Winnipeg: ARP Books, 2014)

History and analysis of the Indian Act

- Bob Joseph, 21 Things You May Not Know About the Indian Act: Helping Canadians Make Reconciliation with Indigenous Peoples a Reality (Brantford: Indigenous Relations Press, 2018)
- Mary-Ellen Kelm and Keith D. Smith, Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories (Toronto: University of Toronto Press, 2018)

Introductory histories of Indigenous-Crown relations in Canada

- Whose Land is it Anyways? A Manual for Decolonization (Vancouver: Federation of Post-Secondary Educators of BC, 2017)
- Thomas King, The Inconvenient Indian: A Curious Account of Native People in North America (Toronto: Anchor Canada, 2013)

- Harold Johnson, *Peace and Good Order: The Case for Indigenous Justice in Canada* (Toronto: McClelland & Stewart, 2019)
- Bob Joseph, *Indigenous Relations: Insights, Tips & Suggestions to Make Reconciliation a Reality* (Brantford: Indigenous Relations Press, 2019)
- John Ralston Saul, *The Comeback: How Aboriginals are Reclaiming Power and Influence* (Toronto: Penguin Canada, 2015)

Histories of settler colonial law

- Brenna Bhandar, *Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership* (Durham: Duke University Press, 2018)
- Lindsay G. Robertson, *Conquest by Law: How the Discovery of America Dispossessed Indigenous Peoples of their Lands* (Oxford: Oxford University Press, 2007)
- Chartrand, Paul L.A.H., *Manitoba's Metis Settlement Scheme of 1870* (Saskatoon: University of Saskatchewan Native Law Centre, 1991)
- Jean Teillet, *The North-West Is Our Mother: The Story of Louis Riel's People, the Métis Nation* (Toronto: Harper Collins, 2019)
- Andrew Crosby and Jeffrey Monaghan, *Policing Indigenous Movements: Dissent and the Security State* (Winnipeg/Black Point: Fernwood Publishing, 2018)
- James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2013)
- Nick Claxton et al, *Challenging Racist British Columbia: 150 Years and Counting* (Victoria/Vancouver: University of Victoria/Canadian Centre for Policy Alternatives, 2021)

Graphic novel histories

- Kateri Akiwenzie-Damm et al, *This Place: 150 Years Retold* (Winnipeg: HighWater Press, 2019)
- Gord Hill, *The 500 Years of Resistance Comic Book* (Vancouver: Arsenal Pulp Press, 2002)
- UVic Indigenous Law Research Unit, *Mikomosis and the Wetiko* (University of Victoria: Indigenous Law Research Unit, 2013)

INDIGENOUS RESURGENCE AND RECONCILIATION

Essay collection on Indigenous resurgence and reconciliation in Canada

- Michael Asch, John Borrows, James Tully, eds., *Resurgence and Reconciliation: Indigenous-Settler Relations and Earth Teachings* (Toronto: University of Toronto Press, 2018)

Indigenous resurgence and Canadian settler colonialism

- Leanne Simpson, *As We Have Always Done: Indigenous Freedom Through Radical Resistance* (Minneapolis: University of Minnesota Press, 2017)
- Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham: Duke University Press, 2014)
- Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014)
- Elaine Coburn, ed., *More Will Sing Their Way to Freedom: Indigenous Resistance and Resurgence* (Winnipeg/Black Point: Fernwood Publishing, 2015)
- Joyce Green, ed., *Making Space for Indigenous Feminism* (Winnipeg/Black Point: Fernwood Publishing, 2017)
- Leanne Simpson, *Dancing on our Turtle's Back: Stories of Nishnaabeg Re-Creation, Resurgence, and a New Emergence* (Winnipeg, Arbeiter Ring Press, 2011)

- Priscilla Settee and Shailesh Shukla, eds., *Indigenous Food Systems: Concepts, Cases, and Conversations* (Toronto: Canadian Scholars, 2020)
- Taiaiake Alfred, *Wasáse: Indigenous Pathways of Action and Freedom* (Toronto: University of Toronto Press, 2005)

Settler decolonization in Canada

- Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2011)
- Emma Battell Lowman and Adam J. Barker, *Settler: Identity and Colonialism in 21st Century Canada* (Winnipeg/Black Point: Fernwood Publishing, 2015)
- Eva Mackey, *Unsettled Expectations: Uncertainty, Land, and Settler Decolonization* (Winnipeg/Black Point: Fernwood Publishing, 2016)
- Scott Lauria Morgensen, *Spaces Between Us: Queer Settler Colonialism and Indigenous Decolonization* (Minneapolis: University of Minnesota Press, 2011)
- Lynne Davis, ed., *Alliances: Re/Envisioning Indigenous-non-Indigenous Relationships* (Toronto: University of Toronto Press, 2010)

RESEARCH METHODOLOGY

Indigenous legal research methodologies

- Val Napoleon and Hadley Friedland, "Gathering the Threads: Developing a Methodology for Researching and Rebuilding Indigenous Legal Traditions" (2015) 1:1 *Lakehead LJ* 16
- Val Napoleon and Hadley Friedland, "An Inside Job: Engaging with Indigenous Legal Traditions Through Stories" (2016) 61:4 *McGill Law Journal* 725
- John Borrows, "Heroes, Tricksters, Monsters and Caregivers: Indigenous Laws and Legal Education" (2016) 61 *McGill Law Journal*
- Sarah Morales, "Locating Oneself in One's Research: Learning and Engaging with Law in the Coast Salish World" (2018) 30 *Can J Women & L* 144
- Darcy Lindberg, "Miyo Nehiyawiwin (Beautiful Creeness): Ceremonial Aesthetics and Nehiyaw Legal Pedagogy" (2018) 16 *Indigenous LJ* 51
- Robert Clifford, "Listening to Law" (2016) 33:1 *Windsor Y B Access Just* 47
- Sarah Morales, "St'l'ul nup: Legal Landscapes of The Hul'qumi'num Mustimuhw" (2016) 33:1 *Windsor Yearbook of Access to Justice* 103
- John Borrows, "Outsider Education: Indigenous Law and Land-based Learning " (2016) 33 *Windsor Y B Access Just* 1

Indigenous research methodologies

- Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books, 2012)
- Shawn Wilson, *Research is Ceremony: Indigenous Research Methods* (Winnipeg/Black Point: Fernwood Publishing, 2008)