

# Canada S Indigenous Constitution

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### **Canada S Indigenous Constitution**

Canada's Indigenous Constitution reflects on the nature and sources of law in Canada, beginning with the conviction that the Canadian legal system has helped to engender the high level of wealth and security enjoyed by people across the country. However, longstanding disputes about the origins, legitimacy, and applicability of certain aspects of the legal system have led John Borrows to argue that Canada's constitution is incomplete without a broader acceptance of Indigenous legal traditions.

### **Canada's Indigenous Constitution -9781442610385|University ...**

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### **Canada's Indigenous Constitution: Borrows, John ...**

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### **Canada's Indigenous Constitution - Kindle edition by ...**

Canada's Constitution's preamble "states that Canada is 'founded on principles that recognize the supremacy of God'" (qtd. 25). In Indigenous legal traditions, creation stories are often a source of sacred law: "These accounts contain rules and norms that give guidance about how to live with the world and overcome conflict.

### **126. John Borrows, Canada's Indigenous Constitution ...**

Overview. Canada's Indigenous Constitution reflects on the nature and sources of law in Canada, beginning with the conviction that the Canadian legal system has helped to engender the high level of wealth and security enjoyed by people across the country. However, longstanding disputes about the origins, legitimacy, and applicability of certain aspects of the legal system have led John Borrows to argue that Canada's constitution is incomplete without a broader acceptance of Indigenous legal ...

### **Canada's Indigenous Constitution by John Borrows ...**

IN CANADA 'S INDIGENOUS CONSTITUTION John Borrows argues for recognizing Indigenous legal traditions as a third source of law in Canada, equal to that of common and civil law. He asserts that

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the present bijuridical system

## **Book Notes: Canada's Indigenous Constitution, by John Borrows**

Section 35 of the Constitution Act, 1982 provides constitutional protection to the indigenous and treaty rights of indigenous peoples in Canada. The section, while within the Constitution of Canada, falls outside the Canadian Charter of Rights and Freedoms. The section does not define the term "aboriginal rights" or provide a closed list; some examples of the rights that section 35 has been found to protect are fishing, logging, hunting, the right to land and the right to enforcement of treaties

## **Section 35 of the Constitution Act, 1982 - Wikipedia**

Section 35 of the Constitution Act states: 35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed. (2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

## **Constitution Act, 1982 Section 35**

In 1982, the Government of Canada patriated the Canadian Constitution, and in so doing, formally entrenched Aboriginal and treaty rights in the supreme law of Canada. Section 35 of the Constitution Act, 1982 provides: "35(1) The existing aboriginal and treaty rights of the aboriginal people in Canada are hereby recognized and affirmed.

## **Section 35 of the Constitution Act 1982**

There are three (First Nations, Inuit and Métis) distinctive groups of North America indigenous peoples recognized in the Canadian Constitution Act, 1982, sections 25 and 35. Under the Employment Equity Act , Aboriginal people are a designated group along with women, visible minorities, and persons with disabilities; [164] as such, they are neither a visible minority under the

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Act or in the view of Statistics Canada .

## **Indigenous peoples in Canada - Wikipedia**

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## **Canada's Indigenous Constitution - John Borrows - Google Books**

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## **Canada's Indigenous Constitution by John Borrows**

Canada's Constitution is Indigenous in at least two respects. First, it is not merely the product of its European origins. Its colonial seeds were cultivated in North American soil and transformed in the process. In this sense, Canada's Constitution is Indigenous, homegrown in a distinctively North American context.

## **Revitalizing Canada's Indigenous Constitution | Centre for ...**

(2) The Constitution of Canada includes (a) the Canada Act 1982, including this Act; (b) the Acts and orders referred to in the schedule; and (c) any amendment to any Act or order referred to in paragraph (a) or (b). Marginal note: Amendments to Constitution of Canada (3) Amendments to the Constitution of Canada shall be made only in accordance ...

## **Constitution Acts, 1867 to 1982**

"We saw Canada's Indigenous constitution in action," Borrows said, invoking the name of a book he

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wrote. "We more often see it in the treaty or Aboriginal rights context, but here it came out in...

### **Jody Wilson-Raybould testimony was 'Canada's Indigenous ...**

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### **Canada's Indigenous Constitution eBook by John Borrows ...**

Furthermore, the United Nations Declaration on the Rights of Indigenous Peoples, endorsed by Canada in 2010, provides that member states must consult and cooperate with Indigenous peoples on certain matters, such as "legislative or administrative measures that may affect them," in order to obtain their free, prior and informed consent. 3

### **The Duty to Consult Indigenous Peoples**

Canada's Indigenous Constitution reflects on the nature and sources of law in Canada, beginning with the conviction that the Canadian legal system has helped to engender the high level of wealth and security enjoyed by people across the country.

### **Canada's indigenous constitution (Book, 2010) [WorldCat.org]**

The Australian Constitution does not mention Indigenous people. It does not acknowledge their prior occupancy, nor recognise any pre-existing aboriginal rights as the Canadian Constitution does

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