
Aboriginal Rights and Self-Government

*The Canadian
and Mexican Experience
in North American Perspective*

EDITED BY CURTIS COOK
AND JUAN D. LINDAU

McGill-Queen's University Press
Montreal & Kingston · London · Ithaca

© McGill-Queen's University Press 2000
ISBN 0-7735-1884-3 (cloth)

Legal deposit first quarter 2000
Bibliothèque nationale du Québec

Printed in Canada on acid-free paper

This book has been published with the help of a grant
from Colorado College.

Canada

McGill-Queen's University Press acknowledges the financial support of the Government of Canada through the Book Publishing Industry Development Program (BPIDP) for its activities. We also acknowledge the support of the Canada Council for the Arts for our publishing program.

Canadian Cataloguing in Publication Data

Aboriginal rights and self-government: the Canadian and Mexican experience in North American perspective
(McGill-Queen's native and northern series; 21)
Includes bibliographical references and index.
ISBN 0-7735-1884-3 (bound)

1. Native peoples – Canada – Politics and government.
2. Native peoples – Canada – Government relations.
3. Indians of Mexico – Politics and government.
4. Indians of Mexico – Government relations.
5. Indians of North America – Politics and government.
6. Indians of North America – Government relations – 1934– . I. Cook, Curtis, 1937– . II. Lindau, Juan David. III. Series.

E91.A26 2000 323.1'197071 C99-900856-0

Typeset in New Baskerville 10/12
by Caractéra inc., Quebec City

Contents

Preface vii

- 1 One Continent, Contrasting Styles: The Canadian Experience in North American Perspective 3
JUAN D. LINDAU AND CURTIS COOK

PART ONE OVERVIEW

- 2 A Just Relationship between Aboriginal and Non-Aboriginal Peoples of Canada 39
JAMES TULLY
- 3 Indigenous Movements and Politics in Mexico and Latin America 72
RODOLFO STAVENHAGEN

PART TWO PROBLEMS AND REMEDIES

- 4 Rights and Self-Government for Canada's Aboriginal Peoples 101
C.E.S. FRANKS
- 5 Liberalism's Last Stand: Aboriginal Sovereignty and Minority Rights 135
DALE TURNER
- 6 First Nations and the Derivation of Canada's Underlying Title: Comparing Perspectives on Legal Ideology 148
MICHAEL ASCH

- 7 Quebec's Conceptions of Aboriginal Rights 168
ANDRÉE LAJOIE, HUGUES MELANÇON, GUY ROCHER
AND RICHARD JANDA

- 8 The Revolution of the New Commons 186
GUSTAVO ESTEVA

PART THREE THE THIRD STYLE: AMERICA

- 9 Indian Policy: Canada and the United States
Compared 221
C.E.S. FRANKS

Notes 265

Contributors 309

Index 311