

1. Record Nr.	UNINA9910786368603321
Autore	Milward David Leo <1974->
Titolo	Aboriginal justice and the Charter : realizing a culturally sensitive interpretation of legal rights // David L. Milward
Pubbl/distr/stampa	Vancouver : , : UBC Press, , 2012
ISBN	0-7748-4373-X 1-283-64644-7 0-7748-2458-1
Descrizione fisica	1 online resource (xviii, 303 pages)
Collana	Law and society
Disciplina	342.7108/72
Soggetti	Indigenous peoples - Legal status, laws, etc - Canada
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Bibliographic Level Mode of Issuance: Monograph
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Front Matter -- Contents -- Foreword -- Acknowledgments -- Introduction -- Aboriginal Aspirations for Justice -- The Current Situation in Canada -- Addressing the Tension -- Realizing the Culturally Sensitive Interpretation of Legal Rights -- The Sentencing Process -- The Trial Phase -- The Investigative Stage -- The Final Resolution -- Conclusion -- Notes -- Bibliography -- Index -- Law and Society
Sommario/riassunto	Aboriginal Justice and the Charter explores the tension between Aboriginal justice methods and the Canadian Charter of Rights and Freedoms, seeking practical ways to implement Aboriginal justice. David Milward examines nine legal rights guaranteed by the Charter and undertakes a thorough search for interpretations sensitive to Aboriginal culture. Much of the previous literature in this area has dealt with idealized notions of what Aboriginal justice might be. Here, David Milward strikes out into new territory to examine why Indigenous communities seek to explore different paths in this area, and to identify some of the applicable constitutional constraints. This book considers a number of specific areas of the criminal justice process in which Indigenous communities may wish to adopt different approaches, tests these approaches against constitutional imperatives, and offers practical proposals for reconciling the various matters at stake. Milward grapples with the difficult questions of how Aboriginal justice systems

can be fair to its constituents while complying with the protections guaranteed all Canadians by the Charter.

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