

CURRICULUM VITAE

Kent McNeil

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Citizenship: Canadian

Current Position

Osgoode Hall Law School, York University, Toronto:

- Distinguished Research Professor, Emeritus, July 2016-present
- Distinguished Research Professor, 2007-2016
- Professor, 2001-2007
- Associate Professor, 1991-2000
- Assistant Professor, 1987-91

Other Academic and Visiting Positions

- Fulbright Canada Distinguished Chair in International and Area Studies at Yale University, January 2022 to April 2022
- Law Foundation of Saskatchewan H. Robert Arscott Chair, University of Saskatchewan College of Law, July to December 2019
- Eminent Speaker in Energy Law, University of Calgary Faculty of Law, October 2017
- Monash University, Prato Centre, Italy, taught a course on Comparative Indigenous Rights, May 2017
- Distinguished Visiting Lecturer, University of Manitoba Faculty of Law, Sept. 2002
- Robarts Professor of Canadian Studies, York University, July 1997 to June 1998
- University of Saskatchewan Native Law Centre: Faculty Member, Program of Legal Studies for Native People, May-July 1996
- Faculté de Droit et de Science Politique d'Aix-Marseille, France: Visitor, April-May, 1996
- Northern Australia Research Unit, Australian National University, Darwin N.T.: Visiting Fellow, June 1995
- University of New South Wales Faculty of Law, Sydney N.S.W.: Visitor, January-May, 1995

- University of Victoria Faculty of Law: Visitor, September 1994

Other Professional Experience

- University of Saskatchewan Native Law Centre, Saskatoon:
Research Director, July 1981 - June 1982
Research Associate, September 1980 - June 1981
- Attorney-General's Department, Government of Saskatchewan, Regina: Student-at-law, September 1979 - September 1980

Professional Honours and Qualifications

- Honorary Member, Indigenous Bar Association, since 2018
- Member, Royal Society of Canada, since 2010
- Non-practising member of the Saskatchewan Bar since 1980

Education

- D.Phil. in Law, Oxford University, 1987
- LL.B. (Great Distinction, gold medallist), University of Saskatchewan, 1979
- Certificat d'Etudes Supérieures, Université d'Aix-Marseille, 1976
- B.A. in History (Distinction), University of Saskatchewan, 1969

Research Grants and Fellowships

- 2022 (Jan-April) Fulbright Canada Grant (\$25,000 US)
- 2015-16 Collaborator, Social Sciences and Humanities Research Council of Canada Individual Connections Grant, on Determining Access: Theory and Practice in Implementing Indigenous Governance over Lands and Resources, principal investigator Dr. Janna Promislow, Thompson Rivers University (\$24,974)
- 2007-09: Killam Fellowship, Canada Council for the Arts, on Indigenous sovereignty and European colonization of western North America: Implications for self-government (\$140,000), grant # 7000-05-0031
- 2006-12: Social Sciences and Humanities Research Council of Canada Major Collaborative Research Initiative on Indigenous Peoples and Governance (\$9,500/annum)
- 2005-08: Social Sciences and Humanities Research Council of Canada Standard Research Grant, on Indigenous sovereignty and European colonization of western North America: Implications for self-government (\$58,123)
- 2001-05: Social Sciences and Humanities Research Council of Canada Standard Research Grant, on the territorial rights of the Aboriginal peoples of North America (\$60,983)
- 2001-02: Osgoode Hall Law School Research Fellowship (release time from teaching for one term)

- 1995: Social Sciences and Humanities Research Council of Canada Small Research Grant, to prepare *Aboriginal Peoples in Canada: A Legal Bibliography* (\$3000)
- 1992-93: Social Sciences and Humanities Research Council of Canada Strategic Grant, on the application of the Charter to Aboriginal governments (\$18,900)
- 1990-91: Social Sciences and Humanities Research Council of Canada Standard Research Grant, on the Aboriginal right of self-government and section 35(1) of the *Constitution Act, 1982* (\$16,935)

Publications

Books and Monographs

Voicing Identity: Cultural Appropriation and Indigenous Issues, co-edited with John Borrows, University of Toronto Press, 2022

Judicial Tales Retold: Reimagining Indigenous Rights Jurisprudence, co-edited with Naomi Metallic. Saskatoon: University of Saskatchewan Indigenous Law Centre, 2020

Flawed Precedent: The St. Catherine's Case and Aboriginal Title. Vancouver: UBC Press, 2019 (awarded the John T. Saywell Prize for Canadian Constitutional Legal History for 2020, finalist in 2020 for the Canada Prize in the Humanities and Social Sciences, awarded by the Federation for the Humanities and Social Sciences)

Indigenous Peoples and the Law: Comparative and Critical Perspectives, edited with Benjamin J. Richardson and Shin Imai. Oxford: Hart Publishing, 2009

Emerging Justice? Essays on Indigenous Rights in Canada and Australia. Saskatoon: University of Saskatchewan Native Law Centre, 2001 (winner of Saskatchewan Book Awards for Publishing and Publishing in Education)

Defining Aboriginal Title in the 90's: Has the Supreme Court Finally Got It Right? Toronto: Robarts Centre for Canadian Studies, York University, 1998

Canada's Fiduciary Obligation to Aboriginal Peoples in the Context of Accession to Sovereignty by Quebec, Vol. 2, *Domestic Dimensions*, with Renée Dupuis. Ottawa: Royal Commission on Aboriginal Peoples, 1995

Common Law Aboriginal Title. Oxford: Clarendon Press, 1989

Indian Hunting, Trapping and Fishing Rights in the Prairie Provinces of Canada. Saskatoon: University of Saskatchewan Native Law Centre, 1983

Native Rights and the Boundaries of Rupert's Land and the North-Western Territory.

Saskatoon: University of Saskatchewan Native Law Centre, 1982

Native Claims in Rupert's Land and the North-Western Territory: Canada's Constitutional Obligations. Saskatoon: University of Saskatchewan Native Law Centre, 1982

Articles, Book Chapters, and Research Papers

“*Tsilhqot’in Nation* and Interjurisdictional Immunity: When Are Judicial Decisions Involving Indigenous Claims Retroactive?”, forthcoming *UBC Law Review*

“Tikanga Māori: The Application of Māori Law and Custom in Aotearoa/New Zealand”, a comment on *The King v Ellis*, [2022] NZSC 114, online: <https://ablawg.ca/2022/11/17/tikanga-maori-the-application-of-maori-law-and-custom-in-aotearoa-new-zealand/>

“Introduction”, with John Borrows, *Voicing Identity: Cultural Appropriation and Indigenous Issues*, University of Toronto Press, 2022

“Welcome Home: Aboriginal Rights Law after *Desautel*”, co-authored with Kerry Wilkins (2022) 59:3 *Osgoode Hall Law Journal* 553, online: <https://digitalcommons.osgoode.yorku.ca/ohlj/vol59/iss3/1/>

“The Inherent Indigenous Right of Self-Government” (May 4, 2022), online: ABlawg, http://ablawg.ca/wp-content/uploads/2022/05/Blog_KM_Quebec_Reference.pdf

“How First Nations Have Been Transforming Public Policy Through the Courts”, with Satsan (Herb George) and Frances Abele, in Evert Lindquist, Michael Howlett, Grace Skogstad, Geneviève Tellier, Paul ’t Hart, eds., *Policy Success in Canada: Cases, Lessons, Challenges* (Oxford: Oxford University Press, 2022), 395, online: [<fdslive.oup.com/www.oup.com/academic/pdf/openaccess/9780192897046.pdf>](https://fdslive.oup.com/www.oup.com/academic/pdf/openaccess/9780192897046.pdf)

A Brief History of Our Right to Self-Governance: Pre-Contact to Present, prepared by Kent McNeil for the Centre for First Nations Governance, March 2022, online: cngovernance.org/wp-content/uploads/2022/06/Right-to-Self-Governance-06-2022_web.pdf

“Procedural Injustice: Indigenous Claims, Limitation Periods, and Laches”, with Thomas Enns, February 2022, online: https://digitalcommons.osgoode.yorku.ca/all_papers/336/ and <http://ssrn.com/abstract=4045720>

“Indigenous Rights and Private Party Liability”, a comment on *Thomas and Saik’uz First Nation v Rio Tinto Alcan Inc*, [2022 BCSC 15 \(CanLII\)](https://www.canlii.org/ont/doc/2022/01/2022BCSC15), online: ABlawg, http://ablawg.ca/wpcontent/uploads/2022/01/Blog_KM_Indigenous_Right_Private_Liability.pdf

“Has Constitutionalizing Aboriginal and Treaty Rights Made a Difference?” (Winter 2021-22) *BC Studies* No. 212, 137-64

“Territorial Acquisition in North America and the Louisiana Purchase”, in Michael Kocsis, ed-in-chief, *Global Encyclopedia of Territorial Rights* (Springer, 2021)

“L’émergence d’une monarchie française indépendante, 1100-1314 : le rejet de la suprématie papale”, online: https://digitalcommons.osgoode.yorku.ca/scholarly_works/2834/ and https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3824867

“Indigenous Law, the Common Law, and Pipelines” (April 8, 2021), online: ABlawg, http://ablawg.ca/wp-content/uploads/2021/04/Blog_KM_Indigenous_Law_Pipelines.pdf

“Indigenous Law and the Common Law” (March 2021). Online: https://digitalcommons.osgoode.yorku.ca/scholarly_works/2829/; https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3809777

“Fiduciary Obligations and Indigenous Peoples”, in Mark R. Gillen and Faye Woodman, eds., *The Law of Trusts: A Contextual Approach*, 4th ed. (Toronto: Emond Publishing, 2021), 687-752

“The Factual Basis for Indigenous Land Rights” (2020) 46:3 *Monash University Law Review* 169-203, draft online: https://digitalcommons.osgoode.yorku.ca/scholarly_works/2833/ and https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3822713

“*R v Sparrow*”, in *Judicial Tales Retold: Reimagining Indigenous Rights Jurisprudence*, Naomi Metallic and Kent McNeil, eds. (Saskatoon: University of Saskatchewan Indigenous Law Centre, 2020), 95-105, online: https://digitalcommons.osgoode.yorku.ca/scholarly_works/2854/

“Shared Indigenous and Crown Sovereignty: Modifying the State Model” (2020). Online: http://works.bepress.com/kent_mrneil/162/

“Aboriginal Rights and Indigenous Governance: Identifying the Holders of Rights and Authority” (2020) 57:1 *Osgoode Hall Law Journal* 127-72. Online: <https://digitalcommons.osgoode.yorku.ca/ohlj/vol57/iss1/4>

“Disputed Territory in the Pacific Northwest: Indigenous, American and British Claims”, in Michael Kocsis, ed., *Global Encyclopedia of Territorial Rights* (Springer, 2020). Online: https://doi.org/10.1007/978-3-319-68846-6_561-1

“An Overview of Political Authority in Medieval Europe: Empire, Papacy, and the Rights of Infidels” (2020) 41:2 *History of Political Thought* 221-47

“How the New Deal Became a Raw Deal for Indian Nations: Justice Stanley Reed and the *TeeHit-Ton* Decision on Indian Title” (2019) 44:1 *American Indian Law Review* 1-42, online: <https://digitalcommons.law.ou.edu/ailr/vol44/iss1/>

“The Louisiana Purchase: Indian and American Sovereignty in the Missouri Watershed” (2019) 50:1 *Western Historical Quarterly* 17-42, online: <https://academic.oup.com/whq/advance-article/doi/10.1093/whq/why135/5231578?guestAccessKey=e2ea54c6-af2b-4eea-b13d54553eae2752>; <https://doi.org/10.1093/whq/why135>

“Indigenous and Crown Sovereignty in Canada”, in Michael Asch, John Borrows and James Tully, eds., *Resurgence and Reconciliation: Indigenous Settler Relations and Earth Teachings* (Toronto: University of Toronto Press, 2018), 293-314

“The Source, Nature, and Content of the Crown’s Underlying Title to Aboriginal Title Lands” (2018) 96:2 *Canadian Bar Review* 275-93, online <https://cbr.cba.org/index.php/cbr/article/view/4463/4428>

“La relativité de la souveraineté *de jure* au Canada, 1600-2018” (2018) 49:2 *Ottawa Law Review / Revue de Droit d’Ottawa* 305-29, online: http://commonlaw.uottawa.ca/ottawalaw-review/sites/commonlaw.uottawa.ca/ottawa-law-review/files/to_publish-olr_492_02_mcnail_souverainete_final.pdf, et sur SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3189906

“Indigenous Territorial Rights in the Common Law”, in Michele Graziadei and Lionel Smith, eds., *Comparative Property Law: Global Perspectives* (Cheltenham, UK: Edward Elgar, 2017), 412-34

“The Doctrine of Discovery Reconsidered: Reflecting on Robert J Miller, Jacinta Ruru, Larissa Behrendt, and Tracey Lindberg, *Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies* and Felix Hoehn, *Reconciling Sovereignties: Aboriginal Nations and Canada*” (2016) 53:2 *Osgoode Hall Law Journal* 699-728, online: <http://digitalcommons.osgoode.yorku.ca/ohlj/vol53/iss2/10>

“Sovereignty and Indigenous Peoples in North America” (2016) 22:2 *University of California Davis Journal of International Law and Policy* 81

“Indigenous Law and Aboriginal Title” (2016). All papers. Paper 267. http://digitalcommons.osgoode.yorku.ca/all_papers/267

“Exclusive Occupation and Joint Aboriginal Title” (2015) 48 *University of British Columbia Law Review* 821-71

“Aboriginal Title and the Provinces after *Tsilhqot’in Nation*” (2015) 71 *Supreme Court Law Review* (2d) 67-89

“The Obsolete Theory of Crown Unity in Canada and Its Relevance to Indigenous Claims” (2015) 20 *Review of Constitutional Studies* 1-29

“Fiduciary Obligations and Aboriginal Peoples”, in Mark R. Gillen and Faye Woodman, eds., *The Law of Trusts: A Contextual Approach*, 3rd ed. (Toronto: Emond Publishing, 2015), 839906

“Indigenous Rights Litigation, Legal History, and the Role of Experts” (2014) 77 *Saskatchewan Law Review* 173-203; also in John Borrows and Michael Coyle, eds., *The Right Relationship; Reimagining the Implementation of Historical Treaties* (Toronto: University of Toronto Press, 2017), 70-104

“Indigenous Land Rights and Self-Government: Inseparable Entitlements”, in Lisa Ford and Tim Rowse, eds., *Between Indigenous and Settler Governance* (Abingdon, UK: Routledge, 2013), 135-47

“Factual and Legal Sovereignty in North America: Indigenous Realities and Euro-American Pretensions”, in Julie Evans, Ann Genovese, Alexander Reilly, and Patrick Wolfe, eds., *Sovereignty: Frontiers of Possibility* (Honolulu: University of Hawai'i Press, 2013), 37-59

“Indigenous Nations and the Legal Relativity of European Claims to Territorial Sovereignty in North America”, in Sandra Tomsons and Lorraine Mayer, eds., *Philosophy and Aboriginal Rights: Critical Dialogues* (Don Mills, Ontario: Oxford University Press, 2013), 242-53

“Aboriginal Title in Canada: Site-Specific or Territorial?” (2012) 91 *Canadian Bar Review* 745-61

“*Mabo* Misinterpreted: The Unfortunate Legacy of Legislative Distortion of Justice Brennan’s Judgment”, in Toni Bauman and Lydia Glick, ed., *The Limits of Change: Mabo and Native Title 20 Years On* (Canberra: Australian Institute of Aboriginal and Torres Strait Islanders Studies, 2012), 226-35

“Reconciliation and Third Party Interests: *Tsilhqot’in Nation v. British Columbia*” (2010) 8 *Indigenous Law Journal* 7-25

“The Relationship between the Sources and Content of Indigenous Land Rights in Australia and Canada”, in Louis A. Knafla and Haijo Westra, eds., *Aboriginal Title and Indigenous Peoples: Canada, Australia, and New Zealand* (Vancouver: UBC Press, 2010), 146-70

“The Crown’s Fiduciary Obligations in the Era of Aboriginal Self-Government”, (2009) 88 *Canadian Bar Review* 1-19

“Judicial Perspectives on Indigenous Land Rights in the Common Law World”, in Benjamin J. Richardson, Shin Imai and Kent McNeil, eds., *Indigenous Peoples and the Law: Comparative and Critical Perspectives* (Oxford: Hart Publishing, 2009), 257-83

“Negotiated Sovereignty: Indian Treaties and the Acquisition of American and Canadian Territorial Rights in the Pacific Northwest”, in Alexandra Harmon, ed., *The Power of Promises: Rethinking Indian Treaties in the Pacific Northwest* (Seattle: University of Washington Press, 2008), 35-55

“The Métis and the Doctrine of Interjurisdictional Immunity: A Commentary”, in Frederica Wilson and Melanie Mallet, eds., *Métis-Crown Relations: Rights, Identity, Jurisdiction, and Governance* (Toronto: Irwin Law, 2008), 289-322

“Native Rights Case Law”, in *Handbook of North American Indians*, vol. 2, *Indians in Contemporary Society*, edited by Garrick Bailey (Washington, D.C.: Smithsonian Institution, 2008), 166-76

“Fiduciary Obligations and Aboriginal Peoples”, in Mark R. Gillen and Faye Woodman, eds., *The Law of Trusts: A Contextual Approach*, 2nd ed. (Toronto: Emond Montgomery, 2008), 907-76

“The Jurisdiction of Inherent Right Aboriginal Governments” (West Vancouver: National Centre for First Nations Governance, 2007), 31 pp., online: Osgoode Digital Commons, and https://fngovernance.org/wp-content/uploads/2020/05/kent_mcneil.pdf

“Judicial Approaches to Self-Government since *Calder*: Searching for Doctrinal Coherence”, in Hamar Foster, Heather Raven, and Jeremy Webber, eds., *Let Right Be Done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights* (Vancouver: UBC Press, 2007), 129-52

“Legal Rights and Legislative Wrongs: Maori Claims to the Foreshore and Seabed”, in Andrew Erueti and Claire Charters, eds., *Maori Property Rights and the Foreshore and Seabed: The Last Frontier* (Wellington, N.Z.: Victoria University Press, 2007), 83-118

“Has Constitutional Recognition of Aboriginal Rights Adversely Affected Their Definition?”, with David Yarrow, (2007) 37 *Supreme Court Law Review* (2nd) 177-211

“Aboriginal Title and the Supreme Court: What’s Happening?” (2006) 69 *Saskatchewan Law Review* 281-308

“Aboriginal Rights, Resource Development, and the Source of the Provincial Duty to Consult in *Haida Nation* and *Taku River*” (2005) 29 *Supreme Court Law Review* (2nd series) 447-60

“Continuity of Aboriginal Rights”, in Kerry Wilkins, ed., *Advancing Aboriginal Claims: Visions/Strategies/Directions* (Saskatoon: Purich Publishing, 2004), 127-50

“The Vulnerability of Indigenous Land Rights in Australia and Canada” (2004) 42 *Osgoode Hall Law Journal* 271-301

“Challenging Legislative Infringements of the Inherent Aboriginal Right of Self-Government” (2003) 22 *Windsor Yearbook of Access to Justice* 329-61

“Culturally Modified Trees, Indian Reserves and the Crown's Fiduciary Obligations” (2003) 21 *Supreme Court Law Review* (2d) 105-38

“Reconciliation and the Supreme Court: The Opposing Views of Chief Justices Lamer and McLachlin” (2003) 2 *Indigenous Law Journal* 1-26

“Aboriginal Title on the Ground: Establishing and Protecting Occupation”, in Bruce W. Hodgins, Ute Lischke, and David T. McNab, eds., *Blockades and Resistance: Studies in Actions of Peace and the Temagami Blockades of 1988-89* (Waterloo: Wilfrid Laurier University Press, 2003), 147-56

“Aboriginal Governments and the *Charter*: Lessons from the United States” (2002) 17:2 *Canadian Journal of Law and Society* 73-105

“Self-Government and the Inalienability of Aboriginal Title” (2002) 47 *McGill Law Journal* 473-510

“Extinguishment of Aboriginal Title in Canada: Treaties, Legislation, and Judicial Discretion” (2001-2002) 33 *Ottawa Law Review* 301-46

“Aboriginal Rights in Transition: Reassessing Aboriginal Title and Governance” (2001) 31 *American Review of Canadian Studies* 317-29

“Aboriginal Title and Section 88 of the *Indian Act*” (2000) 34 *University of British Columbia Law Review* 159-94

“Aboriginal Title as a Constitutionally Protected Property Right”, in Owen Lippert, ed., *Beyond the Nass Valley: National Implications of the Supreme Court's Delgamuukw Decision* (Vancouver: The Fraser Institute, 2000), 55-75, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 292-308

“Fiduciary Obligations and Aboriginal Peoples”, in Mark R. Gillen and Faye Woodman, eds., *The Law of Trusts: A Contextual Approach* (Toronto: Emond Montgomery Publications, 2000), 807-65

“Sovereignty on the Northern Plains: Indian, European, American and Canadian Claims” (2000) 39:3 *Journal of the West* 10-18

“Legalizing Oral History: Proving Aboriginal Title in Canadian Courts”, with Lori Ann Roness, (2000) 39:3 *Journal of the West* 66-74

“The Onus of Proof of Aboriginal Title” (1999) 37 *Osgoode Hall Law Journal* 775-803, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 136-60

“Sovereignty and the Aboriginal Nations of Rupert's Land” (1999) 37 (spring/summer) *Manitoba History* 2-8

“Social Darwinism and Judicial Conceptions of Indian Title in Canada in the 1880s” (1999) 38:1 *Journal of the West* 68-76

“Aboriginal Rights in Canada: From Title to Land to Territorial Sovereignty” (1998) 5 *Tulsa Journal of Comparative and International Law* 253-98, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 58-101

“Aboriginal Title and the Division of Powers: Rethinking Federal and Provincial Jurisdiction” (1998) 61 *Saskatchewan Law Review* 431-65, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 249-80

“Aboriginal Title and Aboriginal Rights: What's the Connection?” (1997) 36 *Alberta Law Review* 117-48

“Extinguishment of Native Title: The High Court and American Law” (1997) 2 *Australian Indigenous Law Reporter* 365-70, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 409-15

“How Can Infringements of the Constitutional Rights of Aboriginal Peoples Be Justified?” (1997) 8:2 *Constitutional Forum* 33-39, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 281-91

“Co-Existence of Indigenous Rights and Other Interests in Land in Australia and Canada” [1997] 3 *Canadian Native Law Reporter* 1-18, a shorter version of which appeared as “CoExistence of Indigenous and Non-Indigenous Land Rights: Australia and Canada Compared in Light of the *Wik* Decision” (1997) 4:5 *Indigenous Law Bulletin* 4-9

“The Meaning of Aboriginal Title”, in Michael Asch, ed., *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality and Respect for Difference* (Vancouver: University of British Columbia Press, 1997), 135-54

“Aboriginal Governments and the Canadian Charter of Rights and Freedoms” (1996) 34 *Osgoode Hall Law Journal* 61-99, reprinted in Kent McNeil, *Emerging Justice? Essays on*

Indigenous Rights in Canada and Australia (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 215-48

“Racial Discrimination and Unilateral Extinguishment of Native Title” (1996) 1 *Australian Indigenous Law Reporter* 181-221, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 357-408

“The Decolonization of Canada: Moving Toward Recognition of Aboriginal Governments” (1994) 7 *Western Legal History* 113-41, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 161-83

“Envisaging Constitutional Space for Aboriginal Governments” (1993) 19 *Queen's Law Journal* 95-136, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 184-214

“Aboriginal Nations and Quebec's Boundaries: Canada Couldn't Give What It Didn't Have”, in Daniel Drache and Roberto Perin, eds., *Negotiating with a Sovereign Quebec* (Toronto: Lorimer, 1992), 107-23, expanded version in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 1-24

“The High Cost of Accepting Benefits from the Crown: A Comment on the Temagami Indian Land Case” [1992] 1 *Canadian Native Law Reporter* 40-69, reprinted in Kent McNeil, *Emerging Justice? Essays on Indigenous Rights in Canada and Australia* (Saskatoon: University of Saskatchewan Native Law Centre, 2001), 25-57

“A Question of Title: Has the Common Law Been Misapplied to Dispossess the Aboriginals?” (1990) 16 *Monash University Law Review* 91-110

“The Temagami Indian Land Claim: Loosening the Judicial Strait-Jacket”, in Matt Bray and Ashley Thomson, eds., *Temagami: A Debate on Wilderness* (Toronto: Dundurn Press, 1990), 185-221

“The Constitution Act, 1982, Sections 25 and 35” [1988] 1 *Canadian Native Law Reporter* 113

“The Constitutional Rights of the Aboriginal Peoples of Canada” (1982) 4 *Supreme Court Law Review* 255-65

Other Publications:

“Abuse of Indigenous peoples goes beyond residential schools”, *Ottawa Citizen*, 13 August 2021, online: <https://ottawacitizen.com/opinion/mcneil-abuse-of-indigenous-peoples-goesbeyond-residential-schools>

Book Review of *Indigenous Rights and Colonial Subjecthood: Protection and Reform in the Nineteenth-Century British Empire* by Amanda Nettelbeck (Cambridge: Cambridge University Press, 2019), (summer 2021) 90:3 *Pacific Historical Review* 399-400

“Pipeline protests and the rule of law”, *Vancouver Sun*, 22 February 2020, <https://vancouver.sun.com/opinion/kent-mcneil-pipeline-protests-and-the-rule-of-law/>

"Discarding Old Prejudices: Judicial Precedent and Aboriginal Title" (28 October 2019), Osgoode Legal Studies Research Paper, https://digitalcommons.osgoode.yorku.ca/conference_papers/9; SSRN: <https://ssrn.com/abstract=3502970> or <http://dx.doi.org/10.2139/ssrn.3502970>

"Indigenous and Crown Sovereignty in Canada" (24 October 2019): https://digitalcommons.osgoode.yorku.ca/all_papers/330 "Indigenous and Crown Sovereignty in Canada", https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1337&context=all_papers

“Arresting Indigenous protesters is not the way to reconciliation”, op. ed., *The Province*, 18 January 2019, online: <https://theprovince.com/opinion/op-ed/kent-mcneil-arrestingindigenous-protesters-is-not-the-way-to-reconciliation>

“The Inherent Right of Indigenous Governance”, October 2017, online: http://digitalcommons.osgoode.yorku.ca/all_papers/319

“Indigenous Sovereignty and the Legality of Crown Sovereignty: An Unresolved Constitutional Conundrum”, September 2017, online: http://digitalcommons.osgoode.yorku.ca/all_papers/320

“Developments on Aboriginal Law”, April 2016, online: http://digitalcommons.osgoode.yorku.ca/all_papers/321

“Stop wasting money fighting Aboriginals”, op. ed., *The National Post*, 21 October 2015, online: <https://nationalpost.com/opinion/kent-mcneil-stop-wasting-money-fightingaboriginals>

“Foreword”, in Ulla Secher, *Aboriginal Customary Law: A Source of Common Law Title to Land* (Oxford: Hart Publishing, 2014), vii-viii

“We Must Pay to Reconcile Aboriginal and Private Property” (April 4, 2008) *Lawyers Weekly*, 3, 15

“Foreword”, in Simon Young, *The Trouble with Tradition: Native Title and Cultural Change* (Leichhardt, N.S.W.: Foundation Press, 2008), xiii-xv

“What is the Inherent Right of Self-Government?”, online: www.fngovernance.org, October, 2006

Review of David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: University of Oklahoma Press, 2001), (2004) 43:3 *Journal of the West* 99

Review of Bruce E. Johansen, *Debating Democracy: Native American Legacy of Freedom* (Santa Fe: Clear Light Books, 1998), (2002) 41:3 *Journal of the West* 100

“Aboriginal Rights: The Legal Landscape in Canada”, in British Columbia Treaty Commission, ed., *Speaking Truth to Power III* (Vancouver: July 2002), on-line: www.bctreaty.net/files/truthtopower.html (PDF format), 34-39

Review of Stan Persky, *Delgamuukw: The Supreme Court of Canada Decision on Aboriginal Title* (Seattle: University of Washington Press, 2000), (2002) 41:2 *Journal of the West* 103
“Treaty Rights, the Indian Act, and the Canadian Constitution: The Supreme Court's 1999 Decisions” (2000) 8:1-3 *Canada Watch* 44-52

“History, Law, and Indian Claims: An Introduction”, with Jill Martin, (2000) 39:3 *Journal of the West* 8-9

“The *Delgamuukw* Decision: Respecting Aboriginal Title to Land” (October/November 1999) 1:2 *Confluences Magazine* 33-34

“Riparian Rights and ‘Lands Reserved for the Indians’: Some Constitutional Issues”, National Symposium on Water Law, Environmental Law CLE Programme, Canadian Bar Association, Toronto, April 1999

“*Delgamuukw* in Context: Judging Aboriginal Rights” (1998) 6:2 *Social Sciences and Humanities Aboriginal Research Exchange* 1, 8-10

“Aboriginal Lands and Resources: An Assessment of the Royal Commission's Recommendations” (1997) 5:5 *Canada Watch* 77-79

“Aboriginal Rights in Canada in 1996: An Overview of the Decisions of the Supreme Court of Canada” (1997) 4:2 *Indigenous Law Bulletin* 4-6, a shorter version of which appeared as “Reduction by Definition: The Supreme Court's Treatment of Aboriginal Rights in 1996” (1997) 5: 3 & 4 *Canada Watch* 60-61

“First Nation Riparian Rights and Hydraulic Development in Ontario”, in *Sovereignty*

Symposium VII: Full Faith and Credit (Tulsa: Oklahoma Supreme Court et al., 1994), Section 6, 1-10

“Commentary on ‘Adhesion to Canadian Indian Treaties and the Lubicon Lake Dispute’” (1992) 7 *Canadian Journal of Law and Society* 207-12

“Las Primeras Naciones, soberanía y derechos sobre la tierra: el legado del colonialismo británico en Norteamérica”, Taller “El Derecho comparado indígena en América”, Quito, Ecuador, Mayo 16 a 19 de 1990, 31-9

University of Saskatchewan Native Law Centre *Legal Information Service Reports*: “Indian Child Welfare - Whose Responsibility?”, 1981 “Constitutional Entrenchment of Native Rights”, 1980 “Trespass on Indian Reserves”, 1980 “Native People and the Canadian Constitution”, 1980

Reports

“Legal Pluralism in Canada”, General Congress of the International Academy of Comparative Law, Asunción, Paraguay, 23-28 October 2022

Expert Report on Aboriginal Title at Common Law, *The Maya Leaders Alliance et al. v. Attorney General of Belize*, Supreme Court of Belize, May 6, 2009

Expert Report on Aboriginal Title at Common Law, *Maya Village of Santa Cruz v. Attorney General of Belize*, Supreme Court of Belize, June 6, 2007

“The Inherent Right of Self-Government: Emerging Directions for Legal Research”, a research report prepared for the National Centre for First Nations Governance, West Vancouver, B.C., November, 2004, 35 pp., available online:
<http://fngovernance.org/pdf/KentMcNeilInherent0105.pdf>.

“Exclusive Occupation and Joint Aboriginal Title”, a research report prepared for the Hul’qumi’num Treaty Group, Ladysmith, B.C., July, 2003, 24 pp.

“The Inherent Rights of First Nations to Self-Determination and Self-Government”, a research report prepared for the Assembly of Manitoba Chiefs, June, 2003, 28 pp.

“Section 35 Protection of the Manitoba First Nation Self-Government Agreement”, a research report prepared for the Assembly of Manitoba Chiefs, April, 2003, 29 pp.

“Treaty Settlement Land Title and Jurisdiction: Legal and Constitutional Issues”, a research report prepared for the British Columbia First Nations Summit Constitutional Issues Secretariat, November, 2002, 21 pp.

“Section 91(24) Powers, the Inherent Right of Self-Government, and Canada's Fiduciary Obligations”, a research report prepared for the Assembly of First Nations, Office of the B.C.

Regional Vice-Chief, August, 2002, in *Canadian Aboriginal Law 2002 Conference Materials*, Ottawa, December 5-6, 2002 (Vancouver: Pacific Business & Law Institute, 2002)

“The Implications of Parliament's Exercise of Section 91(24) Powers for the Inherent Right of Self-Government”, a research report prepared for the Assembly of First Nations, Office of the B.C. Regional Vice-Chief, August, 2002, 38 pp.

Expert Report on the Acquisition of Territorial Sovereignty in International Law and British Imperial Law, *Ochapowace First Nation Tax Case*, Melville, Sask., June 4, 2002, 28 pp.

“The Lands and Trust Services Initiative: Its Potential Impact on the Federal Government's Fiduciary Obligations”, Part I (August, 1998: 64 pp.), Part II (December, 1999: 67 pp.), Appendix (June, 2000: 34 pages), a research report prepared for the Assembly of First Nations, Ottawa

“Aboriginal, Treaty and Riparian Rights in the Moose River Basin: The Potential Impact of the Ontario Hydraulic Plan”, with Patrick Macklem, a research report prepared for the Moose River/James Bay Coalition, October, 1992, 143 pp.

Teaching Materials

“Aboriginal Peoples and the Canadian Constitution”, with Shin Imai, Part-Time LL.M. Program in Constitutional Law, 2003

"Aboriginal Peoples and the Canadian State", 1997

“Aboriginal Peoples and the Constitution: Treaties and Land Claims Agreements”, Part-Time LL.M. Program in Constitutional Law, 1998

“First Nations and the Law Cases and Materials”, originally “Native Rights Cases and Materials”, 1987, revised 1988, 1989, 1990, 1992, 1994, 2000, 2001, 2003

“First Nations and the Law: Supplementary Materials”, 1996

“Issues in Constitutional History”, 1991, with Justice Walter Tarnopolsky, revised 1993, 1997

“Property Supplementary Materials”, 1988, revised 1989, 1991, 1993, 1994 (with Professor Eric Tucker), 1996, 1997, 2000, 2004, 2006

“Trusts Supplementary Materials”, 1996, revised 1997

Work in Progress

Indigenous sovereignty and European colonization of western North America: Implications for self-government

Editorial Positions

Editor-in-Chief, Osgoode Hall Law School, 2010-11

Member, Advisory Council, *Australian Indigenous Law Reporter*, University of New South Wales Indigenous Law Centre, 1996-

Member, Editorial Advisory Board, *Journal of the West*, 2001-2004

Guest Editor, (2000) 39:3 *Journal of the West*, on “History, Law, and Indian Claims”, with Jill Martin

Contributing Editor, *Canadian Native Law Reporter*, University of Saskatchewan Native Law Centre, 1980-82

Seminar and Conference Presentations

“Shared Sovereignty in North America: From European Contact to the UN Declaration on the Rights of Indigenous Peoples”, University of Saskatchewan College of Law, 13 October 2022

“British Colonial Law, Indigenous Rights, and the Declaratory Theory”, British Legal History Conference, Belfast, Northern Ireland, 6-9 July 2022, and Global Law and Society Conference, Lisbon, Portugal, 13-16 July 2022

“Shared Indigenous, American, and Canadian Sovereignty”, Yale University Law School, 9 March 2022

“Procedural Injustice: Indigenous Claims, Limitation Periods, and Laches”, University of Victoria Faculty of Law, 2 November 2021

“Application of Statutes of Limitations to Indigenous Claims”, panellist presentation to the Indigenous Bar Association, online, 12 November 2021

“Indigenous Land and Resource Rights in British Columbia”, Supreme Court of British Columbia Education Seminar, Vancouver BC, 12-13 November 2020

“Discarding Old Prejudices: Judicial Precedent and Aboriginal Title”, Law Foundation of Saskatchewan Lecture, University of Saskatchewan College of Law, October 28, 2019

“Indigenous Voice, Cultural Appropriation, and the Place on Non-Indigenous Academics”. Workshop organized and co-chaired with Professor John Borrows, University of Saskatchewan College of Law, October 3-4, 2019

“Aboriginal Title, the *St. Catherine’s Case*, and Judicial Precedent: Discarding the Prejudices and Assumptions of the Past”, Thompson Rivers University, Kamloops, BC, November 22, 2017

“Indigenous Rights, Resource Development, and the Duty to Consult”, Canadian Bar Association, Calgary, Alberta, October 24, 2017

“Indigenous Rights and Energy Development”, University of Calgary Faculty of Law, October 23, 2017

“The Inherent Right of Indigenous Governance”, Transitional Governance Project - Think Tank, Carleton University, Ottawa, October 3-5, 2017

“Indigenous Sovereignty and the Legality of Crown Sovereignty: An Unresolved Constitutional Conundrum”, Reconciliation/Wahkohtowin Conference, University of Alberta, Edmonton, September 21-23, 2017

“Indigenous Rights and Resource Development in Canada”, Annual Conference of the Western Social Sciences Association, San Francisco, California, April 12-15, 2017

“The Factual Basis for Native/Aboriginal Title”, 2016 Conference of the Law and Society Association of Australia & New Zealand, Brisbane, Australia, Nov. 30 to Dec. 3, 2016

“Recent Developments in Aboriginal Title Law in Canada: *Tsilhqot’in Nation v. British Columbia* (SCC 2014) and Its Impact”, University of Southern Queensland, Toowoomba, Oct. 5, 2016; Queensland Supreme Court, Brisbane, sponsored by University of Queensland TC Bernie School of Law, Oct. 6, 2016; University of Melbourne Law School, Oct. 25, 2016; University of New South Wales Law School, Nov. 3, 2016; University of Auckland Law School, Nov. 14, 2016; University of Canterbury School of Law, Nov. 29, 2016

“Developments on Aboriginal Title”, IMPACT Justice Conference on Indigenous Peoples of the Caribbean, Belize City, Belize, April 27-29, 2016

“La relativité de la souveraineté *de jure* au Canada, 1600-2016”, une conférence offerte dans le cadre du colloque Les souverainetés indigènes: Royautés, principautés, républiques et empires autochtones dans les mondes atlantiques (Amériques et Afrique, XVe-XIXe siècles), Université de Nantes, 24-26 mars 2016

“Indigenous Governance and Aboriginal Title: Identifying the Holders of Authority and Rights”, conference on Determining Access: Theory and Practice in Implementing Indigenous Governance over Lands and Resources, Thompson Rivers University and the Interior Alliance, Kamloops, B.C., February 15-16, 2016

“Indigenous and Crown Sovereignty in North America”, Symposium on Resurgence and Reconciliation, University of Victoria, September 18-19, 2015

“Indigenous Land Rights in Canada: The Supreme Court Accepts a Territorial Approach to Historical Occupation”, International Conference of Historical Geographers, Royal Geographical Society, London UK, July 5-10, 2015

“Aboriginal Title, Treaties, and North American Natural Resource Development”, Seventeenth Institute for Natural Resources Law Teachers, University of Utah, Salt Lake City, May 27-29, 2015

“Aboriginal Title and the Provinces after *Tsilhqot’in Nation*”, 2014 Constitutional Cases Conference, Osgoode Hall Law School, York University, April 10, 2015

“The Unity of the Crown, Division of Powers, Interjurisdictional Immunity, and Section 88 of the *Indian Act*”, conference on Between *Keewatin* and *Tsilhqot’in*: Reflections from the Centre of Turtle Island, University of Manitoba Faculty of Law, November 21 and 22, 2014

“*Tsilhqot’in Nation v. British Columbia*: Overview and Outstanding Issues”, Supreme Court of British Columbia Education Seminar, Vancouver, British Columbia, November 13, 2014

“The *Tsilhqot’in Nation* Decision: How Does It Change the Law?”, Thompson Rivers University, Kamloops, British Columbia, November 12, 2014

“The Obsolete Theory of Crown Unity in Canada and Its Relevance to Indigenous Claims”, Osgoode Constitutional Law Society, panel on The Crown, First Nations, and Justice: The Interplay Between the Crown and Aboriginal Peoples, Osgoode Hall Law School, 29 October 2014

“Aboriginal Title and Crown Title: The Current Relationship”, Affinity Institute Conference on The SCC *Tsilhqot’in* Decision: Significance, Implications, and Practical Impact, Vancouver BC, 26 September 2014

“The Test for Aboriginal Title in 2014: Defining the Legal Requirements”, Affinity Institute Conference on The SCC *Tsilhqot’in* Decision: Significance, Implications, and Practical Impact, Vancouver BC, 26 September 2014

“The *Tsilhqot’in Nation* Case: What’s at Stake?”, Osgoode Hall Law School, Toronto, October 22, 2013

“Law and History Revisited”, Indigenous Bar Association Annual Conference, Rama, Ontario, October 7-9, 2013

“Aboriginal Title in Canada: Site-Specific or Territorial?”, Law on the Edge Conference, Canadian Law and Society Association/Law and Society Association of Australia and New Zealand, University of British Columbia, July 1-4, 2013

“The Duty to Consult: The Constitutional Framework and Big Picture”, The Commons Institute, “Aboriginal Law and Resource Development: Treaties, Certainty, and Consultation”, Toronto, December 13, 2012

“The Relevance of Indigenous Law to Aboriginal Title”, CLE BC conference on Indigenous Legal Orders and the Common Law, Vancouver, B.C., November 15-16, 2012

“Aboriginal Rights in Canada: The Historical and Constitutional Context”, International Association of Law Libraries Annual Conference, Toronto, October 1, 2012

“The Importance of Historical Boundaries for Present-Day Indigenous Rights: A Canadian Case Study”, International Conference of Historical Geographers, Prague, Czech Republic, August 6-10, 2012

“The Meaning of Sovereignty”, Indigenous Peoples and Governance Conference, How to Break Out of Colonialism?, Montreal, April 18-20, 2012

“Indigenous Land Rights and Self-Government: Inseparable Entitlements”, Between Indigenous & Settler Governance Conference, Centre for Citizenship and Public Policy, University of Western Sydney, Bankstown NSW, August 18-20, 2011

“The Legal Relativity of Crown Sovereignty in Western Canada”, Hugh M. Ketcheson Q.C. Memorial Lecture Series, Ministry of the Attorney General of Saskatchewan, Regina, February 1, 2011

“Aboriginal Rights in Canada: The Legal and Constitutional Context”, Third Age Learning, Kitchener-Waterloo, January 20, 2011

“Reconciliation and Third Party Rights: *Tsilhqot'in Nation v. British Columbia*”, University of Toronto Faculty of Law, March 31, 2010

“Conflicting Sovereignities: Factual and Normative Approaches in North America”, Group on Indigenous Governance, University of Toronto, November 20, 2009

“The Distinction Between *De Facto* and *De Jure* Sovereignty, and the Significance of the Distinction for Historical Geography”, 14th International Conference of Historical Geographers, Kyoto University, Japan, August 23-27, 2009

“Judicial Treatment of Indigenous Land Rights in the Common Law World”, Third Annual Indian Law Clinics and Externship Programs Symposium, Isleta Pueblo, New Mexico, June 7-9, 2009

“The Next Decade”, with Andrew Saranchuk, Aboriginal Law Seminar, National Judicial Institute, Toronto, April 26-28, 2009, St. John's, April 20-22, 2005, and Halifax, November 24-26, 2004

“The Unique Dimensions of Aboriginal Land Rights in the United States and Canada”, conference on The Public Nature of Private Property, Georgetown University Law School, Washington D.C., November 14-15, 2008

“*De Facto Versus De Jure* Sovereignty: Re-assessing European Assertions of Title to Territory in North America”, Indigenous Peoples and Governance Mid-Term Conference, Montreal, Oct. 10-11, 2008

“The Jurisdiction of Inherent Right Aboriginal Governments”, National Centre for First Nations Governance, Annual General Meeting of the National Members Council, Wendake, Quebec, July 20, 2008

“Factual and Legal Sovereignty in North America: Indigenous Realities and European Pretensions”, New Worlds, New Sovereignities: A Cross-Community Interdisciplinary International Conference, University of Melbourne, Australia, June 6-9, 2008

“Indigenous Self-Government in Canada and Australia”, Australians for Native Title and Reconciliation (Victoria), University of Melbourne, Australia, June 5, 2008

“Recent Developments in the Canadian Law of Aboriginal Title”, Native Title Conference, Perth, Australia, June 3-5, 2008

“Judicial Approaches to Self-Government”, Ontario Legal Contacts Group, Ministry of Aboriginal Affairs, Toronto, Ontario, April 23, 2008

“Third Party Interests and Reconciliation”, conference on “The *Tsilhqot’in* Case: Implications and Strategies”, Westbank First Nation, Westbank, B.C., March 12-13, 2008

“The Significance of *Tsilhqot’in Nation v. British Columbia*”, conference on “*Tsilhqot’in First Nation v. British Columbia*: The Immediate Impact and Next Steps”, Pacific Business and Law Institute, Vancouver, B.C., March 4-5, 2008

“Aboriginal Title and Private Property Rights: Can They Be Reconciled?”, conference on “Rights, Developments and Transitional Justice”, Osgoode Hall Law School, York University, Toronto, February 21-22, 2008

“Exercising Inherent Aboriginal Rights to Self-Government in Canada”, conference on Implementing the U.N. Declaration on the Rights of Indigenous Peoples, Squamish First Nation, North Vancouver, February 19-20, 2008

“First Nations Jurisdiction: Self-Government Rights over Traditional Territories”, National Centre for First Nations Governance session at Metepenagiag, New Brunswick, October 16-17, 2007

“Has Constitutional Recognition of Aboriginal Rights Adversely Affected Their Definition?”, with David Yarrow, conference on “A Living Tree: The Legacy of 1982 in Canada’s Political Evolution”, Saskatchewan Institute on Public Policy, University of Regina, May 23-25, 2007

“Aboriginal Rights and Title: An Overview”, Aboriginal Rights and Title Conference, Shuswap Nation Tribal Council, Kamloops, B.C., February 1-2, 2007

“Indigenous Sovereignty and the Legal Relativity of European Claims to Sovereignty in North America”, Indigenous Law Journal Conference on “Indigenous Law and Legal Systems: Recognition and Revitalization”, University of Toronto, January 26-27, 2007

“Creating Space for Indigenous Governments in Canada’s Federal Structure”, conference on “Federalism and the Rights of Indigenous Peoples: Comparative Perspectives and Strategies”, University of Hawaii, January 9-11, 2007

“What is the Inherent Right of Self-Government?”, Governance Development Forum, Hul’qumi’num Treaty Group and the National Centre for First Nations Governance, Parksville, B.C., October 3, 2006

“Indigenous Sovereignty, Euro-American Colonialism, and the Creation of Boundaries in North America in the 18th and 19th Centuries”, 13th International Conference of Historical Geographers, Hamburg, Germany, August 20-24, 2006

“Aboriginal Sovereignty and American and Canadian Claims to the Pacific Northwest: A Jurisprudential Assessment”, Indigenous Peoples and Governance Conference, Mnjikaning First Nation, Rama, Ontario, June 28-30, 2006

“Why Does the Type of Tenure Matter?”, conference on “Making or Breaking the Treaty Process: The Constitutional Status of Treaty Settlement Land”, Westbank First Nation, Westbank, B.C., May 30, 2006

“Aboriginal Rights and Title Overview”, Supreme Court of British Columbia Education Seminar, National Judicial Institute, Victoria, B.C., May 24-26, 2006

“Aboriginal Title and the Supreme Court: What’s Happening?”, Saskatchewan Law Review Lecture, Saskatoon, October 24, 2005

“Indian Sovereignty, Manifest Destiny, and the Doctrine of Discovery”, Western History Association’s 45th Annual Conference, Scottsdale, Arizona, October 12-15, 2005

“Historical Introduction: First Nation/Crown Relations”, Federal Court Education Seminar, National Judicial Institute, Montebello, Quebec, September 14-16, 2005

“Self-Government in Action: Acknowledgement of Indigenous Legal Traditions by Canadian

Courts”, Law’s Empire, Canadian Law and Society Annual Conference, Harrison Hot Springs, B.C., June 25-29, 2005

“The Crown’s Fiduciary Obligations: The Aboriginal/Crown Relationship Applied to Historic Treaties and Statutes”, Indian Claims Commission, Ottawa, May 31 and September 30, 2005

“Federal Jurisdiction over ‘Lands reserved for the Indians’”, Mohawk Council of Kahnawake Conference, Vaudreuil, Quebec, May 24-26, 2005

“Negotiated Sovereignty: Indian Treaties and the Acquisition of American and Canadian Territorial Sovereignty in the Pacific Northwest”, conference on “Pacific Northwest Indian Treaties in National and International Historical Perspective”, Seattle, WA, May 13-14, 2005

“Aboriginal Rights, Resource Development, and the Duty to Consult: Haida and Taku River”, 2004 Constitutional Cases, Osgoode Hall Law School, Toronto, April 15, 2005

“Judicial Interpretations of the Inherent Right of Aboriginal Self-Government: Searching for Coherence”, University of Alberta Faculty of Law, Edmonton, March 9, 2005

“Aboriginal Title and Self-Government”, Rebuilding Our Nations, Mi’kmaq Confederacy of PEI, Summerside, March 1-2, 2005

“Crown Lands or Aboriginal Lands? Hidden Constitutional Issues in *Haida* and *Taku River*”, Impact of the *Haida* and *Taku River* Decisions: Consultation and Accommodation with First Nations, Pacific Business and Law Institute, Vancouver, B.C, January 26-27, 2005

“Lessons from Canadian Law on Aboriginal Title to the Foreshore and Seabed”, Foreshore and Seabed: The New Frontier, Victoria University of Wellington, New Zealand, December 10, 2004

“The Inherent Aboriginal Right of Self-Government in Canada”, Quentin-Baxter Memorial Lecture, Victoria University of Wellington, New Zealand, December 9, 2004

“Self-Government and the Crown’s Fiduciary Obligations”, Canadian Aboriginal Law 2004, Pacific Business and Law Institute, Ottawa, November 17-18, 2004, also presented at Aboriginal Law Update, Pacific Business and Law Institute, Vancouver, B.C., January 28, 2005

“Acquisition of Crown Sovereignty in Canada”, Federal/Provincial/Territorial Aboriginal Law Conference, Toronto, November 5, 2004

“The Legality of Aboriginal and Crown Sovereignty in Canada”, University of Victoria Colloquium on Political and Legal Theory, October 1, 2004

“Negotiated Sovereignty: A Reassessment of the Treaty Relationships in the Prairie West”, Ninth Annual International Wanapitei Aboriginal History and Politics Colloquium, Lake Temagami, Ontario, September 23-26, 2004

“Aboriginal Autonomy and the Crown’s Fiduciary Obligations”, Canadian Bar Association’s 2004 Canadian Legal Conference and Expo, Winnipeg, August 15-17, 2004

“Fort Laramie, and the Extension of American Sovereignty to the North Platte”, Symposium on “Fort Laramie: Crossroads of the West”, Fort Laramie, Wyoming, August 6-8, 2004

“The Geographical Extent of French Louisiana at the Time It Was Purchased by the United States in 1803”, 30th Annual Conference of the French Colonial Historical Society, Washington D.C., May 5-8, 2004

“Federal Responsibility for Aboriginal Peoples: Historical Roots”, Pacific Business and Law Institute Conference on “New Directions: Canada’s Responsibility for Aboriginal Peoples”, Ottawa, April 28-29, 2004

“Inherent Right Strategy: Directions for Legal Research”, First Nations Governance Centre Think-Tank, Vancouver, March 30-31, 2004, also presented at the First Nations Governance Centre Youth Think Tank, Calgary, October 4-5, 2004

“The Nature and Proof of Aboriginal Title”, Department of Justice, Aboriginal Law and Strategic Policy, Ottawa, March 1, 2004

“Aboriginal Self-Government and the *First Nations Governance Act*”, Association for Canadian Studies in the United States 17th Biennial Conference, Portland, Oregon, November 19-23, 2003

“Infringement of the Aboriginal Peoples’ Inherent Right of Self-Government by the Parliament of Canada, 1867-1982”, American Society for Legal History Annual Meeting, Washington, D.C., November 13-15, 2003

“The Oregon Boundary Question: American and British Pretensions versus Indian Sovereignty”, Western History Association Annual Conference, Fort Worth, Texas, October 8-11, 2003

“British Acquisition of Sovereignty in Western Canada”, public lecture, University of Calgary Faculty of Law, September 18, 2003

“The Sources and Content of Indigenous Land Rights in Australia and Canada: A Critical Comparison”, conference on “Delgamuukw, Mabo, and Ysleta: Native Title in Canada, Australia, and the United States”, University of Calgary, September 18-20, 2003

“How Does the *Charter* Affect First Nation Governments?”, Canadian Aboriginal Law Conference, Pacific Business and Law Institute, Ottawa, September 10-11, 2003

“The Historic Indian Treaties in Canadian Domestic Law”, Nunavut Land Claim Workshop, Akitsiraq Law School, Nunavut Tunngavik Inc. and the Government of Nunavut, Iqaluit, September 9, 2003

“Indian Sovereignty and American and British Claims in the Pacific Northwest: The Oregon Boundary Dispute”, American Historical Association Pacific Coast Branch 96th Annual Meeting, Honolulu, Hawaii, July 31- August 3, 2003

“Indian and American Sovereignty over the Missouri Watershed at the Time of the Lewis and Clark Expedition”, A Confluence of Cultures: Native Americans and the Expedition of Lewis and Clark, International Conference, University of Montana, Missoula, May 28-30, 2003

“What Have We Learned?”, Aboriginal Ownership and Management of Resources in Canada: An Analysis of Litigation and Negotiation, Canadian Bar Association National Conference, Halifax, April 25-26, 2003

“Indian Lands, Culturally Modified Trees, and the Crown's Fiduciary Obligations”, 2002 Constitutional Cases Conference, Osgoode Hall Law School, Toronto, April 3-4, 2003

“The Courts and Oral Tradition”, with Justice Mary Ellen Turpel-Lafond, Aboriginal Law Seminar, National Judicial Institute, Calgary, January 23-25, 2003

“The Next Decade: Constitutional Issues”, with John Borrows, Aboriginal Law Seminar, National Judicial Institute, Calgary, January 23-25, 2003

“Aboriginal Governments and the Charter: Lessons from the United States”, Canadian Aboriginal Law 2002 National Forum, Pacific Business and Law Institute, Ottawa, December 5-6, 2002

“Would the Proposed *First Nations Governance Act* Extinguish or Infringe the Inherent Right of Self-Government?”, Canadian Aboriginal Law 2002 National Forum, Pacific Business and Law Institute, Ottawa, December 5-6, 2002

“Aboriginal Self-Government and the Constitution of Canada”, Aboriginal Law Forum, Insight Information, Toronto, December 2-3, 2002

“Was the Missouri Watershed Part of the United States in 1804-1806?”, Conference on Lewis and Clark: The Unheard Voices, Pennsylvania State University, November 14-16, 2002

“Whose Law Is It, Anyway? Aboriginal Rights and Canadian Courts”, Distinguished Visitor Lecture, University of Manitoba Faculty of Law, September 26, 2002

“Outstanding Issues in Aboriginal Rights”, Legal Studies Seminar, University of Manitoba Faculty of Law, September 26, 2002

“Governmental Infringement of Aboriginal Resource Rights”, Law and Society Association Annual Meeting, Vancouver, B.C., May 30- June 1, 2002

“Constitutional and Governance Implications of Different Options for Holding Treaty Settlement Land”, Conference on Aboriginal Self-Government: What Does It Mean in Practice?, Canadian Bar Association, Victoria, B.C., April 27-28, 2002

“Should the Charter of Rights and Freedoms Apply to Aboriginal Governments?”, Charter at Twenty Conference, York University, Toronto, April 13, 2002, also presented as “Application of the Canadian Charter to First Nation Governments: Lessons from the United States”, Conference on Aboriginal Self-Government: What Does It Mean in Practice?, Canadian Bar Association, Victoria, B.C., April 27-28, 2002

“Reconciliation and the Supreme Court: The Opposing Views of Chief Justices Lamer and McLachlin”, A Just and Lasting Reconciliation: First Nations Government, University of Victoria and Assembly of First Nations (B.C.), Vancouver, March 19-22, 2002

“Aboriginal Rights: The Legal Landscape in Canada”, keynote address, Speaking Truth to Power III: Self-Government, Options and Opportunities, BC Treaty Commission, Vancouver, March 14-15, 2002

“Emerging Justice?”, public presentation, McNally Robinson Bookstore, Saskatoon, February 19, 2002

“Constitutional Recognition of Aboriginal and Treaty Rights in Canada: Has It Made a Difference?”, Canada-U.S. Relations Conference, Texas A & M University, College Station, November 13, 2001

“Locating Boundaries: The Interplay of Law, History and Geography”, 11th International Conference of Historical Geographers, Quebec City, August 12-18, 2001

“The Inalienability of Aboriginal Title”, Philosophy and Aboriginal Rights: Critical Dialogues Conference, University of Winnipeg, June 22-25, 2001

“How Can Infringements of Aboriginal and Treaty Rights be Justified?”, Aboriginal Law Seminar, National Judicial Institute, Saskatoon, May 9-11, 2001

“Options for Asserting Aboriginal Rights”, featured speaker at the B.C. Continuing Legal Education 2nd Annual Aboriginal Law Conference, Vancouver, March 9, 2001

“The Vulnerability of Indigenous Land Rights in Canada and Australia”, Property Rights in the Colonial Imagination and Experience: A Colloquium in Comparative Legal History, Victoria, Feb. 22-24, 2001

“Equality, the Constitution, and the First Nations of Canada”, Middle Atlantic and New England Council for Canadian Studies Biennial Conference, Plymouth, MA, October 19-22, 2000

“The Relevance of Traditional Laws and Customs to the Existence and Content of Native Title at Common Law”, Osgoode Indigenous Rights Colloquium, Toronto, October 16, 2000

“How the New Deal Became a Raw Deal for Native Americans: The *Tee-Hit-Ton* Alaska Decision and the Denial of Fifth Amendment Protection to Indian Land Title”, Western History Association 40th Annual Conference, San Antonio, Texas, October 11-14, 2000

“*Delgamuukw* and the Treaty Right to Shelter”, Federation of Saskatchewan Indian Nations Treaty Forum on Shelter, Saskatoon, September 5-7, 2000

“The *Delgamuukw* Decision and Treaty Rights”, Treaty 5 Adhesion Gathering, “Exercising Our Sacred Treaty Obligations”, Red Sucker Lake, Manitoba, May 24-26, 2000

“The *Delgamuukw* Decision: An Overview”, Supreme Court of British Columbia Annual Meeting, Kelowna, B.C., May 4, 2000

“Treaty Rights, the *Indian Act*, and the Canadian Constitution”, Conference on 1999 Constitutional Cases: An Analysis of the 1999 Constitutional Decisions of the Supreme Court of Canada, Osgoode Hall Law School, York University, Toronto, April 7, 2000

“The Lands and Trust Services Initiative: Its Potential Impact on the Federal Government's Fiduciary Obligations”, Part II, AFN/INAC Think Tank on the Fiduciary Relationship, Ottawa, March 9-10, 2000

“Aboriginal Land Rights: *Delgamuukw v. British Columbia*”, Encounter Canada Conference: Aboriginal Rights and Treaty Rights”, McLaughlin College, York University, Toronto, March 2, 2000

“The Onus of Proof of Aboriginal Title”, Assembly of First Nations Workshop on the *Delgamuukw* Decision, November 12, 1999, Vancouver; Assembly of First Nations/Atlantic Policy Congress of First Nation Chiefs, Conference on “Looking Forward: Treaty Implementation”, St. John's, February 1-3, 2000

“New Directions in Aboriginal Rights: Reassessing Aboriginal Title and Governance”, 15th Biennial Conference of the Association for Canadian Studies in the United States, Pittsburgh, PA, November 17-19, 1999

“Aboriginal Title on the Ground: Establishing and Protecting Present Occupation”, Blockades and Resistance: Aboriginal History/Politics Colloquium, Wanapitei, Lake Temagami, Ontario, August 26-29, 1999

“The *Delgamuukw* Case”, Quebec Claims Research Workshop, Territory of Kahnawake, June 8-9, 1999

“Aboriginal Title as a Constitutionally Protected Property Right”, The *Delgamuukw* Case: Aboriginal Land Claims and Canada's Regions, a Fraser Institute Conference, Ottawa, May 26-27, 1999

“Riparian Rights and ‘Lands Reserved for the Indians’: Some Constitutional Issues”, National Symposium on Water Law, Environmental Law CLE Programme, Canadian Bar Association, Toronto, April 9-10, 1999

“The Lands and Trust Services Initiative: Its Potential Impact on the Federal Government's Fiduciary Obligations”, AFN/INAC Think Tank on the Fiduciary Relationship, Ottawa, March 17-18, 1999

“Indian Claims in Canadian Courts: The Legalization of Oral Histories”, with Lori Ann Roness, 42nd Annual Missouri Valley History Conference, Omaha, Nebraska, March 11-13, 1999

“*Delgamuukw*: Changing the Legal Landscape?”, Conference on “*Delgamuukw*: One Year After”, Victoria, B.C., Feb. 18-19, 1999

“Self-Government and the Fiduciary Relationship”, Self-Government Conference, Tri-Partite Forum, Dalhousie University, Halifax, N.S., Oct. 19, 1998

“Sovereignty on the Northern Plains: Indian, European, American and Canadian Claims”, Thirty-Third Annual Northern Great Plains History Conference, Sioux Falls, South Dakota, Oct. 1-3, 1998

“Aboriginal Peoples and the Application of English Law in Rupert's Land: Implications for Aboriginal Sovereignty”, Rupert's Land Colloquium 1998, Centre for Rupert's Land Studies at the University of Winnipeg, June 4-7, 1998

“Judging Cultures: Aboriginal Rights in Canada in the 1990s”, Western Social Science Association 40th Annual Conference, Denver, Colorado, April 15-18, 1998

“Defining Aboriginal Title in the 90's: Has the Supreme Court Finally Got It Right?”, Roberts Lecture in Canadian Studies, York University, Toronto, March 25, 1998

“Aboriginal Title and Federalism: Setting Jurisdictional Limits”, Conference on “‘We Are All Here to Stay’: The *Delgamuukw* Judgment”, Victoria, B.C., January 26, 1998

“The Concept of Title in Canadian Aboriginal Land Rights”, Sovereignty Symposium X, Tulsa, Oklahoma, June 9-11, 1997

“Taking Aboriginal Title Seriously”, Conference on “Calling People Together: Beyond the RCAP Report”, Victoria, B.C., February 3-5, 1997

“Social Darwinism and Judicial Conceptions of Indian Title in Canada in the 1880s”, Western History Association Annual Conference, Lincoln, Nebraska, October 4, 1996

“Les Droits des Peuples Autochtones au Canada”, Public Lecture, Faculté de Droit et de Science Politique d'Aix-Marseille, Aix-en-Provence, France, May 7, 1996

“Extinguishment of Native Title: The Down-side of the *Mabo* Decision”, Faculty Seminar, Monash University Faculty of Law, Melbourne, VIC, July 18, 1995

“Constitutional Protection of Indigenous Rights in Canada”, Northern Territory University Faculty of Law Symposium on “Aboriginal Rights after Statehood: A Matter for a Constitution”, Darwin, N.T., June 28, 1995

“The Boundaries of Native Title”, Faculty Seminar, Northern Territory University Faculty of Law, Darwin, N.T., June 21, 1995

“Possessory Native Title and Extinguishment in Australian Law”, Staff Seminar, Cape York Land Council, Cairns, QLD, May 29, 1995

“Native Title and Extinguishment”, Foundation for Aboriginal and Islander Research Action Native Title Conference, Brisbane School of the Arts, Brisbane, QLD, May 11, 1995

“Constitutional Entrenchment of Aboriginal Rights in Canada: Section 35 of the *Constitution Act, 1982*”, University of Western Australia Law School, Perth, W.A., April 5, 1995

“The Crown's Fiduciary Obligations to the Indigenous Peoples of Canada”, Public Lecture, Murdoch University School of Law, Perth, W.A., April 4, 1995

“Constitutional Entrenchment of Aboriginal and Treaty Rights”, Public Lecture, Flinders University School of Law, Adelaide, S.A., March 28, 1995

“Extinguishment of Native Title”, Faculty Seminar, University of New South Wales Faculty of Law, Sydney, N.S.W., March 21, 1995

“The Meaning of Aboriginal Title in Canada”, Faculty of Law, University of Auckland, November 29, 1994, and School of Law, University of Waikato, Hamilton, N.Z., December 8, 1994

“The Meaning of Aboriginal Title: From Judicial Confusion to Territorial Recognition”, Faculty of Law, University of Victoria, September 8, 1994

“First Nation Riparian Rights and Hydraulic Development in Ontario”, Sovereignty Symposium VII, Tulsa, Oklahoma, June 6-9, 1994

“Aboriginal Self-Determination and the Charter”, faculty seminar, Osgoode Hall Law School, York University, November 19, 1993

“The Decolonization of Canada: Moving Towards Recognition of First Nation Governments”, Research Committee on Comparative Judicial Studies, International Political Science Association, Santa Fe, New Mexico, August 1-4, 1993

“Aboriginal Peoples and Constitutional Reform in Canada”, Seminario-Taller “Derecho Indigena: Derecho Alternativo”, Instituto de Estudios Sociales y Instituto Latinoamericano de Servicios Legales Alternativos, Universidad de Guadalajara, Guadalajara/Chapala, Mexico, October 28-31, 1992

“First Nation Sovereignty in North America”, Canadian Association for Latin American and Caribbean Studies Annual Conference, York University, October 13, 1990

“Taking First Nation Rights Seriously”, Learned Societies, Law and Society Sessions, University of Victoria, May 30, 1990

“Unravelling the Judicial Strait-jackets that Bind Aboriginal Land Rights in Ontario”, Institute of Northern Ontario Research and Development, Laurentian University, October 21, 1989

“The Constitution Act, 1982, Sections 25 and 35”, Banff Centre School of Management, November 26, 1987

“Common Law Aboriginal Title”, University of Toronto Faculty of Law, December 8, 1986

“Canada's Constitutional Obligations to Native Peoples in the North-Western Territory and Rupert's Land”, University of Saskatchewan College of Law, November 13, 1981

Other Conference and Workshop Participation

“Indigenous law-making from the perspective of the Canadian Constitution and common law”, virtual think-tank on “Law Making for Nation Rebuilding in Support of the Upper Nicola First Nation”, 10 May 2022

Panellist, “What the Heck Happened in Canada?”, on the so-called “Freedom Convoy” in Ottawa and at some border crossings, Yale University, February 18, 2022

Speaker, “Resource Development and the Duty to Consult in Canada”, Indigenous-Settler Development Relations Internship Program, University of Toronto, Sept. 28, 2017

Chair, panel on “Jurisdictional Frictions and the Horizon of Indigenous Sovereignty”, Native American and Indigenous Studies Association Convention, Honolulu, HI, May 18-21, 2016

Panellist, public forum on *Tsilhqot’in v. British Columbia*, Williams Lake campus of Thompson Rivers University, November 10, 2014

Moderator, panel on “Aboriginal Issues”, conference on 2010 Constitutional Cases, Osgoode Hall Law School, Toronto, April 15, 2011

Commentator on panel on “The Aboriginal Rights of the Métis and the Doctrine of Interjurisdictional Immunity”, conference of Crown-Métis Relations: Section 91(24) of the *Constitution Act, 1867*, Winnipeg, February 5-7, 2006

Commentator on panel on “Droits ancestraux et structures politiques contemporains”, Colloque Autochtonie et Gouvernance, Montréal, October 21-22, 2004

“The Inherent Right of Self-Government: Emerging Directions for Legal Research”, First Nations Governance Centre Youth Think-Tank, Calgary, October 4-5, 2004

Panellist on “Using Recent S.C.C. Decisions in Jurisdictional Disputes”, Canadian Aboriginal Law 2003, Pacific Business and Law Institute, Ottawa, September 10-11, 2003

Resource person, Aboriginal Law Seminar, National Judicial Institute, Calgary, January 23-25, 2003

Chair, Panel on “Islands of Law: Legal Geographies of In/Exclusion”, Law and Society Association Annual Meeting, Vancouver, B.C., May 30- June 1, 2002

Resource person on “Reconciliation and Aboriginal Land Rights”, A Just and Lasting Reconciliation: First Nations Government, University of Victoria and Assembly of First Nations (B.C.), Vancouver, March 19-22, 2002

Participant and resource person, Treaty Justice Symposium, Office of the Treaty Commissioner, Saskatoon, December 11-13, 2001

Presenter and resource person, Walpole Island First Nation Workshop on Aboriginal Title, Walpole Island, Ontario, April 11, 2001

Panellist on “Contemporary Struggles, Primitive Behavior: Canada's Perpetual Repression of Aboriginal Rights”, Law Union of Ontario Annual Conference 2001, Toronto, March 3, 2001

Panellist on “Aboriginal Law and Section 25 of the Charter”, Ontario Regional Office Charter Conference, Department of Justice, Toronto, October 27, 2000

Resource Person, National Gathering, “Banishing the Indian Agent” - Choices for Change: Restoring First Nation Governments, AFN/INAC Joint Initiative for Policy Development (Lands and Trust Services), Winnipeg, June 6-8, 2000

Presented “Overview of the *Delgamuukw* Decision” and acted as Facilitator for a Workshop on “The Impacts of *Delgamuukw* in Atlantic Canada”, Halifax, June 17, 1999

Panellist on “Canadian Citizenship at the Millennium”, Western Social Science Association 40th Annual Conference, Denver, Colorado, April 15-18, 1998

Chair, Panel on “Aboriginal Rights”, Biennial Conference of the Association for Canadian Studies in the United States, Minneapolis, November 19-23, 1997

Moderator, University Forum held by the Royal Commission on Aboriginal Peoples, Osgoode Hall Law School, York University, November 18, 1993

Moderator, Panel on “Competing Claims for Self-Determination: Aboriginal Nations and Quebec”, Martin Ennals Memorial Symposium on Self-Determination, University of Saskatchewan College of Law and International Alert, Saskatoon, March 3-6, 1993

Chair, Session on Aboriginal Rights, “Law, State and Society” Conference, Law Society of Upper Canada, Osgoode Hall, Toronto, May 15-17, 1992

Commentator on “Guaranteeing Aboriginal Rights” by Mary Ellen Turpel, Conference on “Negotiating with a Sovereign Quebec”, York University, February 7-8, 1992

Commentator on three papers on Aboriginal issues, “Law for the Elephant, Law for the Beaver” Transboundary Conference on the Legal History of the West and North-West of North America, University of Victoria, February 21-23, 1991

Panellist on “Peace, Order and Good Government? The Use of Force”, York University Faculty Association Forum on “Oka: The Conflict Continues”, York University, October 11, 1990

Panellist on “Self-Sufficiency”, United Indian Councils of the Mississauga and Chippewa Nations National Indian Government Conference, Osgoode Hall Law School, October 4, 1990

Comparative Indigenous Rights in the Americas Workshop, organized by Instituto Latinoamericano de Servicios Legales Alternativos, World Council of Indigenous Peoples, and Confederación de Nacionalidades Indígenas del Ecuador, Quito, Ecuador, May 16-19, 1990

Facilitator, Workshop on “The Impact of the Charter of Rights and Freedoms on Native

Rights”, United Nations Association Conference on “Native Rights '88 - National and International Dimensions”, University of Toronto Faculty of Law, September 23-24, 1988

Community and Other Work

Research advisor for National Centre for First Nations Governance, 2006-

Presentations on Self-government and the Application of the Canadian Charter of Rights and Freedoms to the Cree Nation Governance Working Group, Montebello, Quebec, May 22-24, 2009

Expert witness in *Ochapowace First Nation Tax Case*, Melville, Saskatchewan, June 4, 2002

Appeared before the Senate Aboriginal Peoples Committee on the Nisga'a Treaty, Ottawa, March 22, 2000

Advisor to *Delgamuukw* National Review Research Committee, Assembly of First Nations, 1998-2002

Advisor to legal counsel for the Chippewas of Sarnia in *Chippewas of Sarnia v. Attorney General of Canada*, 1996-2001

Advisor to legal counsel for the Wet'suwet'en Nation on appeal of *Delgamuukw v. British Columbia* to Supreme Court of Canada, 1996-97

Radio Broadcasts, CKLN, Toronto, Ontario, on “A Taste of Justice”, providing alternative perspectives on current legal issues, 1991-96

Expert on Aboriginal and Treaty Rights for Moose River/James Bay Coalition, Ontario Hydro Environmental Assessment Hearings, 1991-93

Judge, International Essay Competition on Parallel Legal Systems, Instituto Latinoamericano de Servicios Legales Alternativos, Bogotá, Colombia, 1992

Commented on Dene/Métis Comprehensive Land Claim Agreement for Dene Nation, Northwest Territories, 1989-90

Provided opinion on Innu case against low-level military flights over Nitassinan for Court Challenges Program, Canadian Council on Social Development, Ottawa, 1989

Wrote paper entitled “Aboriginal People and the Charter: A Survey of the Case Law” for Court Challenges Program Report on Unequal Treatment of Federally Imprisoned Women for Women's Legal Education and Action Fund, Toronto, 1989

Courses and Seminars Taught at Osgoode Hall Law School

First Nations and the Law (formerly Native Rights), 1987-2009 Issues
in Constitutional History, 1991-97

Property Law, 1988-2014

Trusts Law, 1996-2005

Native Rights, 2000, 2004, 2010, 2011, 2012, 2013

Aboriginal Peoples and the Constitution, Osgoode Part-Time LL.M. Program in
Constitutional Law, 1998, 2003

Other Teaching

Comparative Indigenous Rights in Four Settler States, at Monash University's Prato Centre,
Italy, May 2017; University of Saskatchewan College of Law, fall term 2019; Yale University,
spring term 2022

Aboriginal Peoples and the Canadian State, Canadian Studies Programme, York University,
1997-98

Real Property Law, Program of Legal Studies for Native People, University Saskatchewan
Native Law Centre, May-July, 1996

Guest speaker in courses at Flinders University, Griffiths University, James Cook University
of Northern Queensland, Thompson Rivers University, Université d'Aix-Marseille, University
of New South Wales, University of Saskatchewan, University of Tasmania, University of
Victoria, York University

Teaching Award

Recipient of an Osgoode Excellence in Teaching Award in 2014

Graduate Supervision Completed

D.Jur., Ph.D.: 3 LL.M.,

full-time: 8

LL.M., part-time: 5

M.E.S.: 1

Graduate Examining Committees

Ph.D. and D.Jur. dissertations: 7

LL.M. theses: 7

M.E.S. theses: 2

Independent Research Supervision. LL.B. Program

Aboriginal Rights: 13; Alternative Dispute Resolution: 1; Animal Rights: 1; Fiduciary Law: 1; Human Rights: 2; International Law: 1; Property Law: 1; Trusts: 2

Intra-University Law Moots

Faculty supervisor, Kawaskimhon Aboriginal Law Moot, Winter term, 1997, 2011, 2012, 2013
Organizing Committee, Kawaskimhon Aboriginal Law Moot, Osgoode Hall Law School, winter term 2006

Osgoode and York University Service

Academic Policy Committee, 1999-2000

Academic Standing Committee, 1992, 2000-6, 2009 (Chair, winter 2001, 2003-4, winter 2009)

Ad Hoc Committee on Academic Offence, 1989

Admissions Committee, 1988-91 (Co-chair, 1989-90; Chair, 1990-91)

African-Canadian Equality Committee, 1995-96

Civil Law - Common Law Exchange: Faculty Administrator, 1988-90

Equality Committee, 1993-94, 1995-98, co-chair 2010-11

Faculty Appointments Advisory Committee, 2010-11

Faculty Seminars Committee, 1987-88

Grades Review Committee, 2011-16

Graduate Studies Committee, 1993-94, 1999-2001

Osgoode Library Committee, 2013-14

Nominating Committee, 1988-89, 2005-6, 2015-16

Priorities and Finance Committee, 2001-3

Race Relations Committee, 1988-93

Research Advisory Committee, 1996-97

Research Programme Committee, Chair, 1993-94

Student Awards Committee, 2002-3

Tenure and Promotion Visiting Committees: 2002, 2003

University Ad Hoc Travel Grants Committee, 2002-4 (Chair, 2003-4)

University Appellate Tribunal, 1988-90

University SSHRCC Travel and Small Grants Sub-Committee, 2000-2, 2004-6