

missing from Kinsman and Gentile's volume—yet the rich empirical material here could certainly form the basis for such an analysis.

The second half of the book details state surveillance of the gay liberation movement and other queer groups in the 1970s (and after) and outlines the shifting policies toward same-sex rights in the post-Charter period. Kinsman and Gentile argue that at least some white, middle-class queers have been incorporated as part of the nation, while others continue to be marginalized in many spheres of social and political life. They link the security campaigns and surveillance of queer communities to the policing and surveillance of the anti-globalization and other movements, as well as pointing to the racialization of the discussion of security in the post-9/11 period.

Yet their analysis falls short of explaining how and why the state still upholds heteronormativity in the era of same-sex marriage and how we can theorize the shifting terrain of heteronormative social practices. Things have changed since the 1950s. How do we explain what has occurred? I very much agree with Kinsman and Gentile that there is a substantial gap between the discourse and rhetoric of equality through the Charter decisions on same-sex rights and the lived reality of many queer people in Canada. However, I do not believe that “incorporation” of the privileged group into the “nation” exhausts the analysis of the state's role in regulating sexuality in the contemporary period. I would argue that we need a much more expansive queering of the historical role of the state in social and economic policy and a further analysis of the links between queer politics and the broader politics of gender in the Canadian state.

Nonetheless, *The Canadian War on Queers* is an essential step in the development of queer Canadian history, and its sourcing in the voices of queer Canadians and its frank understanding of state power are a refreshing change from discursive and cultural analyses of queer law. It will be essential reading for those interested in policing and security surveillance, as well as for students of Canadian queer law, politics, and history.

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David T. McNab

No Place for Fairness: Indigenous Land Rights and Policy in the Bear Island Case and Beyond. Montreal & Kingston: McGill-Queen's University Press, 2009, 224 p.

Studies that assess the policy goals and local implications of land-claims negotiations are altering the substance, style, and prominence of historical

writing in Canada. This emerging body of research takes into account the local concerns of indigenous communities for restoring dignity and community relations through land-claims processes and for highlighting the gaps in government understandings of indigenous–provincial agreements that have a direct impact on indigenous community needs. Adopting the view that “history appears to be all around us,”² public historians are showing how negotiation policies and government practices entrench institutional racism. Métis historian David T. McNab’s *No Place for Fairness: Indigenous Land Rights and Policy in the Bear Island Case and Beyond* offers an important and timely contribution to this evolving debate.³

McNab’s study focuses on the Temagami land-rights negotiations, also known as the Bear Island cases, to show the wider implications of this community’s struggle for contemporary land-claims practices in Ontario and for the protests and blockades that occurred during the 1980s and 1990s across Canada. Early chapters highlight British imperial attitudes toward the “Native question” that opted to protect indigenous communities from settler interference by instituting “amalgamation” policies designed to ensure land surrenders and indigenous assimilation under the guise of safeguarding indigenous interests. One direct outcome of these policies were the treaty negotiations intended to pave the way for future land cession practices. It is to these early agreements that McNab turns a historical-critical eye by demonstrating the inherent contradiction between historical documents that predicate the participation of the Teme-Augama Anishinabe (TAA) in the Robinson–Huron Treaty of 1850 and the oral traditions and community narratives that insist the community took no part. McNab accords important historical weight to this assertion. He hypothesizes that if the TAA did not sign these agreements, subsequent negotiations are inherently flawed insofar as they rely on this treaty in determining contemporary title and land rights. His reading follows from an analysis of the inconsistencies and mismanagement of the treaty-making process documented in the papers of George Ironside, Jr., superintendent of Indian Affairs during the mid-1850s. McNab argues not only that Ironside fabricated the TAA’s participation in the treaty process but that this falsehood has had lasting consequences for the TAA in betraying their interests and in perpetuating an injustice through court decisions that affirm the government’s “official history” of the treaty-negotiation process (48). In McNab’s view, the Bear

² J.R. Miller, “Presidential Address: The Invisible Historian,” *Journal of the Canadian Historical Association* 8 (1997), 3.

³ Important contributions include Olive Dickason and David T. McNab, *Canada’s First Nations: A History of Founding Peoples from Earliest Times*, 4th ed. (Don Mills, ON: Oxford University Press, 2009); Stephanie Irlbacher-Fox, *Finding Dahshaa: Self-Government, Social Suffering, and Aboriginal Policy in Canada* (Vancouver: UBC Press, 2009); Andrew Woolford, *Between Justice and Certainty: Treaty Making in British Columbia* (Vancouver: UBC Press, 2005).

Island cases have tremendous social and historical importance: these influential cases show not only how the government's control of official history has had a devastating impact on subsequent TAA claims but also how the government view of negotiations is inherently flawed.

Later chapters explore the implications of these tensions in more detail, noting the failure of government actors to take indigenous views into account or to accord stronger commitment to First Nations communities. McNab meticulously describes the workings of the Ontario Native Affairs Directorate during the 1980s and 1990s, when he joined the unit as a land-claims advisor. Written in part as a historical record of the directorate's formative years and in part as a political memoir about his activities, McNab's account documents the struggles that undermined the unit's goals through internal squabbling among directorate members and the failure of staff to consult with indigenous communities about Native affairs. His contention is that Ontario's "mixed legacy" in processing Aboriginal issues has differentially affected indigenous communities (167).

No Place for Fairness offers an incisive critique of the role that institutional racism plays in government offices and in the judicial system, as well as an analysis of the wider implications that follow from "errors" of legal judgment (191). Its more far-reaching contribution, however, arises from McNab's key insight that "land claims are political creatures and politicize everyone with whom they come into contact" (172). Accordingly, McNab reveals the political importance of documenting the ways in which land-claims negotiations have become a standard feature of indigenous–government political processes despite unresolved questions about the making of specific treaties as well as the general relationship between the truth of official documents and indigenous peoples' knowledges about history, culture, and land rights (190). He shows the dilemma confronting indigenous resistance movements, movements that make the public historian's task more urgent and more difficult at the same time.

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Michael Manley-Casimir and Kirsten Manley-Casimir, eds.

The Courts, the Charter, and the Schools: The Impact of the Charter of Rights and Freedoms on Educational Policy and Practice, 1982–2007. Toronto: University of Toronto Press, 2010, 384 p.

This volume follows up the 1986 publication *Courts in the Classroom*, an edited collection speculating on the possible impact of the Canadian