



### Bad law : rethinking justice for a postcolonial Canada

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Author: Reilly, John  
 Responsibility: John Reilly  
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 Stoney Nakoda  
 Crime  
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 First Nations

**Abstract:** From the bestselling author of *Bad Medicine* and its sequel *Bad Judgment* comes a wide-ranging, magisterial summation of the years-long intellectual and personal journey of an Alberta jurist who went against the grain and actually learned about Canada's indigenous people in order to become a public servant.

"Probably my greatest claim to fame is that I changed my mind," writes John Reilly in this broadly cogent interrogation of the Canadian justice system. Building on his previous two books, Reilly acquaints the reader with the ironies and futilities of an approach to justice so adversarial and dysfunctional that it often increases crime rather than reducing it. He examines the radically different indigenous approach to wrongdoing, which is restorative rather than retributive, founded on the premise that people are basically good and wrongdoing is the aberration, not that humans are essentially evil and have to be deterred by horrendous punishments. He marshalls extensive evidence, including an historic 19th-century US case that was ultimately decided according to Sioux tribal custom, not US federal law.

And then he just comes out and says it: "My proposition is that the dominant Canadian society should scrap its criminal justice system and replace it with the gentler, and more effective, process used by the indigenous people."

Punishment; deterrence; due process; the socially corrosive influence of anger, hatred and revenge; sexual offences; the expensive futility of "wars on drugs"; the radical power of forgiveness—all of that and more gets examined here. And not in a bloodlessly abstract, theoretical way, but with all the colour and anecdotal savour that could only come from an author who spent years watching it all so intently from the bench. (From Rocky Mountain Books website)

#### Contents:

The beginning -- Learning -- Getting to know the Stoneys -- Restorative justice -- The origins of processes -- The evil Cornwallis -- Milton Born With a Tooth -- The right thing -- Respect -- Paradigm change -- Crow Dog v. Spotted Tail -- Rupert Ross -- Punishment -- Deterrence -- Due process -- Sawbonna -- Rev. Dale Lang -- To forgive or not to forgive -- Anger, hatred, vengeance -- Advocacy vs. conversation -- Polarization -- Drug prohibitions -- Sexual offences -- One size fits all -- Shifting focus from judicial solutions to community solutions -- The TRC -- FAQ.

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#### Websites

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<https://rmbooks.com/book/bad-law/> 

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## Bad medicine : a judge's struggle for justice in a First Nations community

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Edition: 1st edition, 2nd printing  
Publisher: [Surrey, B.C.] : Rocky Mountain Books  
Published Date: 2010  
Physical Description: 261 p. : map  
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Subjects: Crime  
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Morley  
Snow, John  
Stoney Indians  
Notes: Includes bibliographical references (p. 257-258) and index. The Stoney people are comprised of three bands: the Wesley First Nation, the Chiniki First Nation and the Bearspaw First Nation  
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## Bad medicine : a judge's struggle for justice in a First Nations community - revised & updated

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Published Date: 2010  
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First Nations

Contents:	<p>This revised and updated edition details the latest legal developments surrounding tribal leadership and the state of governance on Canadian reserves.</p> <p>When <i>Bad Medicine</i> first appeared in 2010 it was an immediate sensation, a Canadian bestseller that sparked controversy and elicited praise nationwide for its unflinchingly honest portrayal of tribal corruption in a First Nation in Alberta.</p> <p>Now, in a new, revised and updated edition, retired Alberta jurist John Reilly sketches the latest legal developments surrounding tribal leadership at Morley and the state of governance on Canadian reserves, as well as national developments such as Canada's long-delayed assent to the United Nations Declaration on the Rights of Indigenous Peoples, currently wending its way through the Senate, and the final report of the Truth and Reconciliation Commission.</p> <p>Early in his career, Judge John Reilly did everything by the book. His jurisdiction included a First Nations community plagued by suicide, addiction, poverty, violence and corruption. He steadily handed out prison sentences with little regard for long-term consequences and even less knowledge as to why crime was so rampant on the reserve in the first place.</p> <p>In an unprecedented move that pitted him against his superiors, the legal system he was part of, and one of Canada's best-known Indian chiefs, the Reverend Dr. Chief John Snow, Judge Reilly ordered an investigation into the tragic and corrupt conditions on the reserve. A flurry of media attention ensued. Some labelled him a racist; others thought he should be removed from his post, claiming he had lost his objectivity. But many on the Stoney reserve hailed him a hero as he attempted to uncover the dark challenges and difficult history many First Nations communities face. (From Rocky Mountain Books website)</p>
Notes:	Includes bibliographical references (p. 257-258) and index. The Stoney people are comprised of three bands: the Wesley First Nation, the Chiniki First Nation and the Bearspaw First Nation
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<https://rmbooks.com/book/bad-medicine-revised-updated/> 

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