Course Description

As recent examples such as the quashing of the Trans Mountain expansion pipeline in the Federal Court of Appeal or the announcement of new legislation and policies under the Recognition and Implementation of Rights Framework have shown, political and legal relations between First Nations and the Canadian government have been rapidly changing. Understanding the complexity of these issues can be daunting, but most of these issues can be drawn back to an important dynamic between indigenous assertions of autonomy, sovereignty, and self-determination, and the Canadian nation-state’s constriction, appropriation, prevention, criminalization, and refusal of these assertions. This course will thus explore the political and legal issues First Nations face through the matrix of issues, debates, discourses, histories, theories, practices, policies, institutions, and strategies generated by this relationship. How is self-determination conceptualized, both by indigenous peoples and the wider settler population? How are concepts such as the state, sovereignty, nationhood, citizenship, and jurisdiction understood and experienced by both of these populations? Why is the assertion of self-determination so important for many First Nations and received so negatively by the colonial status quo? What are the key political and legal issues, cases, and events related to these assertions? Why is the notion of “free, prior, and informed consent” so threatening to proponents of resource extraction? What is the relationship between patriarchy and violence against indigenous women and the establishment and maintenance of state sovereignty? What role has intergenerational trauma played in negotiations over establishing self-governance? And last but not least, how is all of this related to the work of decolonization?

Prerequisite(s): First Nations Studies 2218F/G or 2901E or Anthropology 2218F/G or History 2209E or 2201E or 2205E or the former 2207F/G or Political Science 2103A/B or 2230E or 2234E or the former Political Science 214F/G, or Law 2101 or Women’s Studies 2260.

Learning Outcomes

Through this course students will have the opportunity to achieve:

- A greater understanding of key concepts, theories, and institutions that constitute the political and legal issues facing First Nations today.
• An appreciation of how these often abstract concepts and institutions (like self-determination and the state) are constructed, contested, experienced, understood, and put into practice at the local level.
• Refinement of basic skills necessary for developing and conducting research, as well as learning important group work and collective participation skills.
• Further honing of critical thinking, writing, and presentation skills.

Required Text

Method of Evaluation

Discussion Preparation  15%
Participation  15%
Discussion Questions  10%
Research Paper  20%
Decolonization Reflections  20%
Final Exam  20%

Evaluation Breakdown

Discussion Preparation
Every class will have a portion of time devoted to discussing the week’s readings. In order to make sure that everyone is prepared for this discussion, every week we will flip a coin at the beginning of class to determine whether or not we have a very short quiz on the week’s readings. There must be at least 5 and no more than 8 quizzes throughout the semester, with each worth an equal portion of the 15% allocated for them (so, for example, if there are 5 throughout the semester, each one will be worth 3% of your final mark). If you are going to be away for a class you need to let me know before class starts to avoid getting zero on the quiz (assuming one is held).

Participation
Participation will be broken into two parts. The first is general participation. Students are expected to be active participants throughout this course, fostering open dialogue and encouraging fellow students to feel comfortable contributing as well. (10%)

The second part is simply attendance. Show up and you get the marks. If for some reason you cannot make it to class you need to let me know before class starts (5%)

Discussion Questions
As mentioned, every class will have a portion of time devoted to discussing the week’s readings. The class will be broken into 5-6 groups. Each group will spend 10-15 minutes trying to come up with two thought-provoking questions based on the reading that will then be posed back to the class. Your group will be graded on how thoughtful the questions are, how well they relate to class material, and how well
they elicit a response from the class. The grade will be broken into 2 parts: my evaluation (5%) and a group/self-evaluation (5%).

**Research Paper**

This will be your chance to tackle what interests you about the political and legal issues facing First Nations peoples today. While what you choose is up to you, I do want you to come and see me about the topic you are choosing before October 8th, to make sure your choice isn’t too narrow or too broad. More details will be provided in class.

**Decolonization Reflections**

This assignment will provide you with the chance to fully explore notions and practices of decolonization. More details will be provided in class as well.

**Final Exam**

More details to follow.

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**Important Policies**

**Policies for Assignment Deadlines:**
Students handing in late assignments without proper documentation will lose 5% per day (including weekends).

**A Note on Plagiarism:**
Students must write their assignments in their own words. Whenever students take an idea from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major scholastic offence (the Scholastic Offence Policy can be viewed in the Western Academic Calendar).

**Plagiarism Checking:**
Students may be required to submit their assignments to turnitin.com on the class WebCT website after they are completed. These papers will be subject to submission for textual originality.

**Policy on Laptops and other Electronics/Phones in Class:**
Laptops are permitted in class as long as they are used only for note-taking (in other words, no checking facebook or web-surfing during class). Be sure that all cell phones are turned off at the beginning of class.

**Policy on Accommodation for Medical Illness:**
Western’s policy on Accommodation for Medical Illness can be found at [http://www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_medical.pdf](http://www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_medical.pdf). Students must see the Academic Counsellor and submit all required documentation in order to be approved for certain accommodation: [http://counselling.ssc.uwo.ca/procedures/medical_accommodation.html](http://counselling.ssc.uwo.ca/procedures/medical_accommodation.html)

**Self-Reported Absence:**
Students now have the option of submitting a Self-Reported Absence (SRA) form a maximum of two times between September and April and one time between May and August. More details will be forthcoming regarding this policy.

**Accessibility Options:**
Please contact the course instructor if you require material in an alternate format or if you require any other arrangements to make this course more accessible to you. You may also wish to contact Services for Students with Disabilities (SSD) at 661-2111 x 82147 for any specific question regarding an accommodation. Information regarding accommodation of exams is available on the Registrar’s website: [http://www.registrar.uwo.ca/examinations/accommodated_exams.html](http://www.registrar.uwo.ca/examinations/accommodated_exams.html)

**Scholastic Offences:**
Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following web site: [http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf](http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf)

**Mental Health:**
Students who are in emotional/mental distress should refer to Mental Health@Western ([http://www.health.uwo.ca/mental_health/](http://www.health.uwo.ca/mental_health/)) for a complete list of options of how to obtain help.

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**Course Schedule and Readings**

**Week 1: Ground Zero**
**September 10th**
No Reading

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**Week 2: Nationhood and “the Master's Tools”**
**September 17th**


**Watch:** Colonization Road [https://watch.cbc.ca/media/firsthand/season-2/colonization-road/38e815a-00b9abca4fc](https://watch.cbc.ca/media/firsthand/season-2/colonization-road/38e815a-00b9abca4fc)
Week 3: Sovereignty – Turtle Island meets Leviathan

September 24th


Watch: Savage Anxieties: The Doctrine of Discovery Part 1
(https://www.youtube.com/watch?v=TqJ8h1WCuYg)

Week 4: Treaty Making – “Linking Arms Together”

October 1st


http://briarpatchmagazine.com/articles/view/politics-based-on-justice-diplomacy-based-on-love

Read: Unsettling Canada: 1-28

Week 5: Jurisdiction, or, “the authority to have authority”

October 8th


Week 6: White Paper Liberalism and The Constitution Express

October 15th

Watch: Dancing Around the Table  https://www.nfb.ca/film/dancing_around_the_table_1
https://www.nfb.ca/film/dancing_around_the_table_part_two

Read: Unsettling Canada: 29-92
**Week 7: Patriarchy and Self-Determination**

**October 22nd**

**Documentary (In Class):** *Six Miles Deep*


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**Week 8: Social Suffering, Intergenerational Trauma, and Self-Determination**

**October 29th**

**Documentary (In Class):** *Muffins For Granny*


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**Week 9: Fall Reading Week - No Class**

**November 5th**

No Reading

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**Week 10: Resource Extraction**

**November 12th**

**Watch:** *Water Warriors* (access through Western library online)


**Read:** *Unsettling Canada*: 93-166
Week 11: Commissions, and Inquiries, and Apologies, Oh My.
November 19th


Read: Unsettling Canada: 167-194

Week 12: From Resistance to Resurgence
November 26th

Watch: Kanehsatake: 270 Years of Resistance

https://www.nfb.ca/film/kanehsatake_270_years_of_resistance


Read: Unsettling Canada: 195-208

Week 13: “Allies” and the Politics of Solidarity
December 3rd


http://briarpatchmagazine.com/articles/view/decolonizing-together

Read: Unsettling Canada: 209-227