



**The University of Western Ontario  
Indigenous Studies 3722F / Political Science 3398F  
Indigenous Political and Legal Issues**

**Fall 2019**

**AHB 1B04, Mondays 9:30-12:30**

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Office Hours: TBA

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### **Course Description**

As recent examples such as the re-approval of the Trans Mountain expansion pipeline or the struggle over the legislation and policies of the (now-shelved) Indigenous Rights, Recognition and Implementation Framework have shown, political and legal relations between Indigenous peoples 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 Indigenous peoples 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 Indigenous peoples 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 heteropatriarchy, gendered colonial violence 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 and Indigenous resurgence?

**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 Indigenous peoples 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

Manuel, Arthur 2015. *Unsettling Canada: A National Wake-Up Call*. Toronto: Between the Lines.

## 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. 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.

## **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. Be sure that all cell phones are turned off or on airplane mode 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.

## Course Schedule and Readings

**Week 1: Ground Zero****September 9<sup>th</sup>****No Reading****Week 2: Nationhood and “the Master’s Tools”****September 16<sup>th</sup>**

**Read:** Simpson, Leanne Betasamosake 2016. Land & Reconciliation: Having the Right Conversations. *Electric City Magazine*. <http://www.electriccitymagazine.ca/2016/01/land-reconciliation/>

**Watch:** *Should Indigenous People Vote in Canada’s Federal Election?* (2015) A roundtable discussion with Pam Palmater, Rob Innes, and Leah Gazan <https://www.youtube.com/watch?v=PuS9H-m2PLo>

### **Week 3: Sovereignty – Turtle Island meets Leviathan**

**September 23<sup>rd</sup>**

**Read:** Nadasdy, Paul 2017. Sovereignty's Entailments: First Nation State Formation in the Yukon. University of Toronto Press. Pp. 3-20.

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

### **Week 4: Treaty Making – “Linking Arms Together”**

**September 30<sup>th</sup>**

**Read:** Venne, Sharon H. 2007. Treaties Made in Good Faith, in *Natives and Settlers Now and Then: Historical Issues and Current Perspectives on Treaties and Land Claims in Canada*, edited by Paul W. DePasquale. Edmonton: University of Alberta Press. Pp. 1-16.

**Read:** Simpson, Leanne Betasamosake 2013. Politics based on justice, diplomacy based on love: What Indigenous diplomatic traditions can teach us. *Briarpatch Magazine*.

<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 7<sup>th</sup>**

**Read:** Pasternak, Shiri 2017. Grounded Authority: The Algonquins of Barrier Lake Against the State. University of Minnesota Press. Pp. 1-16.

### **Week 6: No Class – Thanksgiving – White Paper Liberalism**

**October 14<sup>th</sup>**

**Watch:** *Dancing Around the Table*

Part 1: [https://www.nfb.ca/film/dancing\\_around\\_the\\_table\\_1](https://www.nfb.ca/film/dancing_around_the_table_1)

Part 2: [https://www.nfb.ca/film/dancing\\_around\\_the\\_table\\_part\\_two](https://www.nfb.ca/film/dancing_around_the_table_part_two)

**Read:** *Unsettling Canada: 29-92*

## Week 7: Heteropatriarchy and Self-Determination

**October 21<sup>st</sup>**

**Watch:** *Six Miles Deep* [https://www.nfb.ca/film/six\\_miles\\_deep/](https://www.nfb.ca/film/six_miles_deep/)

**Read:** Vowel, Chelsea 2014. "Indigenous Women and Two-Spirited People: Our Work is Decolonization!" in *Guts Magazine* <http://gutsmagazine.ca/indigenous-women-two-spirited-people-work-decolonization/>

**Read:** Simpson, Leanne Betasamosake 2017. "The Sovereignty of Indigenous People's Bodies," and "Indigenous Queer Normativity," in *As We Have Always Done*, Pp. 95-144.

**Read:** *Missing and murdered: Canada's genocide cover-up* (2019) by Pamela Palmater (<https://nowtoronto.com/news/missing-and-murdered-canada-genocide/>)

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

**October 28<sup>th</sup>**

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

**Read:** Irlbacher-Fox, Stephanie 2009. Déliné Child and Family Services (Ch. 4), *Finding Dahshaa: Self-Government, Social Suffering, and Aboriginal Policy in Canada*. Pp. 90 – 119.

## Week 9: Fall Reading Week - No Class

**November 4<sup>th</sup>**

**No Reading**

## Week 10: Resource Extraction

**November 11<sup>th</sup>**

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

**Read:** Manuel, Kanahus and Shiri Pasternak 2018. We Own It, So Let's Kill It: What To Do About Kinder Morgan In An Era Of "Reconciliation". <https://yellowheadinstitute.org/2018/07/18/we-own-it-so-lets-kill-it-what-to-do-about-kinder-morgan-in-an-era-of-reconciliation/>

**Watch:** *Violence Against the Earth is Violence Against Women*, a talk by Melina Laboucan-Massimo. (<https://vimeo.com/212154255>)

**Read:** *Unsettling Canada*: 93-166

## **Week 11: Commissions, and Inquiries, and Apologies, Oh My.**

**November 18<sup>th</sup>**

**Read:** Palmater, Pam 2018. "True test of reconciliation: respect the Indigenous right to say No." *Canadian Dimension*. <https://canadiandimension.com/articles/view/true-test-of-reconciliation-respect-the-indigenous-right-to-say-no>

**Read:** *Unsettling Canada*: 167-194

## **Week 12: From Resistance to Resurgence**

**November 25<sup>th</sup>**

**Watch:** *Kanehsatake: 270 Years of Resistance*  
[https://www.nfb.ca/film/kanehsatake\\_270\\_years\\_of\\_resistance](https://www.nfb.ca/film/kanehsatake_270_years_of_resistance)

**Read:** *The legacy of 'Oka' and the future of Indigenous resistance*, an interview with Ellen Gabriel. (<https://canadiandimension.com/articles/view/the-legacy-of-oka-and-the-future-of-indigenous-resistance>)

**Read:** Simpson, Leanne Betasamosake 2017. *Nishnaabeg Brilliance as Radical Resurgence Theory*. As *We Have Always Done*, University of Minnesota Press. Pp. 11-26.

**Read:** *Unsettling Canada*: 195-208

## **Week 13: "Allies" and the Politics of Solidarity**

**December 2<sup>nd</sup>**

**Read:** Walia, Harsha 2012. *Decolonizing Together: Moving Beyond a Politics of Solidarity Toward a Practice of Decolonization*. *Briar Patch Magazine*.  
<http://briarpatchmagazine.com/articles/view/decolonizing-together>

**Read:** *Unsettling Canada*: 209-227