

POLI 372: Indigenous Peoples and the Canadian State

Instructor: Aberdeen Berry

Fall 2023

4.05-5.25 Tuesdays and Thursdays (4.05-4.55 once conferences start)

Leacock 14

Contact: aberdeen.berry@mcgill.ca

Office Hours: Wednesday, 2-3.30 in Ferrier 466 or by appointment

TA: TBD

Land Acknowledgement: McGill University is on the traditional territory of the Mohawk Nation – a member of the Haudenosaunee Confederacy. The location where McGill, and Montreal are situated, has long served as a site for meeting and exchange amongst various nations with whom Quebec today shares territory.

1. Aims and Learning Objectives:

This course aims to provide an introduction to the relationship between Indigenous Peoples and the Canadian State, examining the legal and political frameworks organizing these relationships, the actual practices that constituted these relationships, as well as Indigenous activism and resistance. In addition, this course will focus on engaging with how this relationship has been constructed by various groups in speech, examining the discourses of reconciliation and the various positions groups hold on it. This course will additionally help students develop their ability to analyze political documents and texts and cultivate their analytic reading and writing skills.

2. Prerequisites:

Prerequisite: A 200 or 300 level course in political science.

3. Texts:

All course texts will be available online via MyCourses.

4. Class Format and Grading:

Lectures will be delivered in-person on Tuesday and Thursday from 4.05 to 5.25 PM. Once conferences begin the week of Sept 19, lectures will run from 4.05-4.55.

Assessments:

Conference Participation – 10%

Short Paper (1000w, 1100w if submitted in French) – 20%

Midterm Exam – 30%

Final paper Proposal/Outline – 10%

Final Paper (2000w, 2200w if submitted in French) – 30%

You must receive a passing grade on each component of 20% or more in order to pass the course. Essays will be graded on the ability to make a clearly-written and substantiated argument, not the substantive position you take.

Assignments that are late will be penalized 1/3 letter grade per day. This means that a B will become a B-, a B- a C+, and so on. Extensions will be granted in case of documented illness or family emergency. You will have one automatic extension of up to 24 hours that you may use as needed without an excuse; you must e-mail me that you are using this by the time the paper is due.

If you believe an error has been made in grading and you wish to challenge your grade, you must first wait 24 hours after receiving your grade. After that, you must send me an email containing a 150-200 word explanation of the error in grading, as well as both a clean and marked version of your paper, all in separate Word documents or PDFs. Challenging your grade does not guarantee your grade will improve; I will completely re-mark the paper, meaning that it is also possible that your grade will be lowered.

This class is graded on a 4.0 scale not a 100-point scale as per https://www.mcgill.ca/study/2010-2011/university-regulations-and-information/gi_grading_and_grade_point_averages

This means that assignments will receive letter grades (A, A-, B+, etc) that correspond to the 4.0 scale rather than percentages.

The midterm exam will be posted on MyCourses for a period of 2 days. From the time you open it, you will have 5 hours to complete it. You should not discuss its contents with others during the 48-hour window and must complete the exam on your own.

*For this course, I am adopting flexible assessment strategies that create greater access for all students by incorporating principles of inclusive pedagogy. As such, I have taken into consideration the variety of learner needs and barriers that students may face in this course and have designed the assessments with these considerations in mind. Therefore, additional time has been built into the assessment strategy to address these potential barriers. Because of these modifications, **individual time-based accommodations for students do not apply**. There may be exceptional circumstances in which other disability-related accommodations may still be needed. If you feel this is the case for you, please reach out to OSD via email at exams.osd@mcgill.ca. They will assess the situation and coordinate with me when necessary.*

In the instance of renewed COVID restrictions, classes will be moved online, where they will be held via Zoom. The methods of course evaluation may be subject to change.

5. McGill Statement on Academic Integrity: McGill University values academic integrity.

Therefore all students must understand the meaning and consequences of cheating, plagiarism and other academic offences under the Code of Student Conduct and Disciplinary Procedures (see <https://www.mcgill.ca/deanofstudents/plagiarism> for more information).

L'université McGill attache une haute importance à l'honnêteté académique. Il incombe par conséquent à tous les étudiants de comprendre ce que l'on entend par tricherie, plagiat et autres infractions académiques, ainsi que les conséquences que peuvent avoir de telles actions, selon le Code de conduite de l'étudiant et des procédures disciplinaires (pour de plus amples renseignements, veuillez consulter le site (<https://www.mcgill.ca/deanofstudents/plagiarism>)).

We use a variety of techniques to monitor academic dishonesty and plagiarism. Your assignments may be submitted to text-matching or other appropriate software (e.g., formula-, equation-, and graph-matching). Obviously, downloading or purchasing whole papers is plagiarism, but you can be guilty of plagiarism for much less than that. *Any time you copy someone else's words and paste them into your paper without quotation marks, a full citation, and due credit, you have committed academic*

dishonesty; one sentence from Wikipedia is enough to count. Other people's ideas usually warrant a footnote, other people's words *always demand* quotation marks and a full citation.

Suspected cases of plagiarism will be vigorously pursued.

5.5. Using AI language tools such as, but not limited to, ChatGPT to write all or portions of your paper is academic dishonesty. Papers discovered to be written in whole or part by AI will be failed.

6. In accord with McGill University's Charter of Students' Rights, students in this course have the right to submit in English or in French any written work that is to be graded.

Conformément à la Charte des droits de l'étudiant de l'Université McGill, chaque étudiant a le droit de soumettre en français ou en anglais tout travail écrit devant être noté (sauf dans le cas des cours dont l'un des objets est la maîtrise d'une langue).

7. In the event of extraordinary circumstances beyond the University's control, the content and/or evaluation scheme in this course is subject to change.

8. Misc.

Accessibility:

My aim as instructor of this course is to provide an inclusive and accessible learning environment. However, if you experience barriers to learning in this course, or anticipate experiencing barriers, do not hesitate to discuss them with me or the Office for Students with Disabilities, at (514) 398-6009.

Children in Class:

In order to ensure that the class is accessible to parents and caregivers, it is acceptable to bring your child to class if there are extenuating circumstances, for instance if your childcare arrangement falls through. If you do so, please ensure that they have a quiet activity to engage in for the duration of the class, or if they are very young, that you are seated near the back, such that if they are crying you will be able to take them out of the classroom to calm down without interrupting the lecture.

Copyright and Dissemination of Class Materials:

Instructor-generated course materials (e.g., handouts, notes, summaries, exam questions) are protected by law and may not be copied or distributed in any form or in any medium without explicit permission of the instructor. All slides, video recordings, lecture notes, etc. remain the instructor's intellectual property. As such, you may use these only for your own learning (and research, with proper referencing/citation) ends. You are not permitted to disseminate or share these materials; doing so may violate the instructor's intellectual property rights. Note that infringements of copyright can be subject to follow up by the University under the Code of Student Conduct and Disciplinary Procedures.

Discussion and Controversial Content:

As this course deals with controversial and occasionally upsetting issues, a few points are necessary:

- In this course we will be reading materials and having ongoing, detailed, and in-depth discussions about settler colonialism, colonial violence, racism, and genocide.
- If there are specific issues you need a content warning for, please let me know. The purpose of content warnings is to enable students to interact with material they may find triggering or disturbing more safely, for instance by setting aside time to decompress (talking to friends, going for a walk) following reading, or making sure they are prepared for the content. If you are concerned a particular topic or reading will be especially destabilizing for you, please talk to me and we can work out alternate arrangements.
- Not everyone in this class shares the same political views or standpoints; while disagreement and debate is valuable, please be respectful of your colleagues and engage with each other in a civil manner.
- Assignments will be graded on analysis and engagement with the course materials; grading will not depend on whether or not you agree with me.

9. Reading and Lecture Schedule:

Note that this course is readings-heavy; it is expected that you do the readings *before* the lecture. If you do not keep up with the readings you will not be able to pass the course or complete the assignments. This is especially important as lectures are cumulative, and it will be difficult to understand later material without understanding its basis.

There may be minor emendations to the reading list, but this will always reduce rather than increase the number of course readings.

For this class, I have ensured that the reading for each topic includes material from Indigenous scholars. A list of supplementary readings, offering additional theoretical background on the major topics, will be available through the course website. If you have questions or concerns about the course or its approach to the issues discussed, please feel free to talk to me, either in person or via email. You may also speak to the TA, and she will convey your concerns anonymously to me.

<p>Week 1 Thurs. Aug 31</p>	<p>Introductory Lecture:</p> <p>Syllabus Review</p> <p>Situating the course, settler colonialism and the academy</p> <p>NO REQUIRED READINGS, SUPPLEMENTARY READINGS:</p>
<p>Week 2 Tues Sept 5</p>	<p>Approaching Indigenous Politics: The Paradigm of Reconciliation?</p> <p>Dale Turner <i>This is Not a Peace Pipe</i> (Introduction; <i>optional</i>: “Towards a Critical Indigenous Philosophy”)</p> <p>Glen Coulthard <i>Red Skin, White Masks</i> (Introduction, pp. 17-24; Chapter 4 “Seeing Red”)</p>

<p>Thurs Sept 7</p>	<p>Indigenous Epistemologies and Perspectives on Research in Academia:</p> <p>Kovach, Margaret. <i>Indigenous Methodologies: Characteristics, Conversations, and Contexts</i>. Toronto: University of Toronto Press. Selections (Ch 2, Interview with Hart from Ch 3)</p> <p>Okalik, Looee. "Inuujuunga: The Intricacy of Indigenous and Western Epistemologies in the Arctic," In <i>Indigenous Pathways into Social Research: Voices of a New Generation</i></p> <p><u>Supplementary:</u></p> <p>Tuhiwai Smith, Linda. <i>Decolonizing Methodologies: Research and Indigenous Peoples</i>. Dunedin: University of Otago Press, 1999. Selections (Ch4, 9)</p>
<p>Week 3</p> <p>Tues Sept 12</p>	<p>The Ideological Grounds of Settler Colonialism:</p> <p>Doctrine of Discovery: https://www.gilderlehrman.org/history-by-era/imperial-rivalries/resources/doctrine-discovery-1493</p> <p>Locke (selections from Treatise on gov) → colonization, idea of "mixing property with labour"</p> <p><u>Supplementary:</u></p> <p>Papal Bull Romanus Pontifex (1455)</p> <p>The Papal Bull Sublimas Dei (1537)</p>
<p>Thurs Sept 14</p>	<p>The Indian Act, Related Early Settler Documents, and Early Treaties:</p> <p><u>Primary Documents:</u></p> <ul style="list-style-type: none"> ○ Royal Proclamation 1763 ○ Treaty of Niagara of 1764 (Related documents available online) ○ Indian Act (original vs new version – Informational/background) <p>Isaac, Thomas. "St. Catherine's Milling and Lumber Co v. R. (1888)," in <i>Aboriginal Law</i>. Saskatoon: Purich Publishing Ltd. (pgs. 28-32)</p> <p><u>Articles:</u></p> <p>Borrows, John. "Wampum at Niagara: Canadian Legal History, Self-Government, and the Royal Proclamation." In <i>Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference</i>, edited by Michael Asch, 155-172. Vancouver: UBC Press, 1997.</p> <p><u>Supplementary:</u></p>

	<p>Kiiwetinepinesiik Stark, Heidi. "Marked By Fire: Anishinaabe Articulations Of Nationhood In Treaty-Making With The United States And Canada." In <i>Tribal Worlds: Critical Studies in American Indian Nation Building</i>, edited by Brian Hosmer and Larry Nesper, 111-140. Albany: State University of New York, 2013.</p>
<p>Week 4 Tues Sept 19</p>	<p>Russell, Peter. <i>Canada's Constitutional Odyssey</i>: Chapter 2 & 3</p> <p>Simon, Natasha. "Beyond Cultural Differences: Interpreting a Treaty Between the Mi'kmaq and British at Belcher's Farm," in <i>Living Treaties: Narrating Mi'kmaw Treaty Relations</i>, edited by Marie Battiste. Sydney: Cape Breton University Press, 2016. (166-177).</p> <p><u>Supplementary:</u></p> <p>Battiste, Marie. "Introduction," in <i>Living Treaties: Narrating Mi'kmaw Treaty Relations</i>, edited by Marie Battiste. Sydney: Cape Breton University Press, 2016. (1-15)</p> <p>Joseph, Bob. <i>21 Things You May Not Know About the Indian Act: Helping Canadians Make Reconciliation with Indigenous Peoples a Reality</i>. Port Coquitlam: Indigenous Relations Press, 2018</p>
<p>Thurs Sept 21</p>	<p>Displacement, Settler Expansion, Resistance:</p> <p>Daschuk, James. <i>Clearing the Plains</i>. Regina: University of Regina Press, 2013 (79-126) Manitoba Act, 1871 & Northwest Rebellion (Available Online)</p> <p>Williams Treaty, Court Case & Conclusion (Available Online)</p> <p>Forced Relocation of Inuit: https://www.thestar.com/news/insight/2009/11/29/inuit_were_moved_2000_km_in_cold_war_manoeuvring.html http://www.cbc.ca/news/canada/north/forced-relocation-high-arctic-inuit-1.4182600</p>
<p>Week 5 Tues Sept 26</p>	<p>Assimilation and Resurgence: <u>Primary Documents:</u> White Paper (1969) Red Paper (1970)</p> <p><u>Articles:</u> Vowel, C. (2016). <i>Indigenous Writes: A Guide to First Nations, Métis, and Inuit issues in Canada</i> – Chapter 30: White Paper, What Paper? More Attempts to Assimilate Indigenous Peoples (276-284). Winnipeg, MB: Highwater Press.</p> <p>Dale Turner, "White Paper Liberalism" in <i>This is Not a Peace Pipe</i>.</p>
<p>Thurs Sept 28</p>	<p>Constitutional Patriation, Charlottetown, Meech Lake</p>

	<p>McFarlane, Peter. "Constitutional Express – 1980." <i>Brotherhood to Nationhood: George Manuel and the Making of the Modern Indian Movement</i>. Toronto: Between the Lines, 1993.</p> <p>Christie, Gordon. "Aboriginal Nationhood and the Inherent Right to Self-Government." Research Paper for the National Centre for First Nations Gov</p> <p><u>Supplementary:</u></p> <p>Cannon & Sunseri, Part 6: Indigenous Rights, Citizenship, and Nationalism, pp. 127-162 and Chapter 7 (Chris Andersen and Claude Denis, "Urban Native Communities and the Nation," pp. 59-67).</p> <p>Morse, Bradford W. "Regaining Recognition of the Inherent Right of Aboriginal Governance." <i>Aboriginal Self-Government in Canada: Current Trends and Issues</i>. Ed. Belanger, Yale. Saskatoon: Purich, 2008. pg 39-68.</p> <p>Russell, Peter. <i>Canada's Constitutional Odyssey (Selections)</i></p> <p>ASSIGNMENT 1 DUE</p>
<p>Week 6 Tues Oct 10 NO CLASS- Reading week Thurs Oct 14</p>	<p>New Legal Frameworks: Territory and Aboriginal Title</p> <p><u>Primary Sources:</u></p> <p><i>Calder v. British Columbia (Attorney General)</i> [1973] SCR 313</p> <p><i>Delgamuukw v. British Columbia</i>, [1997] 3 SCR 1010</p> <p>Nisga'a Final Agreement</p> <p><i>Tsilhqot'in Nation v. British Columbia</i>, [2014] 2 SCR 257</p> <p><u>Article:</u></p> <p>John Borrows, "Aboriginal Title and Private Property"</p>
<p>Week 7 Tues Oct 17</p>	<p>New Legal Frameworks II: Aboriginal Tradition and the Supreme Court:</p> <p>R v Van der Peet</p> <p>"The judicial conceptualization of culture after Delgamuukw and Van der Peet" M Asch</p> <p><u>Supplementary:</u></p> <p>"Whose Distinctive Culture-Aboriginal Feminism and R. v. Van der Peet" E Luther</p>

<p>Thurs Oct 19</p>	<p>The Sawridge Dispute:</p> <p>Bonita Lawrence. 2003. "Gender, Race, and the Regulation of Native Identity in Canada and the United States: An Overview" <i>Hypatia</i> Volume 18, Number 2: pp. 3-31. https://onlinelibrary.wiley.com/doi/full/10.1111/j.1527-2001.2003.tb00799.x</p> <p><u>Supplementary:</u></p> <p>Caroline Dick <i>The Politics of Intragroup Difference: First Nations' Women and the Sawridge Dispute</i></p>
<p>Week 8 Tues Oct 24</p>	<p>Indigenous Groups and the Provinces</p> <p>Ladner, Kiera. "Treaty Federalism: An Indigenous Vision of Canadian Federalisms." In <i>New Trends in Canadian Federalism</i>, by Francois Rocher and Miriam Smith, 167-196. Peterborough: Braodview Press, 2003</p> <p>Simpson, Audra. <i>Mohawk Interruptus: Political Life Across the Borders of Settler States</i>. Durham: Duke University Press, 2014. <i>Ch 5</i></p> <p><u>Supplementary:</u></p> <p>Russell, Peter. <i>Canada's Constitutional Odyssey (Selections)</i></p> <p>Martin Papillon, "Adapting Federalism: Indigenous Multilevel Governance in Canada and the United States" (2011)</p>
<p>Thurs Oct 26</p>	<p>MIDTERM, NO READINGS</p>
<p>Week 9 Tues Oct 31 Thurs Nov 2</p>	<p>Truth and Reconciliation Commission:</p> <ul style="list-style-type: none"> ○ Is reconciliation a good paradigm? Is it enough? ○ Indigenous critiques of reconciliation and recognition (Coulthard) <p><u>Primary Sources:</u></p> <p>Truth and Reconciliation Commission of Canada. 2015. <i>Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada</i>. Chapter: The history, pp. 37-133. http://www.trc.ca/assets/pdf/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015 .pdf</p> <p><u>Articles:</u></p> <p>Glen Coulthard, <i>Red Skin, White Masks (Ch 4, "Seeing Red" – review)</i></p> <p>Joseph, Bob. <i>21 Things You May Not Know About the Indian Act: Helping Canadians Make Reconciliation with Indigenous Peoples a Reality</i>. Port Coquitlam: Indigenous Relations Press, 2018</p> <p>HOW TO WRITE A POLITICAL SCIENCE PAPER</p>

<p>Week 10 Tues Nov 7 Thurs Nov 9</p>	<p>Indigenous Protest and Activism I:</p> <p>Kanehsatake/The Summer of Oka:</p> <p>Kanehsatake: 270 Years of Resistance https://www.nfb.ca/film/kanehsatake_270_years_of_resistance/</p> <p><u>Supplementary:</u></p> <p>Russell, Peter. "Oka to Ipperwash: The necessity of flashpoint events." <i>This is an honour song: Twenty years since the blockades</i> (2010): 29-46.</p> <p>Gruning, "Learning Relations and Grounding Solidarity" <i>This is an honour song: Twenty years since the blockades</i> (2010)</p> <p>Dhamoon, Rita, and Yasmeen Abu-Laban. "Dangerous (internal) foreigners and nation- building: The case of Canada." <i>International political science review</i> 30.2 (2009): 163- 183.</p> <p>OUTLINES DUE</p>
<p>Week 11 Tues Nov 14 Thurs Nov 16</p>	<p>Indigenous Protest and Activism II:</p> <p>Environmental Activism, Pipeline Protests, Idle No More:</p> <p>Aguirre, K. (2015). Telling stories: Idle No More, Indigenous resurgence and political theory. In Coburn, E. (Ed.). <i>More will sing their way to freedom: Indigenous resistance and resurgence</i> (184-207). Black Point, NS: Fernwood Publishing.</p> <p>Wotherspoon, T., & Hansen, J. (2013). The "Idle No More" Movement: Paradoxes of First Nations Inclusion in the Canadian Context. <i>Social Inclusion</i>, 1(1), 21-36.</p> <p>UN Racism committee calls for halt to Site C, Trans Mountain and LNG Pipeline. https://www.citynews1130.com/2020/01/06/un-racism-committee-calls-for-halt-to-sitec-trans-mountain-and-lng-pipeline/</p> <p>OUTLINES RETURNED</p>
<p>Week 12 Tues Nov 21 Thurs Nov 23</p>	<p>Indigenous Protest and Activism III:</p> <p>Indigenous Feminism:</p> <p>Arvin, Maile, Eve Tuck, and Angie Morrill. "Decolonizing feminism: Challenging connections between settler colonialism and heteropatriarchy." <i>Feminist formations</i> (2013): 8-34.</p> <p>Sehdev, R. "Lessons from the bridge: On the possibilities of anti-racist feminist alliances in indigenous spaces,(pp. 105-123)." In <i>This is an Honour Song</i>, Simpson and Ladner, eds (2010).</p> <p>Hunt, Sarah Elizabeth. (2014). <i>Witnessing the Colonialscape: lighting the intimate fires of Indigenous legal pluralism</i> (selections)</p>

	<p><u>Supplementary:</u></p> <p>Suzack, C., Huhndorf, S. M., Perreault, J., & Barman, J. (Eds.). (2010). <i>Indigenous women and feminism: Politics, activism, culture</i>. UBC Press,-</p> <p>Monture-Angus, P., & McGuire, P. (2009). <i>First voices: An Aboriginal women's reader</i>. Inanna Publications.</p> <p>Joyce Green, Making Space for Indigenous feminisms, editions 1 and 2</p> <p>Valaskakis, G. G., Stout, M., & Guimond, E. (2009). Introduction. In G. G.</p> <p>Valaskakis, M. Stout & E. Guimond (Eds.), <i>Restoring the balance: First Nations women, community, and</i></p> <p>Mishuauna Goeman, for instance, <i>Mark My Words: Native Women Mapping Our Nations (Selections)</i></p> <p>Lavell-Harvard, D., & Brant, J. (2016). <i>Forever Loved: Exposing the Hidden Crisis of Missing and Murdered Indigenous Women and Girls in Canada</i>. Bradford, ON: Demeter Press.</p> <p>Riel-Johns, J. Chapter 2: Understanding violence against Indigenous women and girls in Canada. 34-46.</p>
<p>Week 13 Tues Nov 28 NO CLASS THURS NOV 30</p>	<p>FREE CLASS: TOPICS OF INTEREST, POSSIBLE GUEST SPEAKER.</p>
<p>Week 14 Tues Dec 5</p>	<p>Final Class: Going Forwards/Summary NO MANDATORY READINGS PAPERS DUE AT THE START OF CLASS</p>