

COURSE SYLLABUS



COURSE TITLE: IST 136 Indigenous Justice and Law
CLASS SECTION: IST136-001
TERM: Summer 2024
COURSE CREDITS: 3
DELIVERY METHOD(S): on campus, in community and on the land (Duncan)

Camosun College campuses are located on the traditional territories of the ɫəkʷəŋən and WSÁNEĆ peoples. We acknowledge their welcome and graciousness to the students who seek knowledge here. Learn more about Camosun's [Territorial Acknowledgement](#).

For COVID-19 updates please visit <https://camosun.ca/about/covid-19-updates>.

Camosun College requires mandatory attendance for the first class meeting of each course. If you do not attend, and do not provide your instructor with a reasonable explanation in advance, you will be removed from the course and the space offered to the next waitlisted student.

INSTRUCTOR DETAILS

NAME: Daleen Thomas
EMAIL: lawoffice.daleenthomas@gmail.com
OFFICE: By appointment, in person or virtual meetings available
HOURS: By appointment

As your course instructor, I endeavour to provide an inclusive learning environment. However, if you experience barriers to learning in this course, do not hesitate to discuss them with me. Camosun College is committed to identifying and removing institutional and social barriers that prevent access and impede success.

CALENDAR DESCRIPTION

PREREQUISITE(S): One of:

- C+ in English 12
- C in Camosun Alternative

CO-REQUISITE(S): None
EQUIVALENCIES: None

COURSE LEARNING OUTCOMES / OBJECTIVES

Students will examine Indigenous legal traditions, forms of justice, and engage in discourse regarding Indigenous peoples' experiences in the Canadian legal system with a focus on the criminal law including: interactions with police, courts, corrections and colonial law. Using both experiential and theoretical learning processes, students will consider and assess opportunities for emerging approaches and initiatives to achieve reconciliation in relation to justice with Indigenous peoples.

The following are a list of intended learning outcomes for this course. By the end of the semester, students should be able to:

1. Identify and describe who are Indigenous peoples in Canada and British Columbia;
2. Identify and describe Indigenous approaches to justice within Indigenous traditions;
3. Describe the intersection of economic, structured, political, racial and social factors that impact indigenous people's involvement in the Canadian justice system;
4. Describe and compare the roles and practices of various Indigenous programs and multiple Canadian social control agencies in the treatment of Indigenous offenders; and
5. Describe emerging models of justice and practice that address the needs of Indigenous peoples and communities and explore pathways towards reconciliation.

REQUIRED MATERIALS & RECOMMENDED PREPARATION / INFORMATION

Learning Materials

In an attempt to respect orality and different forms of teaching Indigenous peoples, the learning materials will include sound recordings, audio-visual documents, websites and texts.

You will be expected to access the following materials:

- Readings and other materials posted on D2L
- Additional material (powerpoints, interviews, etc.) may be added to D2L throughout the semester

*Instructor reserves the right to amend readings, resources and outline from time to time, in consultation with the class(es).

COURSE SCHEDULE, TOPICS, AND ASSOCIATED PREPARATION / ACTIVITY / EVALUATION

The following schedule and course components are subject to change with reasonable advance notice, as deemed appropriate by the instructor.

All week day classes will be held in Room WT 234 (Wilma Thomas Room 234). In community and on the land teaching will have locations to be announced. We might have to move class locations during the semester to accommodate other classes/events. I will post news of any class relocations on the d2l site.

Below is a brief outline of the topics and dates of each class. The material posted on d2l will include the links and academic papers required for each Module.

Module 1: Opening in a Good Way, A Brief Look at Who is Indigenous, and Sweatlodge Protocol (May 7th 2024)

Overview:

- Opening the class in a good way (land acknowledgment).
- Class Introductions.
- Learning Outcomes and D2L.
- Class Expectations.
- Protocols and Circles.
- Overview of "Who is Indigenous" and "What is Indigenous Justice and Law?"
- Medicine Wheel teachings and Sweatlodge Protocol

Objective:

- Lay the foundation for learning by demonstrating an indigenized process from the outset.

- Students should feel excited and empowered in their own learning journey.
- Understand protocols, circles, and class expectations.

Readings:

- Academic Indian job description, a poem by Cash Ahenakew
- Respecting Protocols
- Origins of Circles and current use

Goals:

- Familiarize students with Indigenous protocols and practices.
- Establish a respectful and inclusive learning environment.
- Introduce students to the concept of circles as a mode of communication and community building.

Module 2: Who Are Indigenous People? (May 11th 2024)

Objective:

- Understand who are the Indigenous peoples of Canada.
- Identify organizations or entities representing them on a Nation-to-Nation basis.
- Understand the current Indigenous Justice agencies, players and reports

Readings:

- UNDRIP - United Nations Declaration on the Rights of Indigenous People.
- DRIPA - Declaration of the Rights of Indigenous People Act (Provincial).
- What is Indian Status?
- BC Assembly First Nations (BCAFN)
- Union of BC Indian Chiefs (UBCIC)

Goals:

- Develop a foundational understanding of Indigenous identities and rights.
- Recognize key organizations advocating for Indigenous rights and sovereignty.
- Appreciate the diversity and complexity of Indigenous peoples in Canada.

Module 3: What is Indigenous Law and Justice? (May 14th, 2024)

Objective:

- Lay the foundation for exploring Indigenous law and its importance.
- Begin developing a vocabulary to speak about Indigenous Law.
- Know the difference between Aboriginal Law and Indigenous Law.

Readings:

- What is Indigenous Law by Val Napoleon.
- An Introduction to Indigenous Law.
- ILRU Case Note: Human Rights in Indigenous (Gitxsan Law).

Goals:

- Introduce students to the concept of Indigenous law and its significance.
- Familiarize students with basic terminology related to Indigenous legal systems.
- Encourage critical thinking about the role of Indigenous law in contemporary society.

Module 4: Application of Indigenous Laws - A Case Study (May 21st, 2024)

Objective:

- Question societal stereotypes and assumptions about Indigenous laws.
- Explore law beyond 'rules' or 'force.'
- Explore ways of knowing and understand ways of knowing can be decolonized and Indigenous.
- Introduce students to current legal reforms that Indigenize child welfare and criminal law.

Readings:

- Graphic Novel: Mikomosis and the Wetiko.
- Answer the provided questions after reading the graphic novel.

Goals:

- Challenge preconceived notions about Indigenous legal systems.
- Encourage students to think critically about the application of Indigenous laws in modern contexts.
- Foster empathy and understanding through engagement with Indigenous narratives.

Module 5: Indigenous Approaches to Justice within Indigenous Traditions (May 28th, 2024)

Objective:

- Understand practices, customs, and traditions that inform Indigenous communities' law.
- Gain insights into the process of decolonizing law.
- Decolonizing the mind as a process.

Readings:

- N'we Jinan YouTube videos.
- Michael Yellowbird, Decolonizing the Mind
- Article: Canadian law schools trade moot courts for Indigenous land-based learning.

Goals:

- Explore the diversity of Indigenous justice systems and their cultural underpinnings.
- Examine the potential for integrating Indigenous approaches to justice within mainstream legal frameworks.
- Foster appreciation for Indigenous perspectives on law and justice.

Module 6: Background: A Brief Legal History on Turtle Island (June 4th, 2024)

Objective:

- Understand Indigenous legal orders alongside non-Indigenous legal orders.
- Examine factors contributing to the disintegration of the idea of co-existing laws.
- Review the difference between Aboriginal Law and Indigenous Law.
- Reinforce that we are all Indigenous to somewhere (Jared Qwustenuxun Williams) and the goal of colonialization towards all Indigenous people.

Readings:

- A Short Introduction to the Two Row Wampum.
- Wampum at Niagara: The Royal.
- Jared Williams: We are all Indigenous (social media post)

Goals:

- Provide historical context for understanding the relationship between Indigenous and non-Indigenous legal systems.
- Explore the impact of colonization on Indigenous legal orders.
- Encourage reflection on the potential for reconciliation between different legal traditions.

Module 7: Colonial Realities and Injustices, the Story of Colton Boushie and Current Events (June 11th 2024)

Objective:

- Show how the Canadian Criminal Legal System is failing Indigenous peoples.
- Explore the journey of the Boushie family through the broken system.

Readings:

- Film: nîpawistamâsowin: We Will Stand Up.

Goals:

- Critically analyze the failures of the Canadian legal system in serving Indigenous communities.
- Empathize with the experiences of Indigenous individuals and families navigating the justice system.

- Consider pathways for addressing systemic injustices and advocating for reform.

Module 8: Understanding Indigenous Inquiries and Commissions (TRC & MMIWG) (June 18th, 2024)

Objective:

- Explore the Truth and Reconciliation Commission Calls to Action and MMIWG Calls to Justice.
- Analyze the colonial construct of the commissions and inquiries.
- Review current programs of First Nations Justice Counsel and other Indigenous justice strategies/processes.

Readings:

- Truth and Reconciliation Commission Calls to Action.
- National Inquiry into Missing and Murdered Indigenous Women and Girls - Calls to Justice.
- Webinar: Overview of the Progress of the Calls to Action by Senator Murray Sinclair.
- First Nations Justice Strategy; and Metis Nation Justice Strategy (to be released May 2024)

Goals:

- Understand the significance of truth and reconciliation processes in addressing historical injustices.
- Examine the limitations and possibilities of government-led inquiries and commissions.
- Reflect on personal and collective responsibilities in advancing Indigenous rights and justice initiatives.

**** On the land classes are mandatory. If you need a letter from the instructor to assist with rescheduling work times and obtaining childcare, please let me know as soon as possible.**

Students registered with the Centre for Accessible Learning (CAL) who complete quizzes, tests, and exams with academic accommodations have booking procedures and deadlines with CAL where advanced noticed is required. Deadlines can be reviewed on the [CAL exams page](http://camosun.ca/services/accessible-learning/exams.html). <http://camosun.ca/services/accessible-learning/exams.html>

EVALUATION OF LEARNING

DESCRIPTION	WEIGHTING
<p>Mid Term Assignment – This paper is a combination of personal reflection and critical analysis of 3-5 videos, audio clips, and/or class discussions (the “Materials”). Students will reflect on them, tie them to themes of the class, the impact on you, your learning and how you can apply these in your personal or professional lives.</p> <p>Guidelines: Paper will be times new roman font, 12 pt, double spaced, 2 pages. One page title page and one reference page for a total of 4 pages. (APA references) Marking Rubrics will be posted on d2l</p>	20%
Attendance – Sweatlodge (make up assignment available with same requirements of Midterm Assignment)	30%
Final Paper or Presentation (Advocacy)	30%

DESCRIPTION	WEIGHTING
<p>Students will choose between a in person advocacy presentation on an area of Indigenous Justice and Law of their choosing. Final papers will follow the requirements of the Mid Term paper but will require the student to advocate for one concept or practice of Indigenous justice over 4-5 pages of writing, 6-7 pages total (cover page and references). In person advocacy presentations will be of 15 minutes length each and will properly set out an Indigenous Justice and Law concept, teaching or practice that the student believes should exist in our system. Additional information on Presentation available.</p> <p>Students who wish to be creative may be creative. If a student wishes to propose a final assignment of another nature (series of artwork or other alternate assignment) they can be proposed to the instructor within the first two weeks of class. A short presentation to the class might also be required.</p> <p>The purpose of the final assignment is to work your advocacy muscles and learn how to (or practice) advocating in writing or in person.</p>	
<p>Attendance and Participation</p> <p>Student will participate in classes and engage with materials, including engaging with other students. Attendance is mandatory and non-attendance can be failing the class, irrespective of the percentage in the final mark.</p>	20%
<p>If you have a concern about a grade you have received for an evaluation, please come and see me as soon as possible. Refer to the Grade Review and Appeals policy for more information.</p>	<p>TOTAL</p> <p>100%</p>

If you have a concern about a grade you have received for an evaluation, please come and see me as soon as possible. Refer to the [Grade Review and Appeals](http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf) policy for more information.

<http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf>

COURSE GUIDELINES & EXPECTATIONS

A. Late Assignments

All assignments must be completed and handed in on the date assigned. Late assignments will be penalized 5% per day however after 10 days will not be accepted for marking. Please note that NO extensions will be granted for the final paper or assignment in this course due to deadlines.

B. Plagiarism, Cheating and Academic Dishonesty

If plagiarism, cheating or academic dishonesty is found, the penalty may be an automatic zero on assignment in question. Please review Camosun's plagiarism policy for more information.

<http://camosun.ca/about/policies/education-academic/e-2-student-services-&-support/e-2.5.1.pdf>

SCHOOL OR DEPARTMENTAL INFORMATION

The Indigenous Education and Community Connections Department is a valuable resource for you. If you are having difficulty with course content, registration, course selection, funding issues or anything that would get in the way of you being successful in this program, there are Indigenous advisors and support people there for you to talk with. Please stop by the office or call 250-370-3299 to book an appointment.

STUDENT RESPONSIBILITY

Enrolment at Camosun assumes that the student will become a responsible member of the College community. As such, each student will display a positive work ethic, assist in the preservation of College property, and assume responsibility for their education by researching academic requirements and policies; demonstrating courtesy and respect toward others; and respecting expectations concerning attendance, assignments, deadlines, and appointments.

SUPPORTS AND SERVICES FOR STUDENTS

Camosun College offers a number of services to help you succeed in and out of the classroom. For a detailed overview of the supports and services visit <http://camosun.ca/students/>.

Support Service	Website
Academic Advising	http://camosun.ca/advising
Accessible Learning	http://camosun.ca/accessible-learning
Counselling	http://camosun.ca/counselling
Career Services	http://camosun.ca/coop
Financial Aid and Awards	http://camosun.ca/financialaid
Help Centres (Math/English/Science)	http://camosun.ca/help-centres
Indigenous Student Support	http://camosun.ca/indigenous
International Student Support	http://camosun.ca/international/
Learning Skills	http://camosun.ca/learningskills
Library	http://camosun.ca/services/library/
Office of Student Support	http://camosun.ca/oss
Ombudsperson	http://camosun.ca/ombuds
Registration	http://camosun.ca/registration
Technology Support	http://camosun.ca/its
Writing Centre	http://camosun.ca/writing-centre

If you have a mental health concern, please contact Counselling to arrange an appointment as soon as possible. Counselling sessions are available at both campuses during business hours. If you need urgent support after-hours, please contact the Vancouver Island Crisis Line at 1-888-494-3888 or call 911.

Since I am a lawyer, if you have any issues at all that are causing you concern, please let me know. I will do my best to make sure your issues are resolved. The best way to reach me outside of class is to email me at lawoffice.daleenthomas@gmail.com or call me at 778-679-5066. I don't answer my phone when I am in court and please do not leave me voicemails, they do not get checked regularly.

COLLEGE-WIDE POLICIES, PROCEDURES, REQUIREMENTS, AND STANDARDS

Academic Integrity

Students are expected to comply with all College policy regarding academic integrity; which is about honest and ethical behaviour in your education journey. The following guide is designed to help you understand your responsibilities: <https://camosun.libguides.com/academicintegrity/welcome>
Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.13.pdf> for Camosun's Academic Integrity policy and details for addressing and resolving matters of academic misconduct.

Academic Accommodations for Students with Disabilities

The College is committed to providing appropriate and reasonable academic accommodations to students with disabilities (i.e. physical, depression, learning, etc.). If you have a disability, the [Centre for Accessible Learning](#) (CAL) can help you document your needs, and where disability-related barriers to access in your courses exist, create an accommodation plan. By making a plan through CAL, you can ensure you have the appropriate academic accommodations you need without disclosing your diagnosis or condition to course instructors. Please visit the CAL website for contacts and to learn how to get started:
<http://camosun.ca/services/accessible-learning/>

Academic Progress

Please visit https://www.camosun.ca/sites/default/files/2021-05/e-1.1_0.pdf for further details on how Camosun College monitors students' academic progress and what steps can be taken if a student is at risk of not meeting the College's academic progress standards.

Course Withdrawals Policy

Please visit <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.2.pdf> for further details about course withdrawals. For deadline for fees, course drop dates, and tuition refund, please visit <http://camosun.ca/learn/fees/#deadlines>.

Grading Policy

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.5.pdf> for further details about grading.

Grade Review and Appeals

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf> for policy relating to requests for review and appeal of grades.

Mandatory Attendance for First Class Meeting of Each Course

Camosun College requires mandatory attendance for the first class meeting of each course. If you do not attend, and do not provide your instructor with a reasonable reason in advance, you will be removed from the course and the space offered to the next waitlisted student. For more information, please see the “Attendance” section under “Registration Policies and Procedures” (<https://camosun.ca/registration-records/policies-and-procedures-students/registration-policies-students>) and the Grading Policy at <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.5.pdf>.

Medical / Compassionate Withdrawals

Students who are incapacitated and unable to complete or succeed in their studies by virtue of serious and demonstrated exceptional circumstances may be eligible for a medical/compassionate withdrawal. Please visit <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.8.pdf> to learn more about the process involved in a medical/compassionate withdrawal.

Sexual Violence and Misconduct

Camosun is committed to creating a campus culture of safety, respect, and consent. Camosun’s Office of Student Support is responsible for offering support to students impacted by sexual violence. Regardless of when or where the sexual violence or misconduct occurred, students can access support at Camosun. The Office of Student Support will make sure students have a safe and private place to talk and will help them understand what supports are available and their options for next steps. The Office of Student Support respects a student’s right to choose what is right for them. For more information see Camosun’s Sexualized Violence and Misconduct Policy: <http://www.camosun.ca/sites/default/files/2021-05/e-2.9.pdf> and camosun.ca/sexual-violence. To contact the Office of Student Support: oss@camosun.ca or by phone: 250-370-3046 or 250-370-3841

Student Misconduct (Non-Academic)

Camosun College is committed to building the academic competency of all students, seeks to empower students to become agents of their own learning, and promotes academic belonging for everyone. Camosun also expects that all students to conduct themselves in a manner that contributes to a positive, supportive, and safe learning environment. Please review Camosun College’s Student Misconduct Policy at <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.5.pdf> to understand the College’s expectations of academic integrity and student behavioural conduct.

Looking for other policies?

The full suite of College policies and directives can be found here: <https://camosun.ca/about/camosun-college-policies-and-directives>

Changes to this Syllabus: Every effort has been made to ensure that information in this syllabus is accurate at the time of publication. The College and instructor reserve(s) the right to change courses if it becomes necessary so that course content remains relevant. In such cases, the instructor will give the students clear and timely notice of the changes.