



CAMOSUN COLLEGE
Eyē Sqâ'lewen (IECC)
Indigenous Studies

IST 243
Comparative Indigenous Rights
Spring 2021

COURSE OUTLINE

☐ Please note: This outline will not be kept indefinitely. It is recommended students keep this outline for their records, especially to assist in transfer credit to post-secondary institutions.

1. Instructor Information

(a) Instructor	Jarrad Reddekop
(b) Office hours	Weekly via Blackboard Collaborate, Tuesdays 11:00am-12:00pm or by appt.
(c) Location	"Course Room" on Blackboard Collaborate
(d) Phone	Alternative: _____
(e) E-mail	ReddekopJ@camosun.bc.ca

2. Short Description

Students will examine historical and contemporary practices and perspectives concerning Indigenous peoples' rights in Canada, Aotearoa/New Zealand, Australia and the United States. Students will engage with foundational concepts of Indigenous rights as well as identify and analyze commonalities and differences between these international contexts. Indigenous movements toward self-determination and self-government will be explored by students through a range of rights issues. These include the role of domestic and international law, land title and jurisdiction, treaties and social policy such as education and child welfare.

☒ "To find out where this course transfers, check the BC Transfer Guide at <http://bctransferguide.ca>"

2. Intended Learning Outcomes

(If any changes are made to this part, changes must also be made on the Course Outline)

Upon successful completion of the course the student will be able to:

1. Demonstrate knowledge and understanding of the experience of Indigenous peoples engaged in contemporary rights struggles in Canada, the United States, Australia and Aotearoa/New Zealand.
2. Demonstrate respect, knowledge and understanding of Indigenous peoples' historical struggles for recognition and autonomy.
3. Demonstrate a basic knowledge of contemporary international practices and perspectives regarding Indigenous peoples' rights.
4. Analyze and critique the impacts of colonization across diverse Indigenous experiences.
5. Develop analytical and research skills by writing and documenting a comparative paper.

3. Required Materials

Readings will be drawn from select articles and book chapters and supplied online via D2L. It is the student's responsibility to access and read all required texts each week.

*Please note: readings may be subject to change as we go along through the course. Any changes will be posted as news items on D2L and made available at least a week in advance.

4. Course Content and Schedule

Week 1 (Jan. 12): Introduction

- *Read:* Course syllabus
- *Watch:* Intro lecture

Week 2 (Jan. 19): Indigenous Nationhoods and Self-Government

*live session 1, Tues. @ 1:00 pm

- Stephen Cornell. "Processes of Native Nationhood: The Indigenous Politics of Self Government." *The International Indigenous Policy Journal* 6.4 (2015), 1-20.

Week 3: (Jan. 26) Inter-Indigenous Treaties

Required:

- Sheryl Lightfoot and David MacDonald "Treaty Relations Between Indigenous Peoples: Advancing Global Understandings of Self-Determination." *New Diversities Special Issue "Indigenous Politics of Resistance: From Erasure to Recognition,"* 19 (2017): 25-40.

Supplemental:

- Robbie Shilliam, "Introduction", *The Black Pacific: Anti-Colonial Struggles and Oceanic Connections* (Bloomsbury: 2015), 1-12.

Week 4 (Feb. 2): UNDRIP & Indigenous Self-Determination

*live session 2, Tues. @ 1:00 pm

Required:

- Sheryl Lightfoot, "The Declaration on the Rights of Indigenous Peoples: Forging Structural Change" in *Global Indigenous Politics: A Subtle Revolution* (New York: Routledge, 2016): 33-65, **at least 33-38, 55-65.**

Supplemental:

- Text of UNDRIP: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf
- Roderic Pitty, "Restoring Indigenous Self-determination Through Relational Autonomy and Transnational Mediation," in *Restoring Indigenous Self-Determination: Theoretical and Practical Approaches*, ed. by Marc Woons. (Bristol: E-IR, 2015): 65-72.

Week 5 (Feb. 9): Indigenous Rights and Title in Australia

*Current event presentation due date option 1: Feb. 12 @ 11:59 pm

Required:

- Justin Healy Ed. "Land Rights in Australia" in *Indigenous Rights*, The Spinney Press, 2014 (pp. 26-33)
- *The Little Red Yellow Black Book*, **Recommended:** 5-10, 12-28; **Required:** 37-38, 158-171.

Supplemental:

- <https://opencanada.org/australias-slow-progress-on-indigenous-rights/>
- <https://www.ag.gov.au/legal-system/native-title> (Australian Gov't site).
- <http://australianhumanitiesreview.org/2008/11/01/some-thoughts-about-the-philosophical-underpinnings-of-aboriginal-worldviews/>

Week 6 (Feb. 16) Reading break

Week 7 (Feb. 23): River Rights, Treaty, & Legal Pluralism in Aotearoa/NZ

*Live session 3, Tues. @ 1:00 pm

Required:

- Liz Charpleix, "The Whangai River as Te Awa Tupua: Place-based law in a legally pluralistic society." In *The Geographical Journal* 184:1 (March 2018): 19-30.
- Linda te Aho, "Te Mana o te Wai: An Indigenous perspective on rivers and river management," in *River Res. Applic.* 35 (2019): 1615-1621.

Supplemental:

- Margaret Mutu, "The Maori," in *Native Nations: Survival of the Fourth World* (University of Auckland, 2014).
- Anne Salmond, "Tears of Rangi: Water, Power, and People in New Zealand," in *Hau: Journal of Ethnographic Theory* 4:3 (2014): 285-309.
<https://www.journals.uchicago.edu/doi/pdfplus/10.14318/hau4.3.017>
- Ranginui J. Walker, "Māori Sovereignty, Colonial and Post-Colonial Discourses," in Havemann Ed. *Indigenous Peoples' Rights in Australia, Canada and New Zealand*. Auckland: Oxford University Press, 2000): 108 – 122.
- <https://www.law.cornell.edu/wex/standing>

Week 8 (March 2): Protecting the Sacred

*Midterm due end of this week (Mar. 5 @ 11:59 pm)

Required:

- Noelani Goodyear-Ka'ōpua "Protectors of the Future, Not Protestors of the Past: Indigenous Pacific Activism and Mauna a Wākea." *South Atlantic Quarterly* 116.1 (2017): 184–194.
- Cynthia Kanoelani Kenui "Na Kanaka Maoli: The Indigenous People of Hawai'i" in James Ed. *Diversity in Human Interactions: The Tapestry of America*. Oxford:

Oxford University Press, 2003: 93-99 (and rest if interested).

Week 9 (Mar. 9): Forced Federalism and Indigenous Nationhood in America

***Live class 4, Tues @ 10 a.m.**

Guest Speaker: Jeff Corntassel

*Current event presentation due date **option 2** Friday Mar. 12 @ 11:59 pm

Required:

- Jeff Corntassel, "Indigenous Governance amidst the Forced Federalism Era," *Kansas Journal of Law & Public Policy* 19:1 (2009)
- Corntassel and Hardbarger, 'Educate to Perpetuate: Land-based pedagogies and Community Resurgence,' *International Review of Education* (2019)

Supplemental:

- https://www.ncai.org/tribalnations/introduction/Indian_Country_101_Updated_February_2019.pdf
- <https://www.ncsl.org/research/state-tribal-institute/an-issue-of-sovereignty.aspx>
- "Tribal Sovereignty: The Right to Self-Rule", <https://youtu.be/bDzVPRHVMuY>

Week 10 (March 16): Repatriation

***Discussion post (and peer commentary) due by 11:59pm March 19**

Required:

- "Journey of the Haida Nation" in Indigenous Repatriation Handbook, 2019
https://royalbcmuseum.bc.ca/sites/default/files/indigenous_repatriation_handbook_v01_screen_jw_20190327.pdf
- Bruce Granville Miller, "Repatriation in Two Acts: The Museum of Vancouver" *BC Studies* 199 (Autumn 2018): 81-94.

Supplemental:

- <https://returnreconcilerenew.info/>
- Maureen Matthews and Roger Roulette, "Are All Stones Alive? Anthropological and Anishinaabe approaches to personhood," in *Rethinking Relations and Animism: Personhood and Materiality* New York: Routledge, 2018: 173-192.

Week 11 (March 23): Education

***Live class 5**

Guest Speaker: Graham Hingangaroa Smith

Required:

- Graham Hingangaroa Smith "Maori Education: Revolution and Transformative Action" *Canadian Journal of Native Education* 24.1 (2000): 57-70.

Supplemental:

- Braden Rico, "Awakening vision: examining the reconceptualization of Aboriginal education in Canada via Kaupapa Māori praxis," in *Asia Pacific Journal of Education* 23:4 (2013): 380-393.

Week 12 (March 30): Child Welfare

****TERM PAPER DUE April 2, 11:59 pm****

- Sonia Harris-Short "Introduction" [redacted version] in *Aboriginal Child Welfare, Self-Government and the Rights of Indigenous Children: Protecting the Vulnerable Under International Law*. London: Routledge, 2011
- *The Little Red Yellow Black Book*, 138-139.

Supplemental:

- Smylie, J., Kirst, M., McShane, K., Firestone, M., Wolfe, S., O'Campo, P. (2016). "Understanding the role of Indigenous community participation in Indigenous prenatal and infant-toddler health promotion programs in Canada: A realist review." *Social Science & Medicine*. 150, 128-143. <https://doi.org/10.1016/j.socscimed>.

Week 13 (April 6): Review and Conclusion

***Live class 6, Tues. @ 1:00 pm**

5. Basis of Student Assessment (Weighting)

All assignments are to be submitted to D2L unless otherwise noted.

Unless specified, all assignments received after the due date will receive a 5% per day penalty to a maximum of one week after which I will not accept it unless you have consulted with me at least three days in advance of the due date and received an accommodation.

The assignment and grading breakdown for this course is as follows:

- i. Attendance/viewing of the 6 synchronous discussions: 15% (2.5 % each)
 - ii. Forum discussion post (with peer commentary): 10%
 - iii. Current event presentation: 15%
 - iv. Midterm quiz: 25%
 - v. Comparative paper: 35%
- i) Attendance/participation at synchronous sessions, or watching recorded version afterwards: 15%**

Scheduled dates/times: All our live sessions (with one exception) will be on Tuesdays at 1:00-3:00pm. The dates will be: Jan. 19 (Week 2); Feb. 2 (Week 4); Feb. 23 (Week 7); Mar. 9 (Week 9); Mar. 23 (Week 11); Apr. 13 (Week 13).

****The one exception** to these being scheduled in the afternoons will be on **Mar. 9 (Week 9)**. This class will be held instead in the morning @ 10 a.m., to accommodate our guest speaker, Jeff Cortassel. I recognize this may regrettably pose extra challenges for some.

We will be holding our six synchronous sessions together on Blackboard Collaborate, accessible through the course site on D2L. As this is an asynchronous class, it is expected that not everyone will be able to attend our synchronous meetings together, **although it is highly recommended that you do this if at all possible**. During this bizarre pandemic time, we will have to rely on these sessions to replace much of the dynamic and live back-and-forth both with your peers and with your instructor that forms such a crucial part of our in-class learning together. For those that can't attend, the sessions will be recorded and you will be expected to view those recordings on your own time. For this part of your grade, you will have two options: i) attend and participate in the live sessions; or ii) view them afterwards and complete a short discussion post responding to some aspect of the recorded material that struck you. If you are opting for option ii), please note that you will have **1 week from the date the recorded session is available on D2L to write your post**.

I also encourage you to approach these sessions with the intention of getting as much from them as you can for your own learning. Like many things in higher education (and life), the more energy you put in, the more you are likely to get out of these sessions. This means coming to class prepared to engage. Get the week's readings done beforehand. Take notes that include your own reactions and questions, and come to class with ideas of what you might want to talk about.

- ii) **Discussion post (with peer commentary): 10%**
~1 pg. double spaced, 250-300 words
Due by **March 19 @ 11:59pm**

For this assignment, you will write a **short discussion post (250-300 words)** and also **comment on at least 2 posts** from your peers. Although it is due on March 19, you will be able to write your posts **at any time prior to this** and I encourage you not to leave it to the last minute. You will only be able to comment on others' posts once you have written your own (this is made automatic through D2L), so this will be an incentive to leave yourself plenty of time and do it as early as you can.

For your post, you will choose a teaching that you have found especially striking within the course materials, and you will respond to it. Try to articulate why that teaching matters or is important in your view. A point to consider could be, How might this connect to your own situation or praxis? Conversely, perhaps something is not sitting well with you. Use your discussion post to try to articulate what that is and why. By "course materials" here, I mean readings or any other required materials, excluding lectures. You can of course refer to lectures, but your primary focus should be tied to those materials that are not from or by your instructor. Make sure you cite your reference material(s) as well. (Since you will only be referring to required materials from

the course syllabus, you can just use an in-text citation without making a final bibliography/references list.)

When responding to/commenting on others' posts, there is no minimum word count, but your post needs to be long enough to encapsulate an idea. A quality response will go beyond simple statements like "I agree/disagree" (see below).

The aim here is to create an opportunity for peer-based learning and discussion, and for practicing the skills of responding to others' ideas in a thoughtful way.

Assessment Criteria – or, how to write a good discussion post:

- Does your contribution reflect a high-quality engagement with assigned course materials? (Does it show that you are doing the readings, and working hard to understand them? Does it show an ability to understand and analyze the arguments within the readings? This doesn't mean showing that you know everything. It also means trying to be clear about what you don't understand.)
- In your responses to others' posts, are you helping to advance a conversation and our collective learning together, helping to bring new aspects of a topic into consideration or deepen class understandings of what has already been discussed?
- Do your responses show that you are engaging respectfully with others, coming to the conversation with a good mind and heart? Does it show a commitment to a thoughtful and positive relational practice with your peers and instructor? Are you allowing yourself a degree of vulnerability before others as you work to learn together with them?
- Are you engaging at a high level with what others have said? A higher level of engagement means going beyond "I agree/disagree". Instead, how can you develop a theme or question someone has introduced? If there is something you don't understand, how can you clarify what that is so we can all learn it better? Could you take something they have said a step further, or apply it usefully in a new context? Are there new problems that arise in doing so? Perhaps the way someone has framed an issue seems wrong to you. How would you want to put the matter differently, and what's at stake in the difference? In all of this, again, it is also important to check one's ego: let's approach discussion from the point of view of trying to collectively puzzle through things together, rather than of digging in to positions we are then trapped by. Learning how to respond positively and constructively in dialogue with others, even on potentially fraught topics, is a crucial skill and this exercise should give you an opportunity to polish that particular stone.

Grading Rubric for discussion post:

Criteria	Value
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Quality of engagement, main post	5
Citation	1
Clear and concise writing	2
Peer responses, quality of engagement	2

iii) **Current Event Presentation – 15%**

By the **Friday of the end of week two**, you will sign up (via a Discussion topic I will embed in the week 2 module of the course) to create a short (10-12 minute) presentation on a recent news article or media item of your choosing from the **US, Australia or NZ/Aotearoa** about a current event relating to one of our weekly course themes. You have the option of picking between **2 due dates**. If you want to write about a theme covered in class from Weeks 1-5, your presentation will be due by the **Friday @ 11:59 pm of Week 5 (Feb. 12)**. If you would rather write about a theme from Weeks 7-9, your presentation will be due by the **Friday @ 11:59 pm end of Week 9 (Mar. 12)**. You can choose either, but you must choose by the end of week 2. If you do not choose in time you will be assigned one of these due dates in accordance with whatever makes your instructor's life easier. If you prefer, you can also hand in your presentation prior to your due date.

Your presentation should include:

- Title, source and brief outline of the article or media item and why you chose it
- A copy or copies of the article (paper or digital) for reference
- Your explanation and analysis of how the article or issue discussed addresses a concept or issue from the course or in the course reading;
- Reflection on connections to similar issues in the Canadian context
- Although other options are feasible, it is recommended that you use PowerPoint and record your presentation using Kaltura capture.

Your media item can be either an article or a video news story, but it must be from a reputable news source, i.e., NOT a blog, or social media site such as Facebook. Such sources might include national and international newspapers (e.g. *The Globe and Mail*, *New York Times*, *The Washington Post*, *The Guardian*, *The Vancouver Sun*, *The Toronto Star*), major weekly news magazines (e.g. *The Economist*, *Maclean's*, *Al Jazeera*, *Newsweek*, *Time*), television news programming (e.g. *CBC The National*, *PBS Newshour*, *BBC World News*, *CNN*).

iv) **Midterm Quiz – 25%**

Due: Mar. 5 @ 11:59 pm

There will be one mid-term quiz, made up of definition, short answer, and essay questions. It will effectively be an open-book, "take home"-style quiz. I will give you a list of questions at the start of the week, which you will answer and hand in by the end of the week. Quiz questions are intended to reference specific readings or lecture material

from the course, so answering the questions should involve going back and finding where we have talked about X *specifically within the context of this course*. While you will have access to all your usual resources while writing the quiz from home, including Google, be aware therefore that there are limits to *how useful the internet can be* in this kind of exercise.

v) **Comparative paper – 35%**

Due: April 2 @ 11:59 pm
1750 words (~6 pages double spaced)

Since this is a class about comparative Indigenous rights and associated issues, your final assignment will be a comparative paper. Choose a topic that connects directly to a concept, issue, or theme from the course, and then critically and comparatively discuss your topic in relation to at least one specific example from TWO of the contexts we discuss – Canada, USA, Aotearoa/NZ, or Australia. An important aspect of your analysis here will be to consider both similarities and differences across these contexts and the ways these have shaped Indigenous experiences and struggles in either case. Factors to consider and focus on here could include:

- Are there relevant differences in state law, constitutional status, treaty history, etc., that shape the contexts you are looking at?
- What about the Indigenous peoples in question, and their respective laws, philosophical traditions, political structures, and so on?
- What do differences and similarities between your examples suggest or tell us more broadly about the range of ways Indigenous struggles are experienced, or about the relative success of particular strategies?

Please note: for this assignment, you are required to cite a minimum of 4 resources beyond assigned class readings. A minimum of **two** of these must be from academic journals or book chapters.

6. Citation style

Since I gather that APA is the style most used within Indigenous Studies at Camosun, we will adopt this as our standard as well. If you have a burning desire to use another style, you may do so; *but you must pick one, and you must specify for me, in your assignment, which other style you are using.*

7. Course Policies

Please see Course Policies document for information on expectations around assignment submission, in-class conduct, communication etc.

8. Built-in D2L features for online learning

Since this is an online class, there are some features of the course page on D2L worth emphasizing. First, every week there is an optional, voluntary “survey” available through each course module. This is intended to give you an easy channel through which to communicate with me at the level of “I would raise my hand and ask about this in class” rather than “I need to come see the instructor in office hours”. I will try to answer your questions – whether through an email to you if this seems most appropriate, or possibly through an additional short video if I think the question is likely to be of broader interest, which I will post in the module. Or if it seems more reasonable to do so I may just roll it into the next week’s live session or lecture video. This feature should be useful for you but also for me, since it will help me keep abreast of where all of you are at in your learning and thinking and how I can speak to your interests.

For Office Hours, each week I have included a link to Blackboard Collaborate. During Office Hours I will just open the Course Room and leave it open for the hour in case any of you want to “drop by” to ask me anything. If that is too public however (since anyone in the class could also join at the same time) you can always just send me an email or phone me.

9. Recommended Materials to Assist Students to Succeed Throughout the Course

Our fantastic librarians have compiled a website for Indigenous Studies that should be your first stop for research assignments, find it here:

<http://camosun.ca/libguides.com/IndigenousStudies>

For tips on critical reading and engagement with texts please use the resources shared in class and posted on D2L. For citation help please see these guides:

<http://camosun.ca/libguides.com/cite>

There are a variety of services available for students to assist you throughout your learning including academic and Indigenous advisors, counsellors, accessibility, library and Writing Centre staff. Here are a few links:

IECC Student Supports | <http://camosun.ca/learn/school/indigenous-education-community-connections/students/index.html>

Centre for Accessible Learning | <http://camosun.ca/services/accessible-learning/>

Writing Centres | <http://camosun.ca/services/writing-centre/>

10. College Supports, Services and Policies

Immediate, Urgent, or Emergency Support

If you or someone you know requires immediate, urgent, or emergency support (e.g. illness, injury, thoughts of suicide, sexual assault, etc.), **SEEK HELP**. Resource contacts:

<http://camosun.ca/about/mental-health/emergency.html>

or

<http://camosun.ca/services/sexual-violence/get-support.html#urgent>

College Services

Camosun offers a variety of health and academic support services, including counselling, dental, disability resource centre, help centre, learning skills, sexual violence support &

education, library, and writing centre. For more information on each of these services, visit the **STUDENT SERVICES** link on the College website at <http://camosun.ca/>

College Policies

Camosun strives to provide clear, transparent, and easily accessible policies that exemplify the college's commitment to life-changing learning. It is the student's responsibility to become familiar with the content of College policies. Policies are available on the College website at <http://camosun.ca/about/policies/>. Education and academic policies include, but are not limited to, Academic Progress, Admission, Course Withdrawals, Standards for Awarding Credentials, Involuntary Health and Safety Leave of Absence, Prior Learning Assessment, Medical/Compassionate Withdrawal, Sexual Violence and Misconduct, Student Ancillary Fees, Student Appeals, Student Conduct, and Student Penalties and Fines.

11. Grading System (select ✓ one)

- Letter Grades
 Competency Based

Refer to Grading Policy (at <http://www.camosun.bc.ca/policies/policies.php> or the College Calendar) for specific information regarding these systems)

Percentage	Grade	Description	Grade Point Equivalency
90-100	A+		9
85-89	A		8
80-84	A-		7
77-79	B+		6
73-76	B		5
70-72	B-		4
65-69	C+		3
60-64	C		2
50-59	D		1
0-49	F	Minimum level has not been achieved.	0

Temporary Grades

Temporary grades are assigned for specific circumstances and will convert to a final grade according to the grading scheme being used in the course. See Grading Policy at <http://www.camosun.bc.ca/policies/E-1.5.pdf> for information on conversion to final grades, and for additional information on student record and transcript notations.