

JPI 201: Indigenous Politics in Canada
University of Toronto
Spring, 2022

Instructor: Daniel Sherwin

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Office Hours: On Zoom, Wednesdays 3:00-4:00, or by appointment

Delivery: Online, Asynchronous

STATEMENT ON ACKNOWLEDGEMENT OF TRADITIONAL LAND

This course takes place on land that has been in relation with Indigenous people and societies since time immemorial. The Elders Circle of the University of Toronto has provided the following statement on acknowledgement of traditional land:

We would like to acknowledge this sacred land on which the University of Toronto operates. It has been a site of human activity for 15,000 years. This land is the territory of the Huron-Wendat and Petun First Nations, the Seneca, and most recently, the Mississaugas of the Credit River. The territory was the subject of the Dish with One Spoon Wampum Belt Covenant, an agreement between the Iroquois Confederacy and Confederacy of the Ojibwe and allied nations to peaceably share and care for the resources around the Great Lakes. Today, the meeting place of Toronto is still the home to many Indigenous people from across Turtle Island and we are grateful to have the opportunity to work in the community, on this territory.

Revised by the Elders Circle (Council of Aboriginal Initiatives) on November 6, 2014.

Available at: <https://www.studentlife.utoronto.ca/fnh>

COURSE DESCRIPTION

In the last two years, Indigenous peoples have asserted their territorial authority across the territory now known as Canada. The Wet'suwet'en are in the midst of a long struggle with Coastal Gaslink to prevent the construction of a pipeline on their territory. The Haudenosaunee have partially succeeded in enforcing a moratorium on construction within the Haldimand tract, as the Mackenzie Meadows development has been cancelled. Several Algonquin Nations have closed moose hunting on their territories out of concern for sustainability. The Mi'kmaw community of Sipekne'katik is in the process of establishing a treaty lobster fishery, drawing them into conflict with both the Ministry of Fisheries and Oceans and with local settlers.

These headline-grabbing episodes are indicative of a profound shift in Indigenous politics in Canada. Indigenous peoples are acting outside the structures of the colonial state to assert their laws and their sovereignty. At the same time, the Government of Canada continues to pursue an agenda of reconciliation and Indigenous self-determination.

In this course, we will examine the political, legal, and historical context for these events. Our focus will be specifically on the relationship between Indigenous peoples and the

Canadian state. We will begin with five weeks covering the “foundations” of the relationship: Indigenous political orders, colonialism, and treaties. Then, we will survey Indigenous struggles against colonialism with particular attention to histories of colonialism and resistance that have shaped this year’s flashpoint events.

This course has three principal objectives. First, it will introduce students to the historical and ongoing reality of colonialism in Canada. Second, students will learn about the ways Indigenous peoples have resisted colonialisms through legal struggles, land reoccupations, constitutional negotiations, treaty-making, and resurgence. Third, students will gain a basic understanding of some Indigenous political and legal traditions, and how these traditions have shaped Indigenous anticolonial struggles.

Course Structure

This is an online, asynchronous course. Each Monday morning, I will post a lecture that covers the main topic for that week.

Many weeks, I will post an additional video or audio recording. These may include more detailed discussions of specific course readings, explanations of an upcoming assignment, recordings of conversations with experts and guest speakers.

Tutorials will take place on Thursdays, either in person or online. Tutorials will be led by course TAs, and will generally involve a combination of discussions, small group work, and activities related to the assigned course materials. Some tutorials will involve activities or lessons intended to support course assignments.

GRADING SCHEME

Tutorial Participation - 10%

Your TA will communicate expectations regarding participation during the first week of tutorials.

Weekly Assignments (10) - 20% Due Each Thursday at 12:00 pm

Each week, you will receive a short assignment intended to encourage attentive reading and listening.

There will be 12 assignments; only your highest 10 grades will count toward your final mark. Late assignments will not be accepted, and extensions will be granted only in ex.

Assignments will be graded on a 2-point scale:

2 – Complete. The assignment has been thoughtfully completed and demonstrates engagement with relevant course materials.

1 - Partially complete. Part of the assignment has been completed; the assignment has been roughly completed, with major errors; the assignment demonstrates incomplete or inadequate engagement with course materials.

0 - Incomplete. Serious and repeated errors; does not demonstrate evidence of engagement with course materials; Question not answered; missing.

Short Essay – 20% Due Monday, February 14 at 5:00pm

Using additional research materials that will be provided, you will write a brief argumentative essay. Detailed assignment instructions will be posted on Quercus during the second week of class.

Short Essay Revisions 10%– Due Friday, March 11 at 5:00pm

Based on the feedback you receive from your TA, you will submit a revised short essay. The purpose of this assignment is to develop your ability to edit your own work to improve the strength of your argument and clarity of prose.

Final Essay – 40% Due Friday, April 8 at 5:00pm

You will write a final essay on a topic of your choosing related to Indigenous politics in Canada. Detailed assignments guidelines and suggested topics will be distributed on February 11.

By March 21: You must email you selected topic and a list of five sources to your TA.

All assignments will be submitted through the Quercus course page.

COURSE SCHEDULE

Week 1 (January 10): Where are we? Place and the Resurgence of Indigenous Authority

Required:

- <https://native-land.ca/>
- University of Toronto Land Acknowledgement Statement <https://indigenous.utoronto.ca/about/land-acknowledgement/>
- Vowel, Chelsea. “Just Don’t Call Us Late for Supper: Names of Indigenous Peoples” and “Settling on a Name: Names for non-Indigenous Canadians” in *Indigenous Writes: A Guide to First Nations, Metis & Inuit Issues in Canada*. Debwe Series. Winnipeg, Manitoba: Highwater Press, 2016: pp. 7-22
- Leanne Simpson, “Looking after Gdoo-Naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships,” *Wicazo Sa Review* 23, no. 2 (2008): 29–42.

Additional Resources:

- “I regret it’: Hayden King on writing Ryerson University's territorial acknowledgement” *Unreserved*, CBC Radio

<https://www.cbc.ca/radio/unreserved/redrawing-the-lines-1.4973363/i-regret-it-hayden-king-on-writing-ryerson-university-s-territorial-acknowledgement-1.4973371>

PART ONE: Foundations

Week 2 (January 17): Indigenous Legal and Political Orders

- George Manuel and Michael Poslun “Introduction: Does Indians have feelings?” pp 1 - 12 and “Chapter 2: Strong Medicine” pp. 33-47 in *The Fourth World: An Indian Reality*. (Minneapolis, University of Minnesota Press, 2018, [1973])
- Kiera L. Ladner, “Governing Within an Ecological Context: Creating an AlterNative Understanding of Blackfoot Governance,” *Studies in Political Economy* 70, no. 1 (March 2003): 125–52.
- Glen Coulthard. “Place against Empire: Understanding Indigenous Anti-Colonialism.” *Affinities: A Journal of Radical Theory, Culture, and Action* 4, no. 2 (2010): 79–83.

Additional Resources:

- John Borrows, *Canada’s Indigenous Constitution*, Chapter 3
- [repeated] Leanne Simpson, “Looking after Gdoo-Naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships,” *Wicazo Sa Review* 23, no. 2 (2008): 29–42.
- Aaron Mills, “The Lifeworlds of Law: On Revitalizing Indigenous Legal Orders Today,” *McGill Law Journal/Revue de Droit de McGill* 61, no. 4 (2016): 847–884
- Vine Deloria Jr. *God is Red: A Native View of Religion*. Fulcrum Publishing, 2003 [1973]

Week 3 (January 24): Colonialism I

- Art Manuel. “The Lay of the Land,” in *Unsettling Canada: A National Wake-Up Call*, 14-21. (Toronto: Between the Lines, 2015).
- Canada Royal Commission on Aboriginal Peoples. “An Historical Framework”. *Report of the Royal Commission on Aboriginal Peoples. Vol. 1, Looking Forward, Looking Back*. Ottawa, Ont: Indian and Northern Affairs Canada, 1996, pp. 40-44.
- Canada Royal Commission on Aboriginal Peoples. “Extending Measures of Control and Assimilation” and “Conclusion”. *Report of the Royal Commission on Aboriginal Peoples. Vol. 1, Looking Forward, Looking Back*. Ottawa, Ont: Indian and Northern Affairs Canada, 1996, pp. 165-176.

Week 4 (January 31): Colonialism II

- Truth and Reconciliation Commission of Canada. “Introduction,” *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*, 2015: pp. 1-26. http://epe.lac-bac.gc.ca/100/201/301/weekly_acquisition_lists/2015/w15-24-F-E.html/collections/collection_2015/trc/IR4-7-2015-eng.pdf
- Art Manuel, “Institutionalizing a People: Indian School, Indian Jail” in *Unsettling Canada: A National Wake-Up Call*, 22-32. (Toronto: Between the Lines, 2015)

Week 5 (February 7): Colonialism III

Guest Speaker: Vanita Clare

- National Inquiry into Missing and Murdered Indigenous Women and Girls, “Colonialism as Gendered Oppression” *Reclaiming Power and Place*, Volume 1a. pp. 229-312
- National Inquiry into Missing and Murdered Indigenous Women and Girls, “Deeper Dive: Resource Extraction Projects and Violence against Indigenous Women” *Reclaiming Power and Place*, Volume 1a. pp. 229-312
- Simpson, Leanne Betasamosake. “The Sovereignty of Indigenous Peoples’ Bodies.” In *As We Have Always Done: Indigenous Freedom through Radical Resistance*, 95–118. University of Minnesota Press, 2017.).

Week 6 (February 14): Treaties

- The Royal Proclamation of 1763, excerpts
- Borrows, John. “Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government.” In *Aboriginal and Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference*, edited by Michael Asch, 155–72. Vancouver: UBC Press, 1997.
- [Repeated] Leanne Simpson, “Looking after Gdoo-Naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships,” *Wicazo Sa Review* 23, no. 2 (2008): 29–42.

Additional Resources:

- Michael. Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada* (London, [England]: University of Toronto Press, 2014).
- Harold Johnson, *Two Families: Treaties and Government* (Saskatoon: Purich Pub, 2007).
- Sharon Venne, “Understanding Treaty Six: An Indigenous Perspective,” electronic resource, in *Aboriginal and Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference*, ed. Michael Asch (Vancouver: UBC Press, 1997), 173–207,

February 21-26: Reading Week

PART TWO: Indigenous struggles and the reshaping of colonialism in Canada

Week 7 (February 28): The White Paper 1969 and Red Power

Guest Speaker: Professor Dale Turner

- Indian, Northern Affairs Canada INAC. “Statement of the Government of Canada on Indian Policy, 1969,” 1969.
- Art Manuel. 2015. “White Paper to Red Paper: Drawing Battle Lines” in *Unsettling Canada: A National Wake-Up Call*, 33-37. (Toronto: Between the Lines, 2015)
- Dale A. Turner, “White Paper Liberalism and the Problem of Aboriginal Participation,” in *This Is Not a Peace Pipe : Towards a Critical Indigenous Philosophy* (Toronto: University of Toronto Press, 2006), 12–37.

Additional Resources

- Cardinal, Harold. *The Unjust Society*. Douglas & McIntyre, 1999 [1970].
- Sally M. Weaver, *Making Canadian Indian Policy: The Hidden Agenda, 1968-70* (Toronto: University of Toronto Press, c1981, 1981).

Week 8 (March 7): Nisga’a and Aboriginal Rights –

Guest Speaker: Bobby Clark, Director of Intergovernmental Affairs, Nisga’a Lisims Government.

- *Calder et al. v. Attorney-General of British Columbia*
- John Borrows “Let Obligations be done” in Hamar Foster, Heather Raven, and Jeremy Webber, eds. *Let Right Be Done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights*, Law and Society Series (Vancouver: UBC Press, 2007), 201-215.
- John Borrows, *Canada’s Indigenous Constitution*, Chapter 3, “Nisga’a Law”

Additional Resources

- Hoffman, Ross, and Andrew Robinson. “Nisga’a Self-Government: A New Journey Has Begun.” *The Canadian Journal of Native Studies* 30, no. 2 (2010): 387.
- “The Nisga’a Petition of 1913” Appendix B of Hamar Foster, Heather Raven, and Jeremy Webber, eds. *Let Right Be Done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights*, Law and Society Series, pp. 241-245
- Hamar Foster, Heather Raven, and Jeremy Webber, *Let Right Be Done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights*, Law and Society Series (Vancouver: UBC Press, 2007).

- Michael Asch “From Calder to Van der Peet: Aboriginal Rights and Canadian Law, 1973-96,” in *Indigenous Peoples’ Rights in Australia, Canada, & New Zealand* (1999).

Week 9 (March 14): Mi’kmaq and Treaty Rights

Guest Speaker: Chief Mike Sacks

- Pamela Palmater, “My Tribe, My Heirs, and Their Heirs Forever” In Battiste, Marie, ed. *Living Treaties: Narrating Mi’kmaw Treaty Relations*. Sydney, Nova Scotia: Cape Breton University Press, 2016.\
- James Sa’ke’j Henderson. “Alexander Denny and the Treaty Imperative” In Battiste, Marie, ed. *Living Treaties: Narrating Mi’kmaw Treaty Relations*. Sydney, Nova Scotia: Cape Breton University Press, 2016. Selections.
- (Film) Alanis Obamswain. *Is the Crown at war with us?* (2002)

Additional Resources

- John Borrows, *Canada’s Indigenous Constitution*, “Mik’maq Law”
- Watch: CBC News. *The History of the Mi’kmaw Lobster Fishery*, 2020. <https://www.cbc.ca/player/play/1820303427903>.
- Ladner, Kiera L. “Up the Creek: Fishing for a New Constitutional Order.” *Canadian Journal of Political Science* 38, no. 4 (2005): 923–53

Week 10 (March 21): Wet’suwet’en and Indigenous Land Defense

Guest Speakers: Wing Chief Sleydo’ and Jennifer Wickham, spokespeople for Gidimt'en Checkpoint

- *Delgamuukw v. British Columbia*, Supreme Court of Canada, 1997
- (Film) *Invasion* <https://unistoten.camp/media/invasion/>
- Submission by Gidimt’en Land Defenders to UN Human Rights Council

Additional Resources:

- Martin Lukacs “The Long Road to this winter’s protests” *The Tyee*. <https://thetyee.ca/Analysis/2020/03/27/The-Long-Road-This-Winter-Protests/>
- John Borrows, *Canada’s Indigenous Constitution*, “Carrier Law”
- Gordon Christie, “A Colonial Reading of Recent Jurisprudence: Sparrow, Delgamuukw and Haida Nation,” *Windsor YB Access Just.* 23 (2005): 17.
- John Borrows, “Sovereignty’s Alchemy: An Analysis of Delgamuukw v. British Columbia,” *Osgoode Hall Law Journal* 37 (1999): 537–96.

Week 11 (March 28):

Haudenosaunee and Sovereignty

- Deskaheh “The Redman’s appeal for justice” Pamphlet, 1923
- Hill, Susan M. *The Clay We Are Made of: Haudenosaunee Land Tenure on the Grand River*. Critical Studies in Native History 20. Winnipeg, Manitoba, Canada: University of Manitoba Press, 2017. Selections.
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Additional Resources:

- John Borrows, *Canada’s Indigenous Constitution*, “Haudenosaunee Law”
- Paul Williams, *Kanyanerenkó:wa: The Great Law of Peace*
- Patricia Monture-Angus. *Thunder in my soul: A Mohawk Woman Speaks* (Selections)

Week 12 (April 4): Resurgence

- Glen Sean Coulthard, “Beyond Recognition: Indigenous Self-Determination as Prefigurative Practice,” in *Lighting the Eighth Fire: The Liberation, Resurgence, and Protection of Indigenous Nations.*, ed. Leanne Betasamosake Simpson, 187-203. (Winnipeg: Arbeiter Ring Press, 2008).
- Leanne Simpson, “Theorizing Resurgence from within Nishnaabeg Thought,” in *Dancing on Our Turtle’s Back : Stories of Nishnaabeg Re-Creation, Resurgence and a New Emergence*, 31-47. (Winnipeg: Arbeiter Ring Publishing, 2011).
- Corntassel, Jeff. 2012. “Re-Envisioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-Determination.” *Decolonization: Indigeneity, Education & Society* 1 (1): 16.

COURSE RULES AND POLICIES

Late Assignments

Late work will not be accepted without an extension.

Extensions

Students requiring an extension on their short essay or final essay must email their tutorial TA as early as possible, and clearly explain the reason for the extension. After the deadline has passed, extensions will be permitted only in exceptional circumstances.

Appeals and Re-Grading Policy

Grading criteria will be distributed in advance of the assignment. Requests for re-grading an assignment must be submitted in writing and must explain, with reference to the grading criteria,

where you think an error has been made. Requests must be received within a week of the assignment being returned to you. If an assignment is re-graded, the grade may go up or down. Requests for re-grading should be directed to the TA who graded the assignment. If you remain convinced that an error has been made, you may appeal your grade to the course instructor.

Communication

Information will be communicated to students through Quercus. You are responsible for checking Quercus regularly. You also must check your UofT e-mail regularly.

Your tutorial TA should be your first point of contact for most questions related to the course, including queries about course material, requests for extensions, and requests to regrade. Your TA will explain how to reach them during the first tutorial.

The best way to contact Daniel is by e-mail at Daniel.sherwin@mail.utoronto.ca. You can just call him “Daniel”.

When corresponding by e-mail, please put “JPI 201” at the beginning of the subject line, followed by the subject of your e-mail (for example: “JPI 201: Question about assignment 1”).

Accessibility

Students with diverse learning styles and needs are welcome in this course. In particular, if you have a disability or health consideration that may require accommodations, please feel free to approach me and contact Accessibility Services at accessibility.services@utoronto.ca <http://www.studentlife.utoronto.ca/as/contact-us>

Academic Integrity

Please refer to the *Seven Grandfathers of Academic Integrity*: https://studentlife.utoronto.ca/wp-content/uploads/Seven_Grandfathers_in_Academic_Integrity.pdf

The University of Toronto treats cases of academic misconduct very seriously. Academic integrity is a fundamental value of learning and scholarship at the UofT. Participating honestly, respectfully, responsibly, and fairly in this academic community ensures that your UofT degree is valued and respected as a true signifier of your individual academic achievement.

The University of Toronto’s Cod of Behaviour on Academic Matters

(<http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>) outlines the behaviours that constitute academic misconduct, the processes for addressing academic offences, and the penalties that may be imposed. You are expected to be familiar with the contents of this document.

All suspected cases of academic dishonesty will be investigated following the procedures outlined in the Code of Behaviour on Academic Matters. If you have any questions about what is or is not permitted in this course, please do not hesitate to contact me. If you have questions about appropriate research and citation methods, you are expected to seek out additional information from me or other available campus resources:

Normally, students will be required to submit their course essays to the University's plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool's reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://uoft.me/pdt-faq>). You may opt out of this tool by contacting the instructor as early as possible in the semester to make alternative arrangements.

Writing Centres: <http://writing.utoronto.ca/writing-centres/>

Academic Success: <http://www.studentlife.utoronto.ca/asc>

How not to Plagiarize: <http://advice.writing.utoronto.ca/using-sources/how-not-to-plagiarize/>

RESOURCES

Writing Support: Students can attend workshops and arrange one-on-one appointments for feedback on their written work. Students can visit www.writing.utoronto.ca for information and advice on all aspects of academic writing. Students are encouraged to make use of the college writing centers for individualized consultations on their written assignments. Interested students should book their appointments with the writing centers early, as they fill up fast. Information about the writing centers is available at <http://www.writing.utoronto.ca/writing-centres/arts-and-science>. Students can also take advantage of the Library's free "Writing Plus" academic skills workshop series, described at <http://www.writing.utoronto.ca/writing-plus>. International students can find information about the English Language Learning program (ELL), which includes practice opportunities for improving oral communication and critical reading skills, at <http://www.artsci.utoronto.ca/current/advising/ell>.

Registrar Support: Students are encouraged to contact their registrar promptly if they experience unexpected challenges during the course that may require accommodations.

Health and Wellness: Students can access a wide range of programs and services to support their health and wellbeing. Many of these programs are listed at: <https://studentlife.utoronto.ca/department/health-wellness/> 6

Crisis Support: Students in distress can access a range of free crisis lines available from the University of Toronto and the City of Toronto, as listed below:

- University of Toronto: <https://studentlife.utoronto.ca/task/support-when-you-feel-distressed/>
- City of Toronto: <https://www.toronto.ca/311/knowledgebase/kb/docs/articles/311-toronto/information-and-business-development/crisis-lines-suicide-depression-telephone-support-lines-non-crisis-mental-health-services.html>

Most of these crisis lines are available 24 hours a day and some address specific problems that students may be experiencing. Immediate assistance is available as follows:

- My SSP for University of Toronto Students: 1-844-451-9700.
- Good 2 Talk Student Helpline: 1-866-925-5454
- Gerstein Crisis Centre: 416-929-5200

- Distress Centres of Greater Toronto: 416-408-HELP (4357)
- The Centre for Addiction and Mental Health (CAMH): 250 College Street (walk-in)

You are not alone: please get help if you're experiencing difficulties or are in distress.