



**DEPARTMENT OF POLITICAL SCIENCE
FACULTY OF ARTS**

**POLI 675.3 Lec. 01
Selected Topics in Advanced Comparative Politics:
Indigenous Consultation Practices
FALL 2020**

INSTRUCTOR: Roberta Rice
TELEPHONE: (403) 220-5384
EMAIL: roberta.rice@ucalgary.ca
OFFICE HOURS: By appointment via telephone or Zoom
COURSE DAY/TIME: Fridays 10:00 a.m.- 12:45 p.m.
DELIVERY METHOD: Web-Based (hybrid format)
COURSE WEBSITE: <http://d2l.ucalgary.ca>
COURSE PRE-REQUISITES: None

COURSE DESCRIPTION

United Nations Special Rapporteur on the Rights of Indigenous Peoples, Professor James Anaya (2008-2014), denounced natural resource extraction projects in or near Indigenous territories as the most significant source of human rights abuses for Indigenous peoples around the world. The continuing quest for energy and natural resources opens up debates over whether these resources can be developed in such a way as to respect the rights, experiences and aspirations of Indigenous peoples. The central questions taken up in this course include: What are the key ingredients in building genuine partnerships between Indigenous communities and extractive industry? What does Indigenous consultation entail? How can fair and equitable consultation processes be implemented in policy and practice? The course begins with an examination of the theoretical and conceptual tools needed to analyze Indigenous consultation practices before addressing real-world policies and practices in both the Global North and the Global South.

COURSE OBJECTIVES & LEARNING OUTCOMES

The objective of the course is to train students to think critically about Indigenous rights and resource governance in the extractive sector. As a learning outcome, students will develop the capacity to assess Indigenous consultation practices around the globe and develop a case study of policy implementation relevant to the course. Students will be provided with the opportunity to conduct in-depth research on an aspect of Indigenous consultation practices with regards to natural resource extraction and write and present a professional seminar paper on the results

REQUIRED TEXTBOOK(S)

All journal articles are available electronically through the University of Calgary library homepage: <http://library.ucalgary.ca/>

Course reserve chapters and on-line reports can be accessed through our D2L course page (<http://d2l.ucalgary.ca>)

REQUIRED TECHNOLOGY

This course will be taught in a hybrid format (with synchronous and asynchronous components). Students are expected to participate actively in Zoom discussions and will require a computer device with Internet connection to do so.

COURSE COMPONENT WEIGHTS AND DUE DATES

COMPONENT	WEIGHTING	DUE DATES
Reading Response Papers (5)	25	Each Session
Research Essay Proposal	25	Oct. 30
Research Paper Presentation	10	Dec. 4
Final Research Essay	40	Dec. 9
Total	100%	

If a student misses a required course component, please get in touch with the instructor as soon as possible.

COURSE SCHEDULE & TOPICS

DATE	TOPIC	READINGS
Sept. 25- Oct. 9	Part I: Theoretical and Conceptual Tools	See Course Schedule and Assigned Readings Below
Oct. 23- Nov. 20	Part II: Policy and Practice	See Course Schedule and Assigned Readings Below

Please note that the above schedule is tentative and may change as the need arises.

FORMAT AND ASSIGNMENTS

The course will be taught in a hybrid (asynchronous and synchronous) on-line format. Students are expected to actively participate in Zoom discussions and activities. Students are expected to complete the assigned readings by the start of our weekly Zoom discussion sessions on Fridays from 11:00 a.m. to 12:00 p.m. (the weekly Zoom link meeting will be provided on our course page). Students must complete all assignments to receive a passing grade on the course. Please note, there is no Registrar scheduled final exam in this course.

READING RESPONSE PAPERS

Students are required to submit five (5) reading response papers during the term. The objective is to help you to prepare to participate in Zoom discussions. Your submission should be between 2-3 double-spaced pages maximum. You must address all of the readings for the week. Please do not summarize the readings but respond to the debates. For instance: What are the main points or contributions of the readings? How do they advance our understanding of Indigenous

consultation practices? How do the findings compare with other readings in the course? What questions did the readings leave you with? Reading responses should be posted by the start of class (10:00 a.m.) on Friday to our discussion forum titled, “Weekly Reading Responses.” You can post a response by selecting the “start a new thread” function. You may attach your response or type it directly into the text box. Please read the other students’ responses and be prepared to discuss your own reading response during our Zoom session.

RESEARCH ESSAY PROPOSAL

The purpose of this assignment is to provide you with instructor feedback during the preparation of your research essay. The proposal is also intended to assist you in developing your essay topic, formulating your research question, locating sources, and organizing your ideas in a timely fashion. Essay proposals should be between 5-6 double-spaced pages plus the bibliography. Proposals should: a) identify your research topic and question; b) outline what other scholars have said or found on the topic; c) outline your basic argument and theoretical approach; and d) provide an overview of your research design and methods. You should attach a proposed bibliography to your proposal. Proposals that fail to cite sources throughout the text will not be accepted. You must draw on material from this course in your proposal and final essay. Please e-mail your assignment to the instructor by the due date.

RESEARCH PAPER PRESENTATION

The presentation of your research paper should be viewed as an opportunity to improve your professional presentation skills as well as receive instructor and class feedback on your work in progress. Students are expected to present the key findings and insights of their research paper in a Zoom presentation of approximately 30 minutes and then field questions and comments from the instructor and class.

FINAL RESEARCH ESSAY

The research essay assignment is an opportunity to develop a professional seminar paper. Students are expected to develop an in-depth case study of Indigenous consultation policy and practice in the Global North and/or the Global South using the conceptual and theoretical tools of the course. The essay should be approximately 15-17 double-spaced pages plus the bibliography. Ensure that you state your research question, outline the theoretical approach of the paper, provide an overview of the literature on your topic, support your assertions with evidence, and conclude by summarizing your findings and outlining any questions or avenues for future research. You must cite sources either in footnotes, endnotes or embedded in the text and provide a bibliography. Please note that you must incorporate at least two sources from the course syllabus in your essay. And remember, if you use another author’s words, you must enclose them in quotes and cite the source. If you use another author’s ideas, you must cite the source. Essays that do not adhere to standard citation practice will NOT be accepted. The papers will be graded on: (a) the depth and comprehensiveness of the research effort; (b) the strength of the analysis and theoretical framework; and (c) organization, clarity and writing style. Please e-mail your assignment to the instructor by the due date.

WRITING STATEMENT

Written assignments are often required in Political Science courses, and the quality of writing skills, including but not limited to such elements as grammar, punctuation, sentence structure, clarity, citation, and organization, will be taken into account in the determination of grades. Students are encouraged to make use of the services offered through Writing Support Services in the Student Success Centre by contacting them at <http://www.ucalgary.ca/ssc/writing-support>.

GRADING SCALE The following grading scale will be used:

A+ (91-100)	B+ (77-79)	C+ (67-69)	D+ (55-59)
A (85-90)	B (73-76)	C (63-66)	D (50-54)
A- (80-84)	B- (70-72)	C- (60-62)	F (0-49)

LATE PENALTIES

Please make every effort to submit assignments on-time. **Assignments are due to the instructor via e-mail unless otherwise indicated.** Late assignments should also be e-mailed directly to the course instructor. It is your responsibility to keep a copy of all assignments in case of loss by any cause. A penalty of 2% per working day will be applied to all late assignments up until a maximum of ten late days, after which late papers will not be accepted. Weekends count as one working day. Please refer also to the policies on deferring term work on this outline and in D2L. However, keep in mind that in order to pass this course, you must complete all assignments, and plan accordingly.

INSTRUCTOR GUIDELINES

Students requiring assistance are encouraged to speak to the instructor during class or their office hours. Should you wish to meet outside of office hours, please telephone or e-mail to make an appointment. It is to the student's advantage to keep such appointments. All meetings will be held virtually.

E-mail is a common form of communication but it is not always the most effective way of answering student questions. If you cannot make office hours, please request a one on one meeting outside of these hours, to be held virtually.

IMPORTANT POLICIES AND INFORMATION

Supporting Documentation and the Use of a Statutory Declaration

As stated in the University Calendar:

Students may be asked to provide supporting documentation for an exemption/special request. This may include, but is not limited to, a prolonged absence from a course where

participation is required, a missed course assessment, a deferred examination, or an appeal. Students are encouraged to submit documentation that will support their situation. Supporting documentation may be dependent on the reason noted in their personal statement/explanation provided to explain their situation. This could be medical certificate/documentation, references, police reports, invitation letter, third party letter of support or a statutory declaration etc. The decision to provide supporting documentation that best suits the situation is at the discretion of the student. Students cannot be required to provide specific supporting documentation, such as a medical note.

Students can make a Statutory Declaration as their supporting documentation (available at ucalgary.ca/registrar). This requires students to make a declaration in the presence of a Commissioner for Oaths. It demonstrates the importance of honest and accurate information provided and is a legally binding declaration. Several registered Commissioners for Oaths are available to students at no charge, on campus. For a list of locations to access a Commissioner for Oaths, visit ucalgary.ca/registrar).

Falsification of any supporting documentation will be taken very seriously and may result in disciplinary action through the Academic Discipline regulations or the Student Non-Academic Misconduct policy.

This statement is accessible at: <https://www.ucalgary.ca/pubs/calendar/current/m-1.html>

Absence From a Mid-term Examination

Students who are absent from a scheduled term test or quiz for legitimate reasons are responsible for contacting the instructor via email within 48 hours of the missed test to discuss alternative arrangements. A copy of this email may be requested as proof of the attempt to contact the instructor. Any student who fails to do so forfeits the right to a makeup test.

Deferral of a Final Examination

Deferral of a final examination can be granted for reasons of illness, domestic affliction, and unforeseen circumstances, as well as to those with three (3) final exams scheduled within a 24-hour period. Deferred final exams will not be granted to those who sit the exam, who have made travel arrangements that conflict with their exam, or who have misread the examination timetable. The decision to allow a deferred final exam rests not with the instructor but with Enrolment Services. Instructors should, however, be notified if you will be absent during the examination. The Application for Deferred Final Exam, deadlines, requirements and submission instructions can be found on the Enrolment Services website at <https://www.ucalgary.ca/registrar/exams/deferred-exams>.

Appeals

If a student has a concern about the course or a grade they have been assigned, they must first discuss their concerns with the instructor. If this does not resolve the matter, the student then proceed with an academic appeal. The first step in an academic appeal is to set up a meeting with the Department Head. Appeals must be requested within 15 days of receipt of the graded

assignment.

University Regulations

Students are responsible for familiarizing themselves with the University policies found in the Academic Regulations sections of the Calendar at www.ucalgary.ca/pubs/calendar/current/academic-regs.html.

Student Accommodations

Students seeking an accommodation based on disability or medical concerns should contact Student Accessibility Services; SAS will process the request and issue letters of accommodation to instructors. For additional information on support services and accommodations for students with disabilities, visit www.ucalgary.ca/access/.

Students who require an accommodation in relation to their coursework based on a protected ground other than disability should communicate this need in writing to their Instructor.

The full policy on Student Accommodations is available at <http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy.pdf>.

Plagiarism and Other Forms of Academic Misconduct

Academic misconduct in any form (e.g. cheating, plagiarism) is a serious academic offence that can lead to disciplinary probation, suspension or expulsion from the University. Students are expected to be familiar with the standards surrounding academic honesty; these can be found in the University of Calgary calendar at <http://www.ucalgary.ca/pubs/calendar/current/k.html>. Such offences will be taken seriously and reported immediately, as required by Faculty of Arts policy.

Required Access to Technology

Please see the University's resource page at https://ucalgary.service-now.com/it?id=kb_article&sys_id=86e7438013753ac06f3afbb2e144b031

Copyright Legislation

As stated in the University of Calgary Calendar, Academic Regulations, "students are required to read the University of Calgary policy on Acceptable Use of Material Protected by Copyright and requirements of the copyright act to ensure they are aware of the consequences of unauthorised sharing of course materials (including instructor notes, electronic versions of textbooks etc.). Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy."

<https://www.ucalgary.ca/policies/files/policies/acceptable-use-of-electronic-resources-and-information-policy.pdf> and <https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>

Instructor Intellectual Property

Course materials created by instructors (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These

materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

Freedom of Information and Protection of Privacy (FOIP)

FOIP legislation requires that instructors maintain the confidentiality of student information. In practice, this means that student assignment and tests cannot be left for collection in any public place without the consent of the student. It also means that grades cannot be distributed via email. Final exams are kept by instructors but can be viewed by contacting them or the main office in the Department of Political Science. Any uncollected assignments and tests meant to be returned will be destroyed after six months from the end of term; final examinations are destroyed after one year.

Faculty of Arts Program Advising and Student Information Resources

For program planning and advice, please consult with the Arts Students' Centre by calling 403-220-3580 or by email at artsads@ucalgary.ca. You can also visit arts.ucalgary.ca/advising for program assistance.

For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at (403) 210-ROCK [7625].

Important Contact Information

Faculty of Arts Undergraduate Students' Union Representatives

Phone: 403-220-6551

Email: arts1@su.ucalgary.ca, arts2@su.ucalgary.ca, arts3@su.ucalgary.ca,
arts4@su.ucalgary.ca

Students' Union URL: www.su.ucalgary.ca

Graduate Students' Association

Phone: 403-220-5997

Email: askgsa@ucalgary.ca

URL: www.ucalgary.ca/gsa

Student Ombudsman

Phone: 403-220-6420

Email: ombuds@ucalgary.ca

Campus Mental Health Resources

The University of Calgary recognizes the pivotal role that student mental health plays in physical health, social connectedness and academic success, and aspires to create a caring and supportive

campus community where individuals can freely talk about mental health and receive supports when needed. We encourage you to explore the excellent mental health resources available throughout the university community, such as counselling, self-help resources, peer support or skills-building available through the following resources:

SU Wellness Centre: <http://www.ucalgary.ca/wellnesscentre/>

Student Wellness Services:

<https://www.ucalgary.ca/wellness-services/services/mental-health-services>

Campus Mental Health Strategy website: <https://www.ucalgary.ca/mentalhealth/>.

COURSE SCHEDULE AND ASSIGNED READINGS

Sept. 11: Introduction and Course Overview

****Note: Review course outline; No Reading Response due this week; No Zoom session****

Part I: Theoretical and Conceptual Tools

Sept. 25: Indigenous Consultation, FPIC and the Law

E-Journal Article: James Anaya, “Indigenous Peoples’ Participatory Rights in Relation to Decisions about Natural Resource Extraction: the More Fundamental Issue of what Rights Indigenous Peoples have in Lands and Resources,” in Arizona Journal of International and Comparative Law, Vol. 22, No. 2, 2005, pp.7-17.

E-Journal Article: Martin Papillon, Jean Leclair and Dominique Leydet, “Free, Prior and Informed Consent: Between Legal Ambiguity and Political Agency,” in International Journal on Minority and Group Rights, Vol. 27, No., 2020, pp. 223-232.

E-Journal Article: Terry Mitchell, Courtney Arseneau, Darren Thomas and Peggy Smith, “Towards an Indigenous-Informed Relational Approach to Free, Prior, and Informed Consent (FPIC),” in International Indigenous Policy Journal, Vol. 10, No. 4, 2019, pp. 1-20.

****Note: Reading Response due by 10:00 a.m.; Zoom session from 11:00 a.m.-12:00 p.m. ****

Oct. 9: The Institutional Determinants of Indigenous Consultation and Participation

E-Journal Article: Roberta Rice, “The Politics of Free, Prior and Informed Consent: Indigenous Rights and Resource Governance in Ecuador and Yukon, Canada,” in International Journal on Minority and Group Rights, Vol. 27, No. 2, 2020, pp. 336-356.

E-Journal Article: Tulia G. Falleti and Thea N. Riofrancos, “Endogenous Participation: Strengthening Prior Consultation in Extractive Economies,” in World Politics, Vol. 70, No. 1, 2018, pp. 86-121.

E-Journal Article: Almut Schilling-Vacaflor and Jessika Eichler, “The Shady Side of Consultation and Compensation: ‘Divide-and-Rule’ Tactics in Bolivia’s Extraction Sector,” in Development and Change, Vol. 48, No. 6, 2017, pp. 1439-1463.

***Note: Reading Response due by 10:00 a.m.; Zoom session from 11:00 a.m.-12:00 p.m. ***

Part II: Policy and Practice

Oct. 23: Indigenous Rights, Resource Governance and the State

E-Report: José Aylwin and Pablo Policzer, “No Going Back: The Impact of ILO Convention 169 on Latin America in Comparative Perspective,” The School of Public Policy, University of Calgary, SPP Research Paper, Vol. 13, No. 8, 2020.

E-Journal Article: Cathal Doyle, “The Philippines Indigenous Peoples Rights Act and ILO Convention 169 on Tribal and Indigenous Peoples: Exploring Synergies for Rights Realisation,” in The International Journal of Human Rights, Vol. 24, Nos. 2-3, 2020, pp. 170-190.

Book Chapter: Roberta Rice, “Indigenous Rights and Resource Governance,” in Pia Riggirozzi and Christopher Wylde, eds., Routledge Handbook of South American Governance (New York: Routledge, 2018, pp. 296-307).

***Note: Reading Response due by 10:00 a.m.; Zoom session from 11:00 a.m.-12:00 p.m. ***

Note: Research Proposal due via e-mail on October 30th

Nov. 6: Indigenous-Corporate Partnerships in the Resource Sector

E-Report: Roberta Rice, “Building Sustainable Partnerships: Aboriginal Peoples and Canadian Extractive Industry in Global Perspective,” SSHRC Imagining Canada: Future Initiatives Knowledge Synthesis Grant Final Report, 2016.

Book Chapter: Joan Kuyek, “Legitimizing Plunder: Canadian Mining Companies and Corporate Social Responsibility,” in Liisa North, Timothy David Clark and Viviana Patroni, eds., Community Rights and Corporate Responsibility (Toronto: Between the Lines, 2006, pp. 202-221).

E-Journal Article: Francisco Molina Camacho, “Competing Rationalities in Water Conflict: Mining and the Indigenous Community in Chiu Chiu, El Loa Province, Northern Chile,” in Singapore Journal of Tropical Geography, Vol. 33, 2012, pp. 93-107.

****Note: Reading Response due by 10:00 a.m.; Zoom session from 11:00 a.m.-12:00 p.m. ****

Nov. 20: Extractive Industry and Community-led Consultation Processes

E-Journal Article: Martin Papillon and Thierry Rodon, “The Transformative Potential of Indigenous-Driven Approaches to Implementing Free, Prior, and Informed Consent: Lessons from Two Canadian Cases,” in International Journal on Minority and Group Rights, Vol. 27, No. 2, 2020, pp. 314-335.

E-Journal Article: Almut Schilling-Vacaflor and Riccarda Flemmer, “Mobilising Free, Prior and Informed Consent (FPIC) from Below: A Typology of Indigenous Peoples’ Agency,” in International Journal on Minority and Group Rights, Vol. 27, No. 2, pp. 291-313.

E-Journal Article: Mariana Walter and Leire Urkidi, “Community Mining Consultations in Latin America (2002-2012): The Contested Emergence of a Hybrid Institution for Participation,” in Geoforum, Vol. 84, 2017, pp. 265-279.

****Note: Reading Response due by 10:00 a.m.; Zoom session from 11:00 a.m.-12:00 p.m. ****

Dec. 4: Research Presentation

****Note: No Reading Response due this week; Zoom session from 11:00 a.m.-12:00 p.m. ****

****Note: Final Research Essay due via e-mail on Dec. 9th****