

University of Calgary: Red Deer Campus
Sociology 421.07: Indigenous Peoples and the Canadian Justice System
Fall 2016

Professor: Dr Cora J. Voyageur
Office: 2506F
Class: Wednesday 1:30 – 4:20
Office Hours: Wednesday 12:00 –1:00 or by appointment
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Sociology Website: www.soci@ucalgary.ca

Course Prerequisite: Sociology 325 and 313 or the consent of the Department. Sociology 331 and 333 are recommended.

Course Description:

This course is a sampling of issues pertaining to the historical and contemporary involvement of Indigenous peoples with settler society and the Canadian Justice System. It is designed to introduce the student to historical relationships and contemporary structures, concepts, assumptions, research findings, legislation, policies, commissions, and court cases. Special focus will be given to attempts to indigenize the existing justice system and to alternative justice systems and their effects on Indigenous peoples.

Course Objectives:

1. To give students an overview of the demographic make up of the Indigenous community in Canada.
2. To provide students with an historical and contemporary overview of the social, legal and political position of the Indigenous community.
3. To familiarize students with the various policies and commissions dealing with the Indigenous community.
4. To identify factors and characteristics responsible for Indigenous peoples involvement in Canada's justice system.
5. To explore attempts to indigenize Canada's justice system.
6. To gain knowledge of benchmark Indigenous and Treaty Rights cases in Canada.
7. To discuss and remain aware of various Indigenous justice issues that may arise from time to time during the term.

Course Format:

Classes will combine several formats: lectures based on topics covered in the readings; small and large group discussion of issues raised in lectures; class presentations, guest lectures, videos, and

class questions, and in class assignments. I will cover some of the assigned readings in class and will also lecture from additional materials on the topic. Therefore, you are responsible for any assigned readings and reserve materials. **Please be ready to answer or discuss course-related questions posed by me at any time throughout the class.**

Required Texts:

1. Daschuk, James. 2014. *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life*. Regina: University of Regina Press. ISBN: 0889773408
- 2) Ross, Rupert. 2006. *Returning to the Teachings: Exploring Aboriginal Justice*. Toronto: Penguin. ISBN: 0143055593

The signed readings will generally [but not exactly] correspond with the topics covered in the lectures. Thus, lecture topics should serve as a tentative guide and may be adjusted by me. Students are also required to read articles placed on reserve at the library. **Please read the weekly assigned materials prior to the class.**

Evaluation:

NOTE: Receiving credit in all components of this evaluation is mandatory to obtain a passing grade in this course.

1. Examinations: 60%

There will be 1 mid-term examination and 1 final examination. The examinations will cover lectures, guest lectures, videos, class discussions, and assigned reading materials scheduled up to the exam. This means that students will also be responsible for readings and topics **not covered** in class.

Examinations will be a combination of any or all of the following: multiple choice, true/false, definition, short answer and essay questions. This manner of testing allows the student to demonstrate varying methods of academic skill. I do not expect the student to rely solely on rote memory. I expect application, analysis, synthesis, and integration of course materials into your reasoned and concise answers.

The short answer and long answer questions require a reasonable standard of writing. Poor spelling, disjointed or incomplete sentences, poor grammar and punctuation, inadequate sentence and paragraph structure will only detract from the ideas you are trying to express and will negatively impact your mark.

The final exam is **non-cumulative**. This means that the mid-term will cover only materials from the first class to the class prior to the mid-term exam. The final exam will cover materials from the mid-term to the last day of class. Although the final exam is non-cumulative, students might

find reviewing the mid-term exam valuable in preparation for the final. In other words, do not forget everything you learned prior to the mid-term. **Examination dates are strictly enforced.** The dates and assigned weights for exams are as follows:

Mid-term	October 19	30 %
Final Examination	Date set by Registrar	30 %

2. Research Project/Class Presentation: 30%

Students will make a presentation to the class. The presentation will be based on a landmark Supreme Court of Canada case dealing with Aboriginal or Treaty Rights in Canada. Your presentation (excluding a question and answer period) should be approximately 30 minutes. It should deal with the genesis, the argumentation, the outcome, and the implications of the decision for Aboriginal people and mainstream society. You are expected to provide supplementary materials (outlines, analysis, etc.) to fellow students and then to lead a class discussion. Students are also encouraged to complement their presentation with additional materials such as photographs, illustrations, maps, flowcharts, music, examples, etc. Be creative!

3. In-class Pop Quizzes: 10%

Throughout the course I will give five in-class pop quizzes worth 2% each. These quizzes will be based on information from that day's class. Your answers must be turned in at the end of the class. If you are not in class on that day you will not be given an opportunity to make up these marks.

Final grades will be assigned according to the University of Calgary's 4-point grading system based on the following percentage distributions:

Percentage	Grade	Meaning
95+	A+	Outstanding
89 - 94	A	
86 - 88	A-	Very Good
82 - 85	B+	
79 - 81	B	
76 - 78	B-	Good
72 - 75	C+	
68 - 71	C	
64 - 67	C-	
60 - 63	D+	Minimal Pass
55 - 59	D	
0 - 54	F	Fail

The A+ grade became an official grade at the University of Calgary in Fall, 2002. The A+ grade is described as an honorific grade having the same grade point value as an A grade (4.0). It will be used to indicate outstanding performance in a subject area but not have a higher grade point average.

Grade Reappraisal: Within two weeks of the date the exam/assignment is returned, students seeking reappraisal of examinations or assignments must submit a written response to the instructor explaining the basis for reconsideration of one's mark. The instructor will reconsider the grade assigned and will then book a time with the student to discuss his or her work and rationale. It should be noted that a re-assessed grade may be raised, lowered, or remain the same.

Exam Policies/Deferrals: You must provide advance notice to the instructor if you are unable to take an exam. All requests for deferral of an examination due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be 9Deferred exams may be allowed in the following circumstances: illness, domestic affliction, or religious conviction. Travel arrangements and misreading of the syllabus are not valid reasons for requesting a deferred exam. Deferred exams will not be granted if it is determined that a just cause is not shown by the student.

If you missed an exam for of legitimate reason, the instructor can require you to write a "makeup" exam is close to the time of the original exam as possible or choose to transfer the percentage weight to another course component. If the instructor schedules and "make up" exam for you, its dates and location will be at the convenience of the Department of sociology

Deferred final exam form: please note that requests to defer a registrar scheduled final exam are dealt with through the registrar's office. Further information about deadlines, and where paperwork should be taken, is available on a form that can be found at:

<https://www.ucalgary.ca/registrar/student-forms>

Deferred Term Work Form: Deferral of term work past the end of a term also requires a form to be filled out. It's available at

https://www.ucalgary.ca/registrar/files/registrar/deferred_termwork15_0.pdf

Once an extension date has been agreed upon by instructor and student, the form must be taken to the Faculty of Arts Program Information Centre (SS 110) for approval by an Associate Dean (Students).

Email: Feel free to contact me over email at any time. Please put your course number and section in your email's subject line, and include a proper salutation, your full name, student ID, and a proper closing in the body of your email. All emails violating customary email conventions will be ignored. All other emails will be answered within one business day. I do not answer emails over the weekend. Please take that into account when emailing me questions pertaining assignments or exams. If you have a course-related question, please check the course outline first. Questions that can be answered by consulting the course outline will not be answered. Also, please e-mail me only for administrative purposes, for example to set up an appointment. Please do not use e-mail as a replacement for an office visit, if there is something you want to discuss. Questions about the course content and readings, concerns about grades, or any other personal issues should be dealt with in-person during my office hours.

Ethics Research: Students are advised that any research with human subjects--including any interviewing (even with friends and family), opinion polling, or unobtrusive observation--must have the approval of the Faculty Ethics Committee. **In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required.**

Academic Misconduct: Cheating is regarded as a serious academic offense. Students are advised to consult the University calendar, which presents a Statement Of Intellectual Honesty, with definitions and penalties associated with cheating, plagiarism, and other academic misconduct. <http://www.ucalgary.ca/pubs/calendar/current/k-2-1.html>

Handing in Papers Outside of Class, Return of Final Papers, and Release of Final Grades:

When students are unable to submit papers at class, they should make arrangements to hand in their papers directly to the instructor or teaching assistant rather than at the Sociology Department's main office. Final papers will not be returned through the Sociology Department main office. They are only available online. The Freedom of Information and Protection of Privacy (FOIP) legislation disallows the practice of having students retrieve assignments from a public place, (i.e., outside an instructor's office, the department office, etc.). Students who want their final papers returned by mail must attach a stamped, self-addressed envelope with the paper. Otherwise final papers will only be available for pick-up during the instructor's office hours at the end of this term or the beginning of the next term.

Student Representation: The 2016-17 Students' Union VP Academic is Alicia Lunz (suypaca@ucalgary.ca). The Faculty of Arts has four SU representatives who may be contacted at any of the following email addresses: arts1@ucalgary.ca, arts2@ucalgary.ca, arts3@ucalgary.ca, and arts4@ucalgary.ca. You may also wish to contact the Student Ombudsperson for help with a variety of University-related matters: <http://www.ucalgary.ca/provost/students/ombuds/role>

Academic Accommodation: Students needing an Accommodation because of a Disability or medical condition should contact Student Accessibility Services (MC 293, phone 403-220-8237) in accordance with the Procedure for Accommodations for Students with Disabilities available at http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy_0.pdf. Please provide academic accommodation letters to the instructor as early in the semester as possible and no later than two weeks after the course begins.

Technology Use and Electronic Classroom Etiquette: Technology can be both a blessing and a curse. In recent years electronic devices have been the cause of a tremendous amount of disturbance in the classroom. Please get the most of your (or your parents') hard-earned tuition dollars by devoting your class time exclusively to classroom activities. Please be courteous to your classmates and your professor by ensuring that your cellphones, pagers, or any other electronic devices are turned off and remain off for the duration of the class.

For those taking notes on a laptop, please be aware that your screen is visible to both those beside you and behind you. I have received many complaints from fellow classmates who have been forced to endure distracting, offensive and otherwise unsuitable images from others' laptops. Please remember that laptops are to be used exclusively for the purposes of taking notes during class.

Checking emails, text messaging, Facebooking or MSNing, or engaging in any other type of internet/or electronic activity during this class is not permitted. Those who choose to ignore this rule will be asked to leave my classroom immediately. Students who have been asked to leave my classroom must meet with me before returning. Students taking class notes on a laptop computer will be asked to close their laptops from time to time to answer questions and/or engage in classroom discussion throughout the class.

My Teaching Philosophy: I love to teach and I hope it shows. I believe that learning is an active rather than a passive activity. I want to assist you in your learning journey. Although attendance is not mandatory, I urge you to attend class regularly. I will not post my lecture materials or give you my lecture notes if you are absent. Class discussions, issues raised in class and information obtained from videos, lectures and other class activities can be give you some valuable insights and help you with assignments and exams. You will not have access to that information unless you attend class. I strive to provide a safe and non-competitive learning environment but one that periodically takes students out of their comfort zone. I encourage class discussion as a means of exploring topics, ideas, and sometimes controversies. We may be dealing with sensitive and sometimes contentious issues in class. Your point of view is important but may be challenged by your fellow students or me during this course. Your opinion may differ from those of your classmates. So please, remain open-minded and remember to be respectful of opinions that differ from your own.

Proposed Course Schedule
Sociology 421.07: Indigenous Peoples and the Criminal Justice System
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Week of:	Topic	Readings
September 7	Introduction to the Course Who Are The Indigenous People Of Canada?	Daschuk Intro & Ch 1
September 14	Early Relation between Settlers & Indigenous Peoples	Daschuk Ch 2 - 3
September 21	The State and Indian Policy	Daschuk Ch 4-5
September 28	Criminalization of the Indigenous Lifestyle & The Indian Act	Daschuk Ch 6-7
October 5	Criminal Justice System -Historical Criminalization of the Indigenous Lifestyle	Daschuk Ch 8-9
October 12	Criminal Justice System - Contemporary Indigenous Issues	Daschuk Conc Ross Intro & 1
October 19	Mid-term Video – The Pass System	No Readings
October 26	Indigenizing The System: Native Policing	Ross Ch 2-3
November 2	Indigenizing The System: The Courts Presentations Begin	Ross Ch 4-5
November 9	Presentations Continue Video – Is the Crown at War with Us	Ross Ch 6-7
November 16	Restorative Justice Models/Sentencing Circles Presentations Continue	Ross Ch 8-9
November 23	Indigenizing the System: Native Prisons & Programming	Ross Ch 10-11
November 30	Where Do We Go From Here?	Ross Ch 12