

University of Calgary  
SOCIOLOGY 421.07: Aboriginal Peoples and the Canadian Justice System  
Winter 2014

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**Course Prerequisite:** Sociology 325 and 313 or 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 Aboriginal peoples with the Canadian Justice System. It is designed to introduce the student to major 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 Aboriginal peoples.

**Course Objectives:**

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

**Course Format:**

Classes will combine several formats: lectures based on topics in the text, group discussions of issues raised in lectures, class presentations, guest lectures, videos, class questions, and in-class assignments. I generally do not cover the assigned readings in class and lecture from additional materials on the topic.

**Required Texts:**

Green, Gordon Ross. 1998. Justice in Aboriginal Communities. Saskatoon: Purich Publishing.

Ross, Rupert. 2006. Returning to the Teachings: Exploring Aboriginal Justice. Toronto: Penguin Press.

**Evaluation:**

**1. Closed Book Examinations 60%**

There will be 1 midterm examination and 1 final examination. The examinations will cover lectures, guest lectures, videos, and reading materials scheduled up to the exams. This means that students will also be responsible for readings/topics not yet covered in class.

Examinations will be a combination of any or all of the following: multiple choice, 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 essay questions require a reasonable standard of writing. Poor spelling, disjointed or incomplete sentences, poor grammar and punctuation, inadequate sentence and paragraph structure only detract from the ideas you are trying to express and will negatively impact your mark.

The exams are non-cumulative. This means that midterm exam will cover materials from the first day of class to end of the February 12 class. The final exam will cover materials from the midterm to the last day of class. Although the materials on the midterm are not explicitly tested on the final, the theory and perspectives covered before the midterm could be useful in your argumentation on the final exam. In other words, do not forget everything you learned prior to the mid-term. The dates and assigned weights for exams are as follows:

Midterm	February 14	25%
Final Examination	Date set by Registrar	35%

If you miss the midterm for a documented, legitimate reason, the weight and testable materials will be applied to the final exam and you will be given a cumulative final exam. **I will not give you a make-up exam.** You must provide a note from your family doctor documenting your

ailment and you must contact me within 48 hours of the missed exam. Otherwise you will receive a score of zero for the midterm.

**If you miss the final exam for a valid reason**, contact the Sociology Department Office at the University of Calgary (220-6501) within 48 hours to apply for a deferred exam no later than the deadline indicated in the 2013/2014 University of Calgary Calendar at [http://www.ucalgary.ca/pubs/calendar/2014/how/How\\_HD.htm](http://www.ucalgary.ca/pubs/calendar/2014/how/How_HD.htm). Otherwise, again, university regulations require that you receive a score of zero on the final exam.

**2. Group Presentation 40%**

**i) Presentation 25%**

Students must make a presentation in class with a classmate. The presentation will be based on a landmark Supreme Court of Canada case dealing with Aboriginal or Treaty Rights in Canada. Your presentation should be approximately 40 minutes and 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 overheads, illustrations, maps, flowcharts, photographs, examples, etc. Be creative! You must hand in your speaking notes and draft materials to me.

**ii) Colleague Assessment 15%**

Your research partner will evaluate your contribution to the research project so you must do your share of the work. If you receive a participation grade of "0" from your research partner then you will not receive a grade for the presentation.

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

Feel free to consult me if you have any questions or concerns regarding grades.

**NOTE: Receiving credit in all components of this evaluation is mandatory to obtain a passing grade in this course. This means that if you do not hand in an assignment, do not**

**make a class presentation, receive a group presentation participation grade of "0" from your fellow group member, or do not write the exams, then you will receive the grade of "F" in this course.**

**Exam Policies:** 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 obtained while the student has the physical or emotional problem rather than after recovery. **Again, if you miss the midterm, I will not give you a make-up exam. You will be given a comprehensive final.**

**Freedom of Information and Protection of Privacy (FOIP):** The Freedom of Information and Protection of Privacy (FOIP) legislation disallows the practice of having student's retrieve assignments from a public place, e.g., outside the instructor's office, the department office, etc. Term assignments must be returned to students individually, during class or during the instructor's office hours; if a student is unable to pick up their assignment from the instructor, they may provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.

**Research Ethics:** Students are advised that any research with human subjects such as interviews (including interviews with family and friends), opinion polling, and unobtrusive observation must have the approval of the Department of Sociology's Ethics Committee. **Due to time constraints, course deadlines, and the length of time it takes to gain ethics certification, students are STRONGLY urged NOT to pursue primary data collection for this course. Please speak with me before you go down this path.**

**Safewalk:** The University of Calgary provides a "safe walk" service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the "Help" phones located around Campus.

**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 and definitions and penalties associated with cheating, plagiarism, and other academic misconduct.

**Academic Accommodation:** Students with a disability, who require academic accommodation, need to register with the Disability Resource Centre (MC 295, telephone 220-8237). Academic accommodation letters need to be provided to course instructors no later than fourteen (14) days after the first day of class. It is a student's responsibility to register with the Disability Resource Centre and to request academic accommodation, if required.

**Handing in Papers Outside of Class, Returning 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 main office. Final papers will not be returned through the Sociology Department main office. 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. Final grades are not posted by the Sociology department. They are only available online.

### **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 professor by ensuring that your cell phones, blackberries, pagers, or any other electronic devices are turned off and remain off for the duration of the class.

For those taking notes of a laptop, please be aware that your screen is visible to those both 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, surfing the internet 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 discussions.

### **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. Your point of view is important but may be challenged by me or your fellow students during this course. We may be dealing with sensitive and sometimes contentious issues in class. 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: Aboriginal Peoples and the Criminal Justice System**  
**Winter 2014**

<b>Week of:</b>	<b>Topic</b>	<b>Readings</b>
January 6	Introduction to Course	No Readings
January 13	Who are the Aboriginal People of Canada	Green 1 Ross 1
January 20	The State and the Justice System Video - Spirit Within	Ross 2 Green 2
January 27	Aboriginal Rights and Aboriginal Title	Green 3 Ross 3
February 3	Criminalization of the Aboriginal Lifestyle Video (Is the Crown at War with Us)	Green 4 Ross 4
February 10	Aboriginals, Crime, and Criminal Justice Statistics <b>Midterm on Friday</b>	Green 5 Ross 5
February 17	Reading Week	No Readings
February 24	Aboriginal People in Conflict with the law	Ross 6 Green 6
March 3	Criminal Justice System	Ross 7 Green 7
March 10	Indigenizing the System: Native Policing Presentations begin Monday	Ross 8 Green 8
March 17	Indigenizing the System: The Courts Presentations continue	Ross 8 Green 9
March 24	Restorative Justice Models/ Sentencing Circles Presentations continue (if needed)	Ross 10 Green 10
March 31	Indigenizing the System: Prisons & Programming	Ross 11& 12
April 7	Where do we go from here??	Green 11 & 12