

# JSGS 863 – Indigenous Peoples and Public Policy

	UNIVERSITY OF SASKATCHEWAN CAMPUS	UNIVERSITY OF REGINA CAMPUS
INSTRUCTOR:	Danette Starblanket	Danette Starblanket
PHONE:	306-585-5460	306-585-5460
E-MAIL:	danette.starblanket@uregina.ca	danette.starblanket@uregina.ca
OFFICE HOURS:	By Appointment	By Appointment
OFFICE LOCATION:	Regina Campus 332.1	Regina Campus 332.1
TERM/SEMESTER:	Term 1 (Fall 2022)	Term 1 (Fall 2022)
ROOM:	Online	Online
DATE AND TIME:	N/A	N/A

## LAND ACKNOWLEDGEMENT

The University of Saskatchewan campus of the Johnson Shoyama Graduate School of Public Policy is situated on Treaty 6 Territory and the Homeland of the Métis, while the University of Regina campus is situated on Treaty 4 Territory and the Homeland of the Métis. We pay our respect to the First Nation and Métis ancestors of this place and reaffirm our relationship with one another. As we engage in Remote Teaching and Learning, we would also like to recognize that some may be taking this course from other traditional Indigenous lands. I ask that you take a moment to make your own Land Acknowledgement to the peoples of those lands. In doing so, we are actively participating in reconciliation as we navigate our time in this course, learning and supporting each other.

## INTELLECTUAL PROPERTY ACKNOWLEDGEMENT

This course was developed by Ken Coates in 2012 with revisions by Danette Starblanket in 2021.

## HONOUR CODE

At the Johnson Shoyama Graduate School of Public Policy (JSGS), we believe honesty and integrity are fundamental in a community dedicated to learning, personal development, and a search for understanding. We revere these values and hold them essential in promoting personal responsibility, moral and intellectual leadership, and pride in ourselves and our University.

As JSGS students, we will represent ourselves truthfully, claim only work that is our own, and engage honestly in all academic assignments.

Since articulated standards and expectations can influence attitudes, and because each of us shares the responsibility for maintaining academic integrity (see below for details on academic integrity at the JSGS), we are committed to upholding the Academic Honor Code.

## **Academic Honour Pledge**

As a member of the JSGS community, I pledge to live by and to support the letter and spirit of JSGS's Academic Honour Code.

## **REMOTE LEARNING CONTEXT**

We acknowledge the complex circumstances – i.e., a worldwide pandemic – in which this course is taking place. Since remote teaching and learning context is new to both instructors and students, all participations should interact with empathy, patience, and care. Links to online learning resources are provided below.

## **CALENDAR DESCRIPTION**

This course begins with the historic framework for contemporary public policy established by treaties, reserves, and legislation. Then it examines contemporary developments, including constitutional negotiations, influential court cases, urbanization, comprehensive claims, and self-government.

## **LEARNING OBJECTIVES**

JSGS has developed a set of three competencies that all graduates will be able to demonstrate. The specific readings, assignments, and activities in JSGS 863 will help you both acquire and demonstrate the ability to:

- Understand the dynamics around Indigenous Public Policy;
- Think critically and analytically about Indigenous Peoples and Public Policy; and
- Communicate information and analyses critically and effectively.

## **ATTRIBUTES OF JSGS GRADUATES**

Through the development of the following competencies, JSGS MPA graduates will be prepared to meet the policy challenges of a rapidly changing world:

- Analysis and Use of Evidence – how to use evidence and develop the necessary analytical skills to succeed in a public administration career;
- Politics and Democracy – ensuring that students have a deep understanding of the role of politics and democracy in public policy development including the roles of the various institutions and policy actors; and
- Policy Delivery – the importance of effective service delivery and the ongoing management and evaluation of public policy.

## **COURSE CONTENT AND APPROACH**

The purpose of the class is to examine the major issues on Indigenous public policy and to consider the best means of bridging the gaps in wealth, opportunity, and quality of life between Indigenous peoples in Canada and Canadians at large.

Some of the discussions and the Major Assignment will focus on *From Treaty Peoples to Treaty Nations* (UBC Press, 2015). This book was designed as an overview of theoretical and conceptual approaches to Indigenous Affairs in Canada and as a discussion starter on the practical means of addressing Indigenous and Canadian needs and expectations.

The course encourages students to explore viable policy options and to consider new means of co-producing policy with Indigenous peoples, communities, and organizations.

## **COURSE FORMAT**

This class is delivered online with no scheduled meeting times and is designed for asynchronous instruction that complements learning material that you will access through UR Courses.

## **ENROLLMENT**

Class enrollment will be normally limited to 30 students.

## **REQUIRED READINGS**

Greg Poelzer and Ken Coates. 2016. *From Treaty Peoples to Treaty Nation: A Road Map for all Canadians*. Vancouver: UBC Press.

The textbook is available through the University of Regina bookstore and online.

Various readings posted in UR Courses.

## **COURSE OUTLINE**

### **August 31 – Module One: INDIGENOUS PEOPLES IN CANADA – HISTORICAL BACKGROUND AND CONTEMPORARY RIGHTS:**

In this module we will review the population, distribution, and socio-economic circumstances of Indigenous peoples in Canada.

- Textbook Introduction
- Indigenous and Northern Affairs Canada Website  
<https://www.canada.ca/en/indigenous-northern-affairs.html>
- Stats Canada Website – Population and Geographic Distribution  
<http://www.statcan.gc.ca/pub/89-645-x/2015001/pop-concept-eng.htm>
- Natural Resources Canada Website – Treaties and Comprehensive Land Claims in Canada Map  
[http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/earthsciences/pdf/treaties\\_and\\_comprehensiv\\_e\\_land\\_claims\\_in\\_canada\\_WCAG.pdf](http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/earthsciences/pdf/treaties_and_comprehensiv_e_land_claims_in_canada_WCAG.pdf)

- Stats Canada Website – Statistics on Indigenous peoples  
[https://www.statcan.gc.ca/eng/subjects-start/indigenous\\_peoples](https://www.statcan.gc.ca/eng/subjects-start/indigenous_peoples)
- Stats Canada Website – Aboriginal Peoples in Canada: First Nations People, Métis and Inuit  
<https://www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011001-eng.cfm>

### **September 12 – Module Two: TREATY RELATIONSHIPS:**

In this module we will discuss the ways in which the Treaties shaped Indigenous and state relationships in Canada.

- Textbook Chapter 1
- Two Row Wampum Belt  
<https://www.onondaganation.org/culture/wampum/two-row-wampum-belt-guswenta/>
- Two Row Wampum Belt (PDF Doc)  
<https://www.youtube.com/watch?v=laxdzk1LHz8>
- Treaties No. 1 and No. 2  
<https://www.rcaanc-cirnac.gc.ca/eng/1100100028664/1581294165927>
- John Leonard Taylor’s Treaty Research Report: Treaty Six (1876)  
[https://publications.gc.ca/collections/collection\\_2012/ainc-inac/R32-260-1985-eng.pdf](https://publications.gc.ca/collections/collection_2012/ainc-inac/R32-260-1985-eng.pdf)
- Video: “RSC 2012 Governor General Lecture Series - We Are All Treaty People: Accepting the Queen’s Hand”

### **Discussion Forum #1**

### **September 19 – Module Three: INDIGENOUS POLITICAL STRUCTURES:**

In this module we will discuss the legacy of early legislation on Indigenous issues in Canada.

- Textbook Chapter 2
- CBC Article “Royal Proclamation of 1763”  
<https://www.cbc.ca/news/politics/royal-proclamation-of-1763-canada-s-indian-magna-carta-turns-250-1.1927667>
- Royal Proclamation of 1763  
<https://www.ictinc.ca/blog/royal-proclamation-of-1763>
- Justice Murray Sinclair on the Royal Proclamation of 1763  
<https://openhistoryseminar.com/canadianhistory/chapter/interpretation-2-murray-sinclair-on-the-royal-proclamation-of-1763/>
- The BNA Act 1867  
<https://www.justice.gc.ca/eng/rp-pr/csj-sjc/constitution/lawreg-loireg/p1t11.html>
- The Indian Act  
<http://laws-lois.justice.gc.ca/eng/acts/I-5/>
- Video: The Indian Act Explained  
<https://www.youtube.com/watch?v=OhBrq7Ez-rQ>

### **September 26 – Module Four: THEORETICAL AND CONCEPTUAL PERSPECTIVES ON INDIGENOUS – GOVERNMENT RELATIONS:**

In this module we will discuss the relations between Canada and Indigenous people.

- Textbook Chapter 3
- James Anaya's "Report of the Special Rapporteur on the Rights of Indigenous Peoples"
- The White Paper 1969  
<https://www.ictinc.ca/blog/1969-white-paper-indian-policy-rejected-liberal-party-canada>
- Statement of the Government of Canada on Indian Policy (PDF Doc)
- Video: "Rocks at Whiskey Trench"  
[https://www.nfb.ca/film/rocks\\_at\\_whiskey\\_trench/](https://www.nfb.ca/film/rocks_at_whiskey_trench/)

### **Commentary One Due (October 2)**

### **October 3 – Module Five: INDIGENOUS GOVERNANCE:**

In this module we will explore Indigenous Governance Systems in Canada.

- Textbook Chapters 4 and 5
- Two Row Wampum (PDF Doc)
- John Graham's "Aggregation and Good Governance" (PDF Doc)
- James Youngblood Henderson's "Dialogical Governance: A Mechanism of Constitutional Governance" (PDF Doc)

**October 11 – Module Six: INDIGENOUS MEMBERSHIP, BENEFICIARIES AND AFFILIATIONS:** In this module we will look at a number of agreements and pieces of legislation that impact membership.

- Textbook Chapters 6 and 7
- Indian Act 1985  
<http://laws-lois.justice.gc.ca/eng/acts/i-5/page-2.html#h-5>
- Nisga'a Final Agreement  
<https://publications.gc.ca/Collection-R/LoPBdP/BP/prb992-e.htm> and  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/99002\\_05](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/99002_05)
- Kahnawá:ke Membership Law  
<http://www.kahnawake.com/council/docs/membershiplaw.pdf>
- Eric Lemont's "Overcoming the Politics of Reform: The Story of the 1999 Cherokee Nation of Oklahoma Constitutional Convention"  
<https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?article=1151&context=ailr>

### **Discussion Forum #2**

### **October 17 – Module Seven: INDIGENOUS PEOPLE AND NATURAL RESOURCE DEVELOPMENT:**

In this module we will look at natural resource development and use as they relate to rights.

- Textbook Chapters 8 and 9
- Brian Crowley and Ken Coates' "New Beginnings"  
[http://www.macdonaldlaurier.ca/files/pdf/2013.01.05-MLI-New\\_Beginnings\\_Coates\\_vWEB.pdf](http://www.macdonaldlaurier.ca/files/pdf/2013.01.05-MLI-New_Beginnings_Coates_vWEB.pdf)
- The Macdonald-Laurier Institute - Pipelines, Politics & Indigenous Peoples: Understanding the decisions on Gateway, Line 3 & Trans Mountain video series:

- How do Indigenous peoples view pipeline decisions?  
<https://www.youtube.com/watch?v=oH8buC8Pi7k>
- How big was the recent announcement on pipelines?  
[https://www.youtube.com/watch?v=Kj6J\\_c-i9pY](https://www.youtube.com/watch?v=Kj6J_c-i9pY)
- What's the future hold for relations with Indigenous peoples?  
<https://www.youtube.com/watch?v=AqJfCOi4XKI>
- What impact will pipelines have on the environment?  
<https://www.youtube.com/watch?v=S4FyXW294nU>
- Richard Missens et al's "A Study of Natural Resource Use by the Nehiyaw (Cree) First Nations"

**October 24 – Module Eight: INDIGENOUS LEGAL RIGHTS AND CONSTITUTIONAL DEBATES:**

In this module we will examine the way the constitution has impacted Indigenous rights.

- Textbook Chapters 10 and 11
- Dwight Newman's "The Rule and Role of Law"  
<https://www.macdonaldlaurier.ca/files/pdf/DutyToConsult-Final.pdf>
- Section 35, The Constitution Act, 1982 <https://laws-lois.justice.gc.ca/eng/const/page-13.html>
- Video: "Dancing Around the Table Part One"  
[https://www.nfb.ca/film/dancing\\_around\\_the\\_table\\_1/](https://www.nfb.ca/film/dancing_around_the_table_1/)
- FSIN Powerpoint

**Discussion Forum #3**

**October 31 – Module Nine: INDIGENOUS SOCIAL SERVICES, HEALTH AND GOVERNMENT PROGRAMS:**

In this module we will examine social services, health and other programs as they relate to Indigenous people.

- Textbook Chapter 12
- Cindy Blackstock, "The Occasional Evil of Angels"  
<https://fpcfr.com/index.php/FPCFR/article/view/74>
- Canadian Human Rights Tribunal Decision on Aboriginal Social Services  
<http://s3.documentcloud.org/documents/2698184/Jugement.pdf>
- Jordan's Principle  
<https://decisions.chrt-tcdp.gc.ca/chrt-tcdp/decisions/en/item/232587/index.do?r=AAAAAQAOY2FyaW5nIHNvY2lldHkK>
- Report: First Peoples, Second Class Treatment  
<https://www.wellesleyinstitute.com/wp-content/uploads/2015/02/Summary-First-Peoples-Second-Class-Treatment-Final.pdf>

**November 7 – 11 - Reading Week**

**November 14 – Module Ten: MODERN TREATIES IN CANADA:**

In this module we will look at some of the modern treaties in Canada and their impact on policy development.

- Textbook Chapter 13
- To Treaty or Not Treaty? (PDF Doc)
- Nisgaa Treaty  
<https://www.nisgaanation.ca/understanding-treaty>
- Yukon Treaty  
<http://cyfn.ca/agreements/umbrella-final-agreement/>
- Tsawwassen Agreement  
[http://tsawwassenfirstnation.com/wp-content/uploads/2019/07/1\\_Tsawwassen\\_First\\_Nation\\_Final\\_Agreement.pdf](http://tsawwassenfirstnation.com/wp-content/uploads/2019/07/1_Tsawwassen_First_Nation_Final_Agreement.pdf)

**Commentary Two Due (November 20)****November 21 – Module Eleven: INTERNATIONAL INDIGENOUS RIGHTS:**

In this module we will look at international Indigenous rights.

- Textbook Chapter 14 and Conclusion
- United Nations Declaration on the Rights of Indigenous Peoples  
<https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>
- Blaine Favel and Ken Coates' "Understanding UNDRIP"  
<https://www.macdonaldlaurier.ca/files/pdf/MLI-10-UNDRIPCoates-Flavel05-16-WebReadyV4.pdf>
- Blaine Favel and Ken Coates' "Understanding FPIC"  
<http://macdonaldlaurier.ca/files/pdf/MLINumber9-FPICCoates-Flavel04-29-WebReady.pdf>
- Video: "Dancing Around the Table Part Two"  
[https://www.nfb.ca/film/dancing\\_around\\_the\\_table\\_part\\_two/](https://www.nfb.ca/film/dancing_around_the_table_part_two/)

**Discussion Forum #4****November 28 – Module Twelve: RECONCILIATION IN CANADA/FUTURE INDIGENOUS GOVERNANCE RELATIONS:**

In this module we will examine the concepts around reconciliation, we will also examine the future of reconciliation and its relationship with Indigenous relationships.

- TRC Calls to Action  
[http://trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf)
- A Brief History of Our Right to Self-Governance  
<https://fngovernance.org/wp-content/uploads/2020/09/A-Brief-History-of-Inherent-Rights.pdf>
- Video: "Treaties, reconciliation and Indigenous history in Canada"  
<https://www.youtube.com/watch?v=c9KJM3pivKg>
- Institute on Governance's "Understanding Governance in Strong Aboriginal Communities"
- Transformational Governance: Challenges and Opportunities  
<https://fngovernance.org/wp-content/uploads/2020/05/ChallengesAndOpportunities.pdf>
- Principles Respecting the Government of Canada's relationship with Indigenous Peoples  
<https://www.justice.gc.ca/eng/csj-sjc/principles.pdf>

- National Post Article “Much work remains on the Truth and Reconciliation Commission’s 94 Calls to Action  
<https://nationalpost.com/news/much-work-remains-on-the-truth-and-reconciliation-commissions-94-calls-to-action>

**Major Assignment Due (December 4)**

**Note the following University Holidays:**

Labour Day: September 5, 2022

National Truth and Reconciliation Day: September 30, 2022

Thanksgiving Day: October 10, 2022

Fall Reading Week: November 7-11, 2022 (inclusive)

Note: Changes may be made to the schedule in terms of dates and content according to the needs of students.

## **DISCUSSION FORUMS**

There will be 4 Discussion Forums worth 5% each. Discussion Forums will be posted in Modules 2, 6, 8 and 11. (Required length is minimum 300 words and are due on the following Sunday of the week they are posted at 11:59 pm.)

**Once Discussion Forums are closed students will no longer be able to post to them.**

## **COMMENTARY ASSIGNMENTS**

**Commentary One:** Read the *Indian Act* (<http://laws-lois.justice.gc.ca/eng/acts/i-5/>). Which elements of the Indian Act do you feel had the greatest impact on Indigenous peoples and their relationship with the Government of Canada? (Required length is 500 words or 2 pages double spaced and is due on October 2 at 11:59 pm.)

**Commentary Two:** Read the Calls to Action section of the final report of the Truth and Reconciliation Commission ([http://trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf)). After being elected in 2015, Prime Minister Justin Trudeau declared that his government would implement all the TRC recommendations. Assess the reasonableness of this government commitment. (Required length is 500 words or 2 pages double spaced and is due on November 20 at 11:59 pm.)

## **MAJOR ASSIGNMENT**

**Book Review:** Read *From Treaty Peoples to Treaty Nation*. Prepare a critique, based on the political practicality and likelihood of the policy ideas brought forward in the book. If you reject or challenge a specific idea or suggestion(s), provide an alternative that you think would be more effective. (Your report should be five pages double spaced. It is due on December 4 at 11:59 pm).

## TAKE HOME FINAL ASSIGNMENT

### Final Project:

Based on the topics discussed in this course, review the Government of Canada's 2022-23 Departmental Plan for Indigenous Affairs and programming. Prepare a memorandum for the major Indigenous organizations (First Nations, Inuit, and Métis) that explains the values and priorities of the Government of Canada and that outlines what you to see to be the deficiencies in the Government's priorities. (Your memorandum should be 5 pages double spaced. It is due on December 13 at 11:59 pm). The document to be used is found here: <https://www.rcaanc-cirnac.gc.ca/eng/1643042950445/1643042973736>

## LATE ASSIGNMENTS

Late assignments will be assigned a penalty of 5%, assignments more than a week late will lose a full grade of 10%, special circumstances will be considered upon application by the student. **Late Discussion Forums will not be accepted.**

## EVALUATION

Discussion Forums (4 x 5% - Due in Modules 2, 6, 8 and 11)	20%
Commentary Assignments (2 x 10% - Due October 2 and November 20)	20%
Major Assignment – Book Review (Due December 4)	30%
Take Home Final Assignment – Final Project (Due December 13)	30%

## ACADEMIC INTEGRITY AND CONDUCT

Understanding and following the principles of academic integrity and conduct is vital to your success in graduate school. Ensuring that your work is your own and reflects both your own ideas and those of others incorporated in your work is important: ensuring that you acknowledge the ideas, words, and phrases of others that you use is a vital part of the scholarly endeavour. The JSJS has developed an Honour Code (see above) that encapsulates these values.

If you have any questions at all about academic integrity in general or about specific issues, contact any faculty member and we can discuss your questions. For more information, please see:

Academic Integrity – <https://www.uregina.ca/gradstudies/current-students/academic-integrity/index.html>

## **COPYRIGHT**

Course materials are provided to you based on your registration in a class, and anything created by your professors and instructors is their intellectual property, unless materials are designated as open education resources. This includes exams, PowerPoint/PDF slides and other course notes. Additionally, other copyright-protected materials created by textbook publishers and authors may be provided to you based on license terms and educational exceptions in the Canadian Copyright Act (see <http://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>).

University of Regina Copyright information: <https://www.uregina.ca/copyright/guidelines/fair-dealing.html>

## **STUDENT RESOURCES**

See the Remote Learning information page for students. This resource engages students in learning about the skills associated with remote learning success.

<https://www.uregina.ca/remote-learning/>

## **RIGHTS & RESPONSIBILITIES OF GRADUATE STUDENTS**

<https://www.uregina.ca/gradstudies/current-students/Rights%20/index.html>

## **STUDENTS WITH SPECIAL NEEDS**

Students in this course who, because of a disability, may have a need for accommodations are encouraged to discuss this need with the instructor and to contact one of the following:

Centre for Student Accessibility – [accessibility@uregina.ca](mailto:accessibility@uregina.ca) or 306-585-4631.

<https://www.uregina.ca/student/accessibility/index.html>

## **STUDENTS EXPERIENCING STRESS**

Counselling Services – <http://www.uregina.ca/student/counselling/contact.html> or call (306) 585-4491 between 8:30 a.m. to 4:30 p.m. Saskatchewan time Monday to Friday.

## USE OF VIDEO AND RECORDING OF THE COURSE

Any video conference sessions in this course, including your participation, will be recorded and made available only to students in the course for viewing via UR Courses after each session. This is done, in part, to ensure that students unable to join the session (due to, for example, issues with their Internet connection) can view the session later. This will also provide students with the opportunity to review any material discussed. Students may also record sessions for their own use, but they are not permitted to distribute the recordings (see below).

Please remember that course recordings belong to the instructor, the University, and/or others (like a guest lecturer) depending on the circumstance of each session, and are protected by copyright. Do not download, copy, or share recordings without the explicit permission of the instructor.

For questions about recording and use of sessions in which you have participated, including any concerns related to your privacy, please contact your instructor.

## ADDITIONAL EVALUATION INFORMATION

More information on the Academic Courses Policy on course delivery, examinations and assessment of student learning can be found at: <https://www.uregina.ca/student/registrar/resources-for-students/academic-calendars-and-schedule/undergraduate-calendar/assets/pdf/2019-2020/Academic-Regulations.pdf>

## JSGS GRADE DESCRIPTIONS

### **85+ excellent**

*A superior performance* with consistent strong evidence of:

- a comprehensive, incisive grasp of the subject matter;
- an ability to make insightful critical evaluation of the material given;
- an exceptional capacity for original, creative and/or logical thinking;
- an excellent ability to organize, to analyze, to synthesize, to integrate ideas, and to express thoughts fluently; and
- an excellent ability to apply theories to real-world problems and intersect with related disciplines.

### **80-85 very good**

*An excellent performance* with strong evidence of:

- a comprehensive grasp of the subject matter;
- an ability to make sound critical evaluation of the material given;
- a very good capacity for original, creative and/or logical thinking;

- an excellent ability to organize, to analyze, to synthesize, to integrate ideas, and to express thoughts fluently; and
- a strong ability to apply theories to real-world problems and intersect with related disciplines.

**75-80 good**

*A good performance with evidence of:*

- a substantial knowledge of the subject matter;
- a good understanding of the relevant issues and a good familiarity with the relevant literature and techniques;
- some capacity for original, creative and/or logical thinking;
- a good ability to organize, to analyze, and to examine the subject material in a critical and constructive manner; and
- some ability to apply theories to real-world problems and intersect with related disciplines.

**70-75 satisfactory**

*A generally satisfactory and intellectually adequate performance with evidence of:*

- an acceptable basic grasp of the subject material;
- a fair understanding of the relevant issues;
- a general familiarity with the relevant literature and techniques;
- an ability to develop solutions to moderately difficult problems related to the subject material; and
- a moderate ability to examine the material in a critical and analytical manner.