

**FACULTY OF LAW, UNIVERSITY OF VICTORIA**  
**2023-24 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION (PCIS)<sup>1</sup>**

<b>COURSE</b>	LAW 340 Indigenous Lands, Rights and Governance
<b>UNIT VALUE</b>	1.5 Units (1.5 hours of instruction per week)
<b>INSTRUCTORS</b>	John Gailus
<b>TERM OFFERED</b>	Spring 2024
<b>CLASS TIMES</b>	See Schedule
<b>PREREQUISITES/COREQUISITE</b>	None

### **OBJECTIVES AND COURSE DESCRIPTION**

This course examines the major legal issues concerning Indigenous peoples (Indian, Inuit and Metis) in Canada. It will explore the development of Canadian case law relative to these groups and its simultaneous preservation and dispossession of Indigenous people's rights. The course will provide an overview of Aboriginal title and rights, treaties, the distribution of legislative authority with respect to Aboriginal peoples, consultation, fiduciary law, lands, governance and Aboriginal child welfare issues.

Comparisons will be drawn from other countries dealing with Indigenous rights. In exploring these issues, the course will also examine aspects of legal pluralism and assess a variety of normative and political justifications for Aboriginal rights.

### **METHODOLOGY**

The course will be taught using a variety of techniques, including lectures, class discussion, student presentations and visiting speakers

### **EXPECTED EVALUATION METHODOLOGY (SUBJECT TO CHANGE)**

- 1) 20%: Class participation
- 2) 20%: Presentation of Case Brief
- 3) 60%: Final examination take-home written over eight hours on Brightspace

*June 2023*

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<sup>1</sup> The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, Law Student Services ([law.studentservices@uvic.ca](mailto:law.studentservices@uvic.ca)).  
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