COURSE
Law 340 Indigenous Lands, Rights and Governance

UNIT VALUE
1.5 Units (3 hours of instruction per week)

INSTRUCTOR
John Gailus

TERM OFFERED
Spring 2019

CLASS TIMES
See Schedule

PREREQUISITES/COREQUISITES
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, the treatment of Aboriginal women in Canadian law, Aboriginal child welfare and criminal justice 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, and visiting speakers.

EXPECTED EVALUATION METHODOLOGY (SUBJECT TO CHANGE)

1) 30%: Class participation and presentations.

b) 70%: Final examination written over three hours in the final examination period.

November 2018

1 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, the Associate Dean (lawassoc@uvic.ca).