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. It will provide an overview of Aboriginal title, treaties, the distribution of legislative authority with respect to Aboriginal peoples, fiduciary law, taxation, lands, governance, the treatment of Aboriginal women in Canadian law, Aboriginal child welfare and criminal justice issues. Comparative analysis will be made between Canadian law and Indigenous legal traditions in the definition of 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) 10% Class participation and written reflections.

2) 30%: There will be a 48-hour take-home quiz, 2/3 of the way through the course. This quiz will have 10 questions, and will test for general comprehension of materials covered in the readings.

3) 60% Final fact-pattern examination written over three hours in the final examination period.

June 2019