

Course Outline

COURSE:	LAWS 4504 A – Indigenous Criminal Justice
TERM:	FALL 2020
PREREQUISITES:	LAWS 2908, CRCJ 3001 or CRCJ 3002 and LAWS 2301, LAWS 2302 and fourth-year Honours standing.
CLASS:	Day & Time: Fridays: 11:35 pm – 2:25 pm (seminar) Room: All courses in the Fall semester are being delivered online. Seminars in this course will be delivered “live”, online during our regularly scheduled class time via the Zoom conference platform.
INSTRUCTOR: (CONTRACT)	Prof. Kanatase Horn
CONTACT:	Office: Zoom (online) Office Hrs: By Appointment Telephone: N/A Email: kanatasehorn@cmail.carleton.ca

CALENDAR COURSE DESCRIPTION

Indigenous peoples and the administration of Canadian criminal justice including policing, courts, corrections and aftercare. Content and effects of past and present policies, processes and laws. Alternatives such as self-government and self-determination; potential approaches to an appropriate justice system for Indigenous peoples.

COURSE DESCRIPTION

This course utilizes society's awareness of Indigenous over-representation in the Canadian criminal justice system as an entry point to have broader and deeper conversations about ongoing settler colonialism, and the criminal justice system's pivotal role in marginalizing Indigenous people in Canada. We will discover the historic use of the criminal justice system as a political *technology* and *instrument* of power to destabilize Indigenous nations. This historicizing of Indigenous over-incarceration will challenge assumptions that there has been a break between historic and contemporary expressions of colonial power. We will, however, still engage with various contemporary theories of Indigenous over-representation that have been introduced by scholars within Indigenous studies, criminology and critical criminology, and penology, as well as government perspectives. We will also explore various juridical responses to Indigenous over-representation, namely the *R. v. Gladue* decision and the various policy programmes it inspired. Ultimately, we will think about Indigenous futures by looking towards what a *decolonized* criminal justice system might look like by engaging with Indigenous legal scholarship, as well as prison abolitionist literature.

REQUIRED TEXTS

There are **no** required textbooks for this course. All readings and resources will be available online, namely on cuLearn or the Carleton Library website. I will do my best to upload all digital readings to

cuLearn two weeks before the relevant class is scheduled.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

1.	Reading Responses	20%	Due: Weekly
2.	Participation/Attendance	30%	Due: Ongoing
3.	Self-Reflection on Justice	10%	Due: Sept. 14 and Nov. 30
4. i)	Final Paper <u>OR</u>	40%	Due: Dec. 7
ii)	Take Home Exam	40%	Due: Dec. 14

1) Reading Responses (20% - due weekly)

Starting on **Week 2** (Sept. 18), before each class, please post a journal entry on to the cuLearn webpage. Between September 18 and December 4, there are 11 classes with readings. You will be evaluated for **10 reading responses**, and so you will have the option to choose what weeks you submit a response (no post necessary for Week 1). In other words, you must submit an entry for 10 out of the 11 weeks. This assignment counts for 20% of your overall grade. Each post will be worth 2.0 marks (or 2.0%) of your overall mark in this class. You will receive 1.0 mark for simply posting, and the other 1.0 mark for the content of your entry. They do not have to be long, nor in proper academic format. In fact, I encourage you to simply write up to 2 succinct paragraphs. The point is to demonstrate how you are absorbing the readings. Further, you must demonstrate you have read all **'required'** readings for the week (**'optional'** readings are truly optional, although I encourage you to read them). Readings titled **'In Class Discussion'** will be read together in class and are **not** part of this assignment.

To help you begin, you can approach this assignment with the following strategies in mind:

- Questions about the readings, which you may pose in class;
- A snapshot of the readings (imagine turning this entry into a few Tweets);
- A creative piece regarding the reading, such as a drawing or poem (can be delivered in person if choosing a drawing);
- Connections with news articles, blogs, etc. that relate to the readings;
- Your general thoughts and feelings about the readings.

2) Participation/Attendance (30% - ongoing)

Seminars are a collaborative learning environment where everyone should feel welcome and willing to contribute to discussions and co-facilitate learning. While virtual attendance is important, I will also be weighing the quality of contributions in determining your grade. Half of this mark (15% of overall grade) will be based on attendance (13 classes), while the other half (15%) will be based on the quality of your weekly contributions. Grades will be adjusted according to: lateness; leaving class early; not coming to class; and not actively participating in class discussions. Being mindful and respectful of others, especially during breakout sessions, will be prioritized and part of your evaluation.

For those without access to a laptop/computer, reliable internet, or otherwise will likely miss most (50% or more), if not all, 'live' Zoom classes, you should let me know as soon as possible so that we can create an alternative way for you to earn attendance/participation marks.

3) Self-Reflection on (In)Justice (10% - Monday Sept. 14 and Monday Nov. 30)

After watching Tasha Hubbard's, "Nipawistamassowin: We Will Stand Up," you will be asked to prepare a short (**one page single spaced**) self-reflection on the Gerald Stanley decision, where he was found not-guilty of manslaughter in the death of Colten Boushie. This self-reflection should be based on your impressions after watching the film, but also your current understandings of Indigenous '(in)justice'. I am looking for your reactions to the decision, but also your awareness of the broader socio-political context that framed the death of Colten and the finding of 'innocence'. This short assignment will act as a **baseline of your knowledge** of Indigenous criminal justice issues. I am going to (re)evaluate the development of your knowledge and passion at the end of the course. This small assignment will be due on **Monday, September 14** on cuLearn. It will be marked out of 10 marks and will constitute half (5% of the 10%) of your mark for this assignment. No outside research is necessary; this assignment will be based purely on your thoughts about the issues brought up in the film.

For the second half of the assignment, at the end of the course you will **revisit** your submission from September 14 and integrate knowledge from the readings and discussions we have had over the course of this class. How you choose to integrate that knowledge is truly up to you, although I am hoping to see a widening and deepening of understanding. The second half of this assignment should also be short (**one page single spaced**) and may include outside research; namely the readings from the course syllabus. This assignment will be marked out of 10 marks and will constitute the other half (5% of the 10%) of your mark for this assignment. The second half of this assignment will be due on **Monday, November 30** on cuLearn.

4) Final Paper/Take Home Exam (40% - Dec. 7 OR Dec. 14)

You will have two options for your major assignment: either a final paper or a take home exam.

i) Research Paper: For your final research paper, I expect formal academic essay structure, including: title page; headings and subheadings; consistent citation style; correct grammar; pagination; and a bibliography. This paper represents the culmination of your understanding of the themes, topics, and concepts which were discussed in this course. Students will write about a precise topic and/or case study (which will have been approved prior to beginning your paper), which you will explore in detail in your paper. The purpose of this assignment is to demonstrate an understanding of how Indigenous peoples are entangled with the Canadian criminal justice system, including their historic and ongoing criminal marginalization, but also their struggles for self-determination and control over criminal justice in the communities they call home.

Students must write a paper between 12-15 pages in length, not including the title page or bibliography. Students must use at least 10 academic sources, which do not all have to be from the course syllabus. Indeed, outside research is encouraged. However, a majority of the sources (5 or more) should be from the syllabus. It will be due on **Monday, December 7** on cuLearn at 11:59 pm EST.

ii) Take Home Exam: For the take home exam, you will be asked to answer questions related to the course content, themes, and issues. You will select the questions you would like to answer from a series of questions that I have prepared. I will post the questions on **Friday, December 11** on cuLearn (6:00 pm EST). Your answers must be properly formatted, including: title page; headings; consistent citation style; correct grammar; pagination; and a bibliography.

Take home exams will be **due on Monday, December 14** on cuLearn at 11:59 pm EST.

You must let me know by Friday December 4 if you are choosing the take home exam option. More information about these options will be discussed throughout the term, with more instructions posted on cuLearn.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Students can request extensions for assignments and exams. I will accommodate requests on a case by case basis, although I will be sympathetic to all requests due to the COVID-19 pandemic. Indeed, I would prefer you let me know about your request for an extension as soon as you can. For term work, per university policy, you do not need to get a medical note, but you will need to submit a request using the following form: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>. Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days). Extensions for the Final Take Home Exam must be submitted to the Registrar's Office using the same form.

Course Objectives

- To develop academic skills that uphold critical pedagogies, including responsible research practices, engaging meaningfully with diverse forms of critical scholarship (peer-reviewed articles, academic books, anthologies, guest lectures, material culture, film, etc.) citational skills, working with groups across multiple positions and locations, communication skills (writing, oral, artistic), and managing time and responsibilities.
- To frame Indigenous over-representation in the Canadian criminal justice system in the appropriate context, namely historic and ongoing settler colonialism, and discourses of Indigenous 'savagery', 'threat', and 'national security'. Also, to situate Indigenous social harms/crime in the appropriate social context, including the breakdown of Indigenous kinship networks; the legacy of the residential school system; ingrained patriarchy and pain; addictions and poverty; and social and physical dislocations from homelands.
- To introduce various juridical responses to Indigenous over-representation to better prepare students for possible careers in criminal justice. To also introduce students to Indigenous aspirations for jurisdiction over criminal justice in their communities so that students may support Indigenous peoples take control over their own justice futures.
- To have students imagine a society that is not defined by the existence of prisons.

Student Learning Objectives

- To demonstrate a sufficient understanding of settler colonialism and the way settler colonial power is expressed through the Canadian criminal justice system.
- To demonstrate a deep understanding of the various theories that have been proposed to explain Indigenous over-representation. To also demonstrate an understanding of why over-representation *continues* to be an ongoing social, political, and human rights crisis.
- To be able to describe the central role of the *R. v. Gladue* decision in framing contemporary policy approaches to addressing Indigenous over-representation.
- To express yourself effectively in the online classroom and through assignments.
- To develop succinct communication skills through classroom discussions and within your writing.

Your responsibilities as a student

- You will be evaluated based on the submission of your assignments, as well as your participation in classes, as explained above (per FASS Teaching Regulations and Procedures).
- Should you wish to contest a grade for an assignment, I strictly enforce a 24-hour period before you can send me your rationale. This gives you time to consider how you feel the assigned grade might not reflect the content of your submission.
- Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.
- Assignments submitted without an explanation/approved extension will be subject to late penalties.
- Because classes will be online (Zoom), I will be recording lectures/discussions for the benefit of students who miss some classes, and/or are unable to join live sessions. Only large group discussions will be recorded; break-out sessions will not be recorded. **It will be your responsibility to inform me if you will be missing a class.**
- Because classes will be online, you are encouraged to “turn on” your cameras to engender a sense of community. However, this is only encouraged, and should you wish to keep your cameras “off”, that will be accepted.
- Because learning about Indigenous historic and ongoing oppression can be emotionally, politically, and spiritually charged for some individuals, you are tasked with being mindful of other people’s location and proximity to the issues discussed in class. This means being respectful in class discussions, as well as during breakout sessions.
- Please be on time and present for class. This demonstrates consideration for your fellow classmates, as well as the voices, labour, and experiences of Indigenous peoples inside of the classroom and out. I respectfully request that you refrain from becoming distracted during the small amount of time we have together each week.
- Assignments will be due and submitted through cuLearn unless specified otherwise.
- You must email me from your Carleton email account.
- Do not plagiarize (see page 11).

My responsibilities as an instructor

- To foster a safe space for thoughtful and meaningful discussion. This means that I will not tolerate any form of oppression within the classroom including, but not limited to: racism, homophobia, transphobia, anti-Semitism, Islamaphobia, anti-Blackness, toxic-masculinity, sexism, silencing or otherwise assuming power over another person in the classroom.
- To make course content accessible to those who may lack the appropriate technologies and/or space/time to join live Zoom sessions.
- To present the information in accessible language and facilitate lively discussion.
- To respect your privacy and requests for remaining “unseen” on camera during class.
- To send links to the Zoom classroom in a timely manner.
- I will endeavor to the best of my ability to get assignments back to you within 3 weeks of the due date. I will let you know if this is not possible.
- I will do my best to respond to emails within 48 hours. On rare occasions, I will respond immediately but the fact is, I have a family and I am also a PhD student.
- To encourage your growth as an emerging scholar by honouring multiple modes of learning and communication. I do this, in part, by offering feedback that is constructive, thoughtful, and based on the premise of intellectual nourishment.

- I will facilitate discussion in class, and encourage critical conversations. However, due to the unique nature of online learning, when there are slides, I will endeavour to post them to cuLearn prior to class so that you can follow along more easily.
- I must follow the teaching guidelines as defined by FASS and Carleton University, including teaching ethics. As such, some students may have their work marked by another professor within the department if need be. Also, I have a social media policy, meaning I will not be connecting with you on sites such as Facebook.
- I will work with requests for extensions on assignments on a case by case basis.

SCHEDULE

Week 1: September 11 – Introductions, Course Description, and Film

In class screening: Tasha Hubbard. "Nipawistamassowin: We Will Stand Up." National Film Board (2019).

****Monday Sept. 14 – Self-Reflection on Injustice (part 1) Due****

Week 2: September 18 – Settler Colonialism and Criminal Justice in Canada

Patrick Wolfe. "Settler Colonialism and the Elimination of the Native." *Journal of Genocide Research*, vol. 8, no. 4, 2006, pp. 387-409.

Vicki Chartrand. "Unsettled Times: Indigenous Incarceration and the Links Between Colonialism and the Penitentiary in Canada." *Canadian Journal of Criminology and Criminal Justice*, vol. 61, no. 3, 2019, pp. 67-89.

Optional: Nancy MacDonald. "Prisons are the 'New' Residential School." *Maclean's*, 2016. (<https://www.macleans.ca/news/canada/canadas-prisons-are-the-new-residential-schools/>)

Week 3: September 25 – Criminalizing Indigenous Sovereignty: Nation Building Through Violence

Jeffrey Monaghan. "Settler Governmentality and Racializing Surveillance in Canada's North-West." *Canadian Journal of Sociology*, vol. 38, no. 4, 2013, pp. 487-508.

Heidi Stark. "Criminal Empire: The Making of the Savage in a Lawless Land." *Theory and Event*, vol. 19, no. 4, 2016.

In Class Discussion: Tsilhqot'in National Government. "The Chilcotin War: A Background." (<http://www.tsilhqotin.ca/Portals/0/2018%2003%20Chilcotin%20War%20background.pdf>)

In Class Discussion: The Canadian Encyclopedia. "Red River Rebellion." (<https://www.thecanadianencyclopedia.ca/en/article/red-river-rebellion>)

In Class Discussion: David Webster. "The Six Nations and a Century of Canada-Indigenous Clashes Over the Rule of Law."

(<https://ricochet.media/en/2967/the-six-nations-and-a-century-of-canada-indigenous-clashes-over-the-rule-of-law>)

Week 4: October 2 – Establishing Crown/Criminal 'Subjects': Outlawing Indigenous Legal Traditions and Governance

Sidney Harring. "'The Enforcement of the Extreme Penalty': Canadian Law and the Ojibwa-Cree Spirit World." In *White Man's Law: Native People in Nineteenth Century Canadian Jurisprudence*, U of T Press, 1998, 217-238.

Val Napoleon and Hadley Friedland. "Indigenous Legal Traditions: Roots to Renaissance." In *The Oxford Handbook of Criminal Law*, Oxford University Press, 2014, pp. 225-227 (**read pp. 1-9**)

Jen Storm. "Red Clouds." In *This Place: 150 Years Retold*, Portage and Main Press, 2019, pp. 54-81.

In Class Discussion: Indigenous Corporate Training. "Potlatch Ban: Abolishment of First Nations Ceremonies." (<https://www.ictinc.ca/the-potlatch-ban-abolishment-of-first-nations-ceremonies>)

In Class Discussion: Susan Drummond. "Polygamy's Inscrutable Criminal Mischief." *Osgood Hall Law Journal*, vol. 47, no. 2, 2009 (**read pp. 331-333**). (<https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1152&context=ohlj>)

In Class Discussion: Chris Zdeb. "August 28, 1917: First Inuit Tried in Dominion Court not Hanged for Missionary Murders." (<https://edmontonjournal.com/news/edmonton/alberta/aug-28-1917-first-inuit-tried-in-dominion-court-not-hanged-for-missionary-murders>)

Week 5: October 9 – Theorizing Indigenous Over-Representation: Institutional Racism, Inherent Criminality, or Colonialism's Legacy?

Robert Nichols. "The Colonialism of Incarceration." *Radical Philosophy Review*, vol. 17, no. 4, 2014, pp. 435-455.

Lisa Monchalin. "Crime Affecting Indigenous Peoples: Over-Representation, Explanations, and Risk Factors." In *The Colonial Problem: An Indigenous Perspective on Crime and Injustice in Canada*, University of Toronto Press, 2017, pp. 143-174.

Optional: Ivan Zinger. "Office of the Correctional Investigator Annual Report: Indigenous Corrections." Public Safety Canada, 2019. (<https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20182019-eng.aspx>)

In Class Screening: "John Trudell on 'Drunken Indians.'" 2012. (<https://www.youtube.com/watch?v=RhLatWoWrKA>)

In Class Screening: Vice News. "Warriors off the Res: Aboriginal Gangs in Winnipeg." Vice, 2014. (<https://www.youtube.com/watch?v=TIUcsKSbpNI>)

Week 6: October 16 – Gendered Experiences with the Criminal Justice System

Elsbeth Kaiser-Derrick. "Chapter 1: Pathways Through Feminist Theories, Into the System." In *Implicating the System: Judicial Discourses in the Sentencing of Aboriginal Women*, University of Manitoba Press, 2019, pp. 40-86.

MMIWG Commission. "Chapter 8: Confronting Oppression: Right to Justice." In *Missing and Murdered Indigenous Women and Girls Final Report*, 2018, pp. 621-647.

Optional: Marina Cupido and Saima Desai. "Queer Bodies Behind Bars: The Prisoner Correspondence Project Talks LGBTQ+ Communities." *The McGill Daily*, 2016. (<https://www.mcgilldaily.com/2016/11/queer-bodies-behind-bars/>)

Optional: Sarah Boesveld. "How Healing Lodges Help Indigenous Women Rebuild Their Lives." *Local Love: Your Guide to Living Well and Doing Good*, 2019. (<https://locallove.ca/life/how-healing-lodges-help-indigenous-women-rebuild-their-lives/#.Xy9s4C2ZPU>)

In Class Screening: Department of Justice Canada. "Transforming the Criminal Justice System: Indigenous Over Representation." Department of Justice Film, 2017. (<https://www.youtube.com/watch?v=y7BiE1xloWM>)

Week 7: October 23 – Juridical Responses to Indigenous Over-Incarceration: Section 718.2(e), *R. v Gladue*, and *R. c. Ipeelee*

R. v. Gladue [1999] 1 S.C.R.

R. c. Ipeelee [2012] 1 R.C.S. (**Majority decision:** Paras: 1-98)

Optional: Meaghan Irons. "Section 718.2(e) of the Criminal Code of Canada and Aboriginal Over-Representation in Canadian Prisons." *Western University Undergraduate Awards*, 2018.

****Week 8: October 30 – READING WEEK (no class)******Week 9: November 6 – The Legacy of *R. v. Gladue*: Specialized Courts, Sentencing, and Gladue Reports**

Paula Maurutto and Kelly Hannah-Moffat. "Aboriginal Knowledges in Specialized Courts: Emerging Practices in Gladue Courts." *Canadian Journal of Law and Society*, vol. 31, no. 3, 2016, pp. 451-471.

Hillary Janice-Peterson. "Chapter Six: Gladue Reports." In *Applying Gladue Principles Requires Meaningful Incorporation of Indigenous Laws and Perspectives, Including Consideration of Community-Based Alternatives to Incarceration* (LLM thesis), University of Saskatchewan, pp. 52-57.

BC Legal Services Society. "Gladue Report Guide: How to Prepare and Write a Gladue Report." 2018. (read pp. 27-57) – we will review this in class

In Class Screening: APTN News. "Ottawa Will be Getting an Indigenous Peoples Court." *APTN News*, 2017. (<https://www.youtube.com/watch?v=u1IOoYlKrijl>)

Week 10: November 13 – Indigenizing the System: Restorative Justice, Indigenous Healing Lodges, and Prison Programming

Joane Martel, Renée Brassard, and Mylène Jaccoud. "When Worlds Collide: Aboriginal Risk Management in Canadian Corrections." *British Journal of Criminology*, vol. 51, 2011, pp. 235-255.

Jefferey Hewitt. "Indigenous Restorative Justice: Approaches, Meaning, and Possibility." *University of New Brunswick Law Journal*, vol. 67, 2016, pp. 314-335.

Optional: Correctional Services Canada. "Evaluation Report: Strategic Plan for Aboriginal Corrections: Aboriginal Healing Lodges: Aboriginal Healing Lodges." *Correctional Service Canada*, 2011. (read pp. 1-24: "Program Profile" and "Evaluation Method")

In Class Screening: Department of Justice Canada. "Reconciliation Through Restorative Justice." *Department of Justice Canada Films*, 2016. (<https://www.youtube.com/watch?v=RTb85GNcAVc>)

In Class Screening: "Indigenous Inmates Map Their Way out of Prison." *CBC*, 2018. (<https://www.youtube.com/watch?v=h8qiN8nGV4U>)

Week 11: November 20 – Unfulfilled Promises: Ongoing Indigenous Over-Incarceration and (Over) Policing

Ryan Newell. "Making Matters Worse: The Safe Streets and Communities Act and the Ongoing Crisis of Indigenous Over-Incarceration." *Osgood Hall Law Journal*, vol. 51, no. 1, 2013, pp. 199-249.

Lisa Monchalin. "Euro-Canadian 'Justice' Systems and Traditional Indigenous Justice." In *The Colonial Problem: An Indigenous Perspective on Crime and Injustice in Canada*, University of Toronto Press, 2017, pp. 258-267.

Department of Justice Canada. "Just Facts: The Impact of Mandatory Minimum Penalties on Indigenous, Black, and Other Visible Minorities." *Department of Justice Canada: Research and Statistics Division*, 2017.

In Class Discussion: Greg Mercer, Jamie Ross, and Jerry-Faye Flatt. "RCMP Killings of Indigenous People Intensify Calls for Police Justice." *The Globe and Mail*, 2020. (<https://www.theglobeandmail.com/canada/article-rcmp-killings-of-indigenous-people-intensify-calls-for-police-reform/>)

In Class Discussion: Elizabeth Thompson. "Martin: Mandatory Minimums Were Aimed at Indigenous Canadians." *iPolitics*, 2016. (<https://ipolitics.ca/2016/05/26/martin-conservative-mandatory-minimum-sentences-were-aimed-at-indigenous-canadians/>)

In Class Discussion: Ryan Flanagan. "Why Are Indigenous Peoples in Canada so much more likely to be shot and killed by Police?" *CTV News*, 2020. (<https://www.ctvnews.ca/canada/why-are-indigenous-people-in-canada-so-much-more-likely-to-be-shot-and-killed-by-police-1.4989864>)

In Class Screening: "Demanding Answers After Indigenous Woman Killed by Police Officer." *Global News*, 2020. (<https://www.youtube.com/watch?v=NPmoaEfPots>)

In Class Screening: "Starlight Tours Documentary." 2018. (<https://www.youtube.com/watch?v=HXVOol47jo8&t=126s>)

Week 12: November 27 – Ongoing Settler Colonialism in the Criminal Justice System: Indigenous Peoples and the (Carceral) Surveillance State

Rachel Ariss and John Cutfeet. "Law, Legal Process, and Reconciliation in *Platinex v. Kitchenuhmaykoosib Inninuwug*." In *Keeping the Land: Kitchenuhmaykoosib Inninuwug, Reconciliation, and Canadian Law*, Fernwood Publishing, 2012, pp. 100-120.

Andrew Crosby and Jeffrey Monaghan. "Settler Colonialism and the Policing of Idle No More." *Social Justice*, vol. 43, no. 2, 2016, pp. 37-57.

In Class Discussion: Nick Faris. "Saskatchewan Launches 16-Month Undercover Sting to Catch First Nations Man Illegally Selling \$90 Worth of Fish." *National Post*, January 25, 2019. (<https://nationalpost.com/news/canada/saskatchewans-government-staged-a-16-month-undercover-sting-to-catch-a-first-nations-man-illegally-selling-90-worth-of-fish>)

In Class Discussion: Judy Rebcik. "A Rare Victory: Court Releases Lovelace and KI Six."

Rabble.ca, May 30, 2008. (<https://rabble.ca/news/rare-victory-court-releases-lovelace-and-ki-six>)

In Class Screening: Actcity Ottawa. "Canadian Political Prisoner Bob Lovelace." 2008 (<https://www.youtube.com/watch?v=kqYdMgzzrEU>)

In Class Screening: "No Response from RCMP on Watchdog Report into Mounties' Monitoring of Indigenous Groups. *Global News*, 2020. (<https://www.youtube.com/watch?v=YcU1LwmlK4s>)

****Monday Nov. 30 – Self-Reflection on Injustice (part 2) Due****

Week 13: December 4 – Possible Paths Forward: Indigenous Legal Traditions, Self-Determination, and Prison Abolition

Hadley Friedland. "Chapter 2: The Wetiko as a Legal Concept or Category." In *The Wetiko Legal Principles: Cree and Anishinabek Responses to Violence and Victimization*, U of T Press, 2018, pp. 20-49.

Angela Davis. "Abolitionist Alternatives." In *Are Prisons Obsolete?* Seven Stories Press, 2003, pp. 105-115.

David Milward. "Chapter 2: Aboriginal Aspirations for Justice." In *Aboriginal Justice and the Charter: Realizing a Culturally Sensitive Interpretation of Legal Rights*, UBC Press, 2012, pp. 7-25.

In Class Discussion: Shelby Thom. "Oliver, BC, Man Released Early from Okanagan Jail Due to COVID 19 Outbreak." *Global News*, April. (<https://globalnews.ca/news/6785090/okanagan-man-released-prison-early-covid-19/>)

In Class Discussion: CBC News. "Osoyoos Band Site Picked for New Okanagan Jail." *CBC News: British Columbia*, 2012. (<https://www.cbc.ca/news/canada/british-columbia/osoyoos-band-site-picked-for-new-okanagan-jail-1.1237064>)

****Monday Dec. 7 – Final Paper Due****

****Monday Dec. 14 – Take-Home Exam Due****

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

Pregnancy obligation

Please contact me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

Religious obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (PMC) at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) <https://carleton.ca/pmc>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. *More information on the University's Academic Integrity Policy can be found at:* <https://carleton.ca/registrar/academic-integrity/>

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/studentssupport/svpolicy/>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/current-students/>