

NS240

Introduction to Aboriginal Legal Issues

3 Credits

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Developed: 8/1/2000

Revised: 1/3/2008

Approval: 1/3/2008

Transfers: Yes

The Implementation Date for this Outline is 1/1/2008

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NS240 Version: 8



Introduction to Aboriginal Legal Issues

Calendar Description

This course is designed to give students an introduction to the development of Aboriginal rights law in Canada. It examines the colonial context of Canadian constitutional law, identifies sources of Aboriginal law, discusses Treaty and Aboriginal Rights, and the nature of fiduciary obligations of the Crown to Aboriginal people.

Rationale

This course provides an elective in several areas and is a requirement for Native Studies majors.

Prerequisites

None

Co-Requisites

None

General Course Goals

Upon successful completion of this course, students will be able to

1. identify sources of Aboriginal law.
2. discuss the Treaty and Aboriginal rights and the nature of the fiduciary obligations of the Crown to Aboriginal people.
3. discuss some of the major pieces of British and Canadian legislation, and significant court decisions, which have involved Aboriginal issues.

Essential Employability Skills

Essential employability skills are critical for workplace success and lifelong learning. Lakeland College prepares its graduates for the workplace and lifelong learning by integrating and promoting essential employability skills development in its curricula. Each credit course offered at Lakeland College emphasizes one or more of the following five essential employability skills:

- A. **Communication Skills** that enable individuals to listen, interpret, express, and convey knowledge and ideas so that they are received and understood.
- B. **Teamwork Skills** that enable individuals to respect the thoughts and opinions of others as they work together to plan activities, meet deadlines, complete projects, and contribute to an organization's goals.
- C. **Critical Thinking Skills** that enable individuals to conceptualize and analyze issues from various perspectives while rationally evaluating the strengths and limitations of each perspective and deciding what action to take.
- D. **Adaptability Skills** that enable individuals to respond quickly, willingly, and positively to new conditions and changing times.
- E. **Positive Attitude and Behavioural Skills** that enable individuals to be confident about themselves and to deal with people, problems, and situations with honesty, integrity, and personal ethics.

Please refer to the Knowledge/Skills Matrix of this course outline to review the essential employability skills emphasized in this course.

Resource Materials

Required Text:

Elliot, D. W. (1997). *Law and Aboriginal peoples of Canada* (3rd ed.). North York, ON: Captus Press.

Reference Text:

TBA

Conduct of Course

Lessons begin with a lecture on key points raised by the instructor followed by class discussion.

Evaluation Procedures

CP = Class Participation	5%	Learners are expected to ask questions in class and participate in class discussions based on the topics covered in the lectures and in the assigned readings.
A1 = Assignment I	10%	Learners are asked to write a short essay (500 – 750 words) explaining in their own words the issues and outcomes of an important legal case in the development of Aboriginal Rights.
A2 = Assignment II	25%	Learners are asked to submit a research paper (1500 – 2000 words) in which they apply the terminology and concepts learned in the course to a real world case study of an issue directly related to Aboriginal people. Learners are encouraged to include interviews with Aboriginal people, leaders, and

		Elders as part of their research.
ME = Mid-term Exam	30%	Learners are asked to write two short essays in a 1 hour time period (500 words each); one on an important piece of legislation impacting Aboriginal People and the other on an important court decision impacting Aboriginal People.
FE = Final Exam	30%	Learners are asked to write two essays in a 3 hour time period(1000 words each); one on the historical evolution of a concept such as Aboriginal Rights or Treaty obligations, and the other on the legal and legislative context of a current issue such as Aboriginal Self-government.
Total	100%	

No supplemental assignments or examination re-writes are permitted in this course.

Knowledge/Skills Matrix

Students apply and demonstrate their knowledge and skills to use

A. Communication Skills

A1. by listening, reading, interpreting information, and communicating effectively	
	Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
A2. by using written, spoken, and/or visual formats and media to communicate and meet needs of each particular audience	
	Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
A3. by using libraries, Internet, technical publications, journals and other sources to find pertinent information	
	Evaluation(s)/Goal(s): A1, A2, ME, FE; 1, 2, 3

B. Teamwork Skills

B1. by using interpersonal skills to create an atmosphere that maximizes the strengths of group members to accomplish tasks	
	Evaluation(s)/Goal(s): CP; 2, 3
B2. by using interpersonal skills to resolve conflict, relate to others, and assist others	
	Evaluation(s)/Goal(s): CP; 2, 3
B3. by contributing and listening to others as group determines realistic objectives, prioritizes tasks, and identifies resources and timelines	
	Evaluation(s)/Goal(s): CP; 1, 2, 3
B4. by treating other members of the group open-mindedly and fairly	
	Evaluation(s)/Goal(s): CP

B5. by developing tactics/strategies to accomplish tasks
Evaluation(s)/Goal(s): CP, A1, A2; 2, 3

C. Critical Thinking Skills

C1. by seeing critical thinking as a lifelong process of self-assessment
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
C2. by examining problems closely
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
C3. by examining beliefs, assumptions, and opinions, and weigh them against the facts
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
C4. by seeking out the truth
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
C5. by finding solutions; make decisions
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
C6. by incorporating new ideas that may not necessarily agree with previous thought on the topic
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
C7. by seeing connections between topics and use knowledge from other disciplines to enhance reading and learning experiences
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3

D. Adaptability Skills

D1. by working independently or as part of team
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
D2. by carrying out multiple tasks or projects
Evaluation(s)/Goal(s): A1, A2, ME, FE; 2, 3
D3. by being innovative and resourceful: identify and suggest alternative ways to get the job done
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
D4. by being open and respond constructively to change and uncertainty
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3

E. Positive Attitude and Behavioural Skills

E1. by dealing with people, problems, and situations with honesty, integrity, and personal ethics
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
E2. by showing interest, initiative, and effort
Evaluation(s)/Goal(s): CP, A1, A2, ME, FE; 1, 2, 3
E3. by affirming the need for positive solutions and encourage positive interaction and feedback
Evaluation(s)/Goal(s): CP; 2, 3

E4. by balancing personal and family activities with job-related activities

Evaluation(s)/Goal(s): A1, A2, ME, FE; 2, 3

Grades*A minimum grade of D is required to pass this course.*

Letter	F	D	D+	C-	C	C+	B-	B	B+	A-	A	A+
Percent Range	0-49	50-52	53-56	57-60	61-65	66-69	70-74	75-79	80-84	85-89	90-94	95-100
Points	0.00	1.00	1.30	1.70	2.00	2.30	2.70	3.00	3.30	3.70	4.00	4.00

Attendance

Regular attendance is essential for success in any course. Absence for any reason does not relieve a student of the responsibility of completing course work and assignments to the satisfaction of the instructor. Poor attendance may result in the termination of a student from a course(s).

If you do not meet the established attendance requirements, your instructor will recommend that the Registrar withdraw you from the course. A failing grade of RW (Required to Withdraw) will appear on your transcript.

In cases of repeated absences due to illness, the student may be requested to submit a medical certificate.

Instructors have the authority to require attendance at classes.

Course Units/Calendar

1. Introduction to the Canadian Legal System
2. Aboriginal Title
3. Aboriginal and Treaty Rights
4. Legislation and Aboriginal Peoples
5. Fiduciary Obligations of the Crown to Aboriginal People



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