

UNIVERSITY OF MANITOBA
HIST 4120/7760 (A01), 2011-2012 Regular Session
Department of History
'History of Aboriginal Rights'
Thursday 8:30 -11:30 a.m.
Room: 300 Tier

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Office Hours: Tues. and Thurs. 3-4 p.m., or by appointment

Scope of Course

This course is designed to provide students with opportunities for in-depth engagement with recent trends in historical analysis and important issues in the history and development of Aboriginal rights, primarily in Canada but with some comparative work looking at the Indigenous colonial experience in the U.S., Australia, and New Zealand. The course takes for its context the imperial and colonial relationships developed between the many Aboriginal groups of northern America and the French, British, and Canadian newcomers. It will focus particularly on the ways in which Aboriginal peoples have responded to these arrivals, negotiated with European powers, and compelled the newcomers to make space for specific forms of Aboriginal rights, including but not limited to those arising from treaties. More generally, course material explores Aboriginal strategies for dealing with incursions on their lands, resources, cultural integrity, and ability to govern themselves. Topics to be covered include peace and land surrender treaties from early times to the present; the impact of British legal, constitutional, and spatial regimes; the role of the courts as arbiters of rights and entitlements, and as sites for Aboriginal resistance; and negotiations over land, including reserves, land claims, and the construction of Aboriginal and Canadian title to land.

We will take up these themes in a seminar format in which students read and digest assigned materials **ahead of time** (I mean this!) and come to class prepared with analytical comments and questions, ready for an in-depth discussion and analysis of the literature. The readings and discussions constitute the core of the course, and students must ensure that they have the required books and **consistently** keep up with the reading. Mere physical presence in the room does not constitute participation; students are expected to take an active, constructive part in discussions and will be required to present their research in class at the end of second term.

The texts listed below are designed to get us through the first term and the beginning of the second. We will discuss in class where we want to go in our second-term readings and design our own second-term syllabus. March 15-29 will be reserved for students to present their major papers for the course.

Required Texts (in order in which they will be read)

Gilles Havard, (Trans. P. Aronoff and H. Scott). *The Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century*. Montreal/Kingston: McGill-Queen's University Press, 2001)

- available online through Bison

Patricia Seed, *Ceremonies of Possession: Europe's Conquest of the New World, 1492-1640* (Cambridge: Cambridge University Press, 1995).

William C. Wicken, *Mi'kmaq treaties on trial: history, land and Donald Marshall Junior*. Toronto: University of Toronto Press, 2002.

- available online through Bison

Roger Nichols, *Indians in the United States and Canada: A Comparative History* (Lincoln: University of Nebraska Press, 1998)

Ray, Arthur J., Jim Miller, and Frank Tough. *Bounty and Benevolence: A Documentary History of Saskatchewan Treaties*. Montreal/Kingston: McGill-Queen's University Press, 2000.

- available online through Bison

Cardinal, Harold and Walter Hildebrand, eds.,. *Treaty elders of Saskatchewan: our dream is that our peoples will one day be clearly recognized as nations* (Calgary: University of Calgary Press, 2000).

- available online through Bison

Harring, Sidney L. *White Man's Law. Native People in Nineteenth-century Canadian Jurisprudence*. Toronto: University of Toronto Press, 1998.

- available online through Bison

Kulchyski, Peter, ed. *Unjust Relations: Aboriginal Rights in Canadian Courts*. Toronto: Oxford University Press, 1994.

Louis Knafla and Haijo Westra, eds., *Aboriginal Title and Indigenous Peoples: Canada, Australia, and New Zealand*. (Vancouver: UBC Press, 2010).

Harris, Cole. *Making Native Space. Colonialism, Resistance, and Reserves in British Columbia*. Vancouver: UBC Press, 2002.

Grading and Assignments

| Assignment | Due Date | Length | Value |
|---|---------------|-------------|-------|
| Annotated bibliography | Oct. 27, 2011 | 15-20 pages | 20% |
| Reading journal on 1 st -term course materials | Dec. 1, 2011 | 10-15 pages | 20% |
| Essay proposal | Feb. 2, 2012 | 3-5 pages | 10% |
| Essay | Apr. 5, 2012 | 20-25 pages | 30% |
| Participation | ongoing | n/a | 20% |

Evaluative feedback will be provided well before the voluntary withdrawal date, March 16, 2012.

Late assignments will be penalized at the rate of 1% per day. **No assignments will be accepted after the last class of each term.**

For written assignments, citations should follow the 'Chicago style' found in Kate Turabian, *A Manual for Writers of Terms Papers, Theses, and Dissertations*, 6th ed. (Chicago, 1996) or the *Chicago Manual of Style* (14th edition or later).

Grade Distribution:

| | | | | | | | |
|----|--------|----|-------|----|-------|----|-------|
| A+ | 88-100 | B+ | 75-79 | C+ | 65-69 | D+ | 55-59 |
| A | 80-87 | B | 70-74 | C | 60-64 | D | 50-54 |
| | | | | | | F | 0-49 |

Students who wish to appeal a grade given for term work must do so within 10 working days after the grade for the term work has been made available to them.

Uncollected term work will become the property of the Faculty of Arts and will be subject to confidential destruction.

Academic Dishonesty

The work you submit for grading must be your own original work, written *by you* specifically for this course. Students should acquaint themselves with the University policy on plagiarism, cheating, and other forms of academic dishonesty (see Section 8 of General Academic Regulations of the online University Calendar and Catalog). The common penalty in Arts for plagiarism in a written assignment, test or examination is F on the paper and F on the course. For the most serious acts of plagiarism, such as the purchase of an essay or cheating on a test or examination, the penalty can also include suspension for a period of up to 5 years from registration in courses taught in particular department in Arts or all courses taught in this Faculty. The Faculty also reserves the right to submit students work that is suspected of being plagiarized to internet sites designed to detect plagiarism.