

UNIVERSITY OF MANITOBA
HIST 4120/7760 (A01), 2020-2021 Regular Session
Department of History
"History of Aboriginal Rights"
Thursday 8:30 -11:15 a.m.
Meetings will take place via Zoom

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Office Hours: Wed. 11-1 p.m., via Zoom, or by appointment.

For office hours, I will hold a Zoom session every Wednesday from 11 am to 1 pm and send the invitation to all students. If you wish to speak with me, you can sign on. Alternatively, we can speak at a different, appointed time by Zoom or on the phone. My past experience with office hours has been that very few students come to my office; thus, if you sign on to the Zoom session, I anticipate that you will probably be able to speak with me on your own. If you want to ensure more privacy, however, we can arrange our own separate Zoom or phone session.

Scope of Course

This course focuses on important issues in the historical evolution of Aboriginal rights as a counterweight to the colonial project, primarily in Canada but with some comparison to Indigenous experiences elsewhere. The course takes for its context the historical imperial and colonial relationships developed between the many Indigenous groups of northern Turtle Island and the French, British, and Canadian newcomers. It focuses particularly on the ways in which Indigenous 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 Indigenous strategies for dealing with incursions on their lands, resources, sovereignty, and cultural integrity. Topics to be covered include the various kinds of treaties made from early times to the present; the impacts of British legal, constitutional, and spatial regimes; the role of courts and other state institutions as arbiters of rights and entitlements, and as sites for Indigenous resistance; and negotiations over land, including reserves, land claims, and the construction of Aboriginal and Canadian title to land.

The class takes place in a seminar format based on all participants reading and digesting assigned materials **ahead of time** (important!) and coming 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. Attendance is crucial, but mere physical presence in the room/Zoom 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, with a bit of spillover into second term, and provide a foundation for further explorations in the winter term. This set of texts will give you a grounding in key aspects of early Indigenous-European relations, the development of relationships, practices, and institutions over time, and the evolution of law. My custom in this course is to allow the class's particular interests to emerge in the context of our readings and discussions and to devise readings for second term accordingly. Thus, we will discuss in class where we want to go in our second-term readings and design our own syllabus for mid-January to mid-March. The last 5 sessions of second term will be reserved for the presentation of everyone's major papers.

Term 1 Required Texts (in order in which they will be read):

The texts with asterisks beside them are available electronically in full text via the U of M library system.

I did submit the full list of texts to the U of M bookstore, so there may be some copies in the bookstore of those texts that are also available electronically. All the others will definitely be available via the bookstore.

As you may know, texts that are available electronically are sometimes only available to one reader at a time, which can make them inaccessible at times. For this reason, you may wish to get a hard copy.

Peter Kulchyski, *Aboriginal Rights Are Not Human Rights* (Winnipeg: ARP, 2013).

Gidigaa Migizi (Doug Williams), *Michi Saagiig Nishnaabeg: This Is Our Territory* (Winnipeg: ARP, 2018).

*Susan M. Hill, *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: U of Manitoba Press, 2017).

Michael Witgen, *An Infinity of Nations. How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012).

*J.R. Miller, *Compact, Contract, Covenant. Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009).

Aimee Craft, *Breathing Life into the Stone Fort Treaty. An Anishinabe Understanding of Treaty One* (Saskatoon: Purich Publishing, 2013).

*Harold Cardinal and Walter Hildebrandt, eds., *Treaty Elders of Saskatchewan* (Calgary: U. of Calgary Press, 2000).

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

*David Calverley, *Who Controls the Hunt? First Nations, Treaty Rights, and Wildlife Conservation in Ontario, 1783-1939* (Vancouver: UBC Press, 2018).

Brittany Luby, *Dammed. The Politics of Loss and Survival in Anishinaabe Territory* (Winnipeg: University of Manitoba Press, 2020).

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

Arthur Manuel, *Unsettling Canada. A National Wake-Up Call* (Toronto: Between the Lines, 2015).

Grading and Assignments

Assignment	Due Date	Length	Value
Annotated bibliography	Nov. 5, 2020	15-20 readings	20%
Historiographic essay	Dec. 10, 2020	2500-3500 words (HIST 4120); 3500-4500 words (HIST 7760).	20%
Essay proposal	Feb. 4, 2021	3-5 pages/ 750-1250 words	10%
Research essay	Apr. 15, 2021	4000-5000 words (HIST 4120); 5000-6000 words (HIST 7760)	30%
Participation	ongoing	n/a	20%

Evaluative feedback will be provided well before the voluntary withdrawal date, Jan. 29, 2021.

I do accept requests for extensions with a reason; I require only that the request be made before the due date, so please plan ahead. Late assignments will be penalized at the rate of 1% per day. No assignments will be accepted after the last class of each term (unless, for Term 1, you have pre-arranged an extension with me).

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

For undergraduate students (HIST 4120)

The work you submit for grading must be your own original work, written *by you* specifically for this course. University regulations provide severe penalties for academic dishonesty, in the form of plagiarism, cheating, or impersonation at exams. The common penalty for plagiarism is an F grade on the paper and also

on the entire course; for the most serious cases, such as purchasing papers, the penalty can include a five-year suspension from courses in the Faculty of Arts. I make use of Google checks and internet sites designed to detect plagiarism. The Faculty of Arts regulation is at:

http://umanitoba.ca/faculties/arts/student_resources/student_responsibilities_integrity.html

For graduate students (HIST 7760):

University policy on academic integrity will be enforced. A full description of academic integrity matters, including plagiarism and cheating, can be found in the section on “Academic Integrity” of the General Academic Regulations in the online Academic Calendar, and Catalog

http://umanitoba.ca/faculties/graduate_studies/registration/grad7500FAQ.html

Student Resources

You have access to several important resources to help you navigate your classes and university life more generally. There are writing tutors available to help you with your essays through the Academic Learning Centre (ALC):

<http://umanitoba.ca/student/academiclearning/>. The History department will also make a writing tutor available exclusively to History students in the department on one day a week. More information about scheduling, etc., TBA.

The ALC page also has resources to help you with study skills, organization, as well as assistance for students using English as an Additional Language (EAL). Other issues, including accessibility services, workshops, and tips about academic integrity are addressed at the Student Advocacy Services webpage (http://umanitoba.ca/student/resource/student_advocacy/).

All of the above services can also be accessed under the heading of Student Resources on the Student Affairs website:

<http://umanitoba.ca/student/studentlife/index.html>.

Do not miss the tremendous wealth of information, research instruction, writing guides, and lists of materials put together for you by the History librarian in the U of M Library system. It is an incredible resource, tailored just for you! It includes a huge range of academic materials, including primary and secondary sources, as well as pages to help with researching, writing, and referencing. The History guide is available on the Libraries page at this link:

<http://libguides.lib.umanitoba.ca/history>. Students who need research assistance can also schedule an appointment with a librarian through the website.

Student Counselling Centre

Contact SCC if you are concerned about any aspect of your mental health, including anxiety, stress, or depression, or for help with relationships or other life concerns. SCC offers crisis services as well as counseling.

<http://umanitoba.ca/student/counselling/index.html>

Student Support Case Management

Contact the Student Support Case Management team if you are concerned about yourself or another student and don't know where to turn. SSCM helps connect students with on and off campus resources, provides safety planning, and offers other supports, including consultation, educational workshops, and referral to the STATIS threat assessment team. <http://umanitoba.ca/student/case-manager/index.html>

University Health Service

Contact UHS for any medical concerns, including mental health problems. UHS offers a full range of medical services to students, including mental health support. <http://umanitoba.ca/student/health/>

Student Advocacy

Contact Student Advocacy if you want to know more about your rights and responsibilities as a student, have questions about policies and procedures, and/or want support in dealing with academic or discipline concerns. <http://umanitoba.ca/student/advocacy>

UM History Student Association (UMHiSA)

UMHiSA is a history undergraduate student run organization that seeks to establish a sense of community for students studying all facets of history, and provide support for them in their academic career. Students interested in fun times, spirited debate, new opportunities, a community of like-minded students, or all of the above, check out UMHiSA on our twitter account @UMH_Undergrad, our instagram account @UMHISA_Undergrad, or by emailing umhisau@gmail.com.

WEEKLY SCHEDULE

Thurs., Sept. 10 – Introduction

Thurs., Sept. 17

Peter Kulchyski, *Aboriginal Rights Are Not Human Rights*.

Thurs., Sept. 24

Gidigaa Migizi (Doug Williams), *Michi Saagiig Nishnaabeg: This Is Our Territory*.

Thurs., Oct. 1

Susan M. Hill, *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River*.

- available online through U of M library system

Thurs., Oct. 8

Michael Witgen, *An Infinity of Nations. How the Native New World Shaped Early North America*.

Thurs., Oct. 8

Witgen, *An Infinity of Nations*, cont'd / completed.

Thurs., Oct. 22

J.R. Miller, *Compact, Contract, Covenant. Aboriginal Treaty-Making in Canada*.

- available online through U of M library system

Thurs., Oct. 29

Aimee Craft, *Breathing Life into the Stone Fort Treaty. An Anishinabe Understanding of Treaty One*.

Thurs. Nov. 5 – Harold Cardinal and Walter Hildebrandt, eds., *Treaty Elders of Saskatchewan*.

- available online through U of M library system

~ WEEK OF NOV 12 IS FALL BREAK – NO CLASSES ~

Thurs., Nov. 19

Sidney L. Haring, *White Man's Law. Native People in Nineteenth-century Canadian Jurisprudence*.

- available online through U of M library system

Thurs., Nov. 26

Haring, *White Man's Law*, cont'd / completed.

Thurs., Dec. 3

David Calverley, *Who Controls the Hunt? First Nations, Treaty Rights, and Wildlife Conservation in Ontario, 1783-1939*.

- available online through U of M library system

Thurs., Dec. 10

Brittany Luby, *Dammed. The Politics of Loss and Survival in Anishinaabe Territory.*

END OF TERM 1

If we get through all the texts above in first term, I'll be pleased with us. That will leave just two to take up at the beginning of second term: Louis Knafla and Haijo Westra, eds., *Aboriginal Title and Indigenous Peoples: Canada, Australia, and New Zealand*, and Arthur Manuel's *Unsettling Canada*. The rest of second term we'll program towards the end of first term, based on interests that emerge in class.

TERM 2

Thurs. Jan. 21

Louis Knafla and Haijo Westra, eds., *Aboriginal Title and Indigenous Peoples: Canada, Australia, and New Zealand*, Introduction and Part 1.

- available online through U of M library system

Thurs. Jan. 28

Knafla & Westra, eds., *Aboriginal Title and Indigenous Peoples*, Part 2 and Conclusion.

Thurs. Feb. 4

Arthur Manuel, *Unsettling Canada. A National Wake-Up Call.*

Thurs. Feb. 11 to Thurs. Mar. 11 (four sessions) will be planned with input from class, following particular interests that emerge from our studies. The final five sessions will be class presentations by all class members of the findings from their final papers.

Thurs. Feb. 11 – Readings to be determined as a class

~ WEEK OF FEB 15-19 IS WINTER BREAK – NO CLASSES ~

Thurs. Feb. 25 – Readings to be determined as a class

Thurs. Mar. 4 – Readings to be determined as a class

Thurs. Mar. 11 – Readings to be determined as a class

Thurs. Mar. 18 – Student presentations

Thurs. Mar. 25 – Student presentations

Thurs. Apr. 1 – Student presentations

Thurs. Apr. 8 – Student presentations

Thurs. Apr. 15 – Student presentations

