

Week 1

Borrows, John. *Freedom and Indigenous constitutionalism*. University of Toronto Press, 2016.
Ch 2

1. Indigenous civil disobedience can be felt by non-indigenous people who are not the target

Moving Beyond Abstractions: Remembering Grounded Histories

1. There is a fluidity in indigenous cultures
2. What is sometimes seen as civil disobedience may also be obedience to indigenous customs and laws
3. Three outcomes of disobedience
 - a. They achieved their goals and got greater autonomy
 - b. Some limited gains but failed to address the issue they were fighting for
 - c. Did not achieve goals and indigenous space was further eroded
4. Using civil disobedience can create misunderstandings and backlash, and should be thus used carefully

Best Practices in Civil disobedience

Moresby Island, BC

1. R v. Oakes described the values of a free and democratic society
2. civil disobedience informed by the conditions set out by this makes them more effective
3. The Haida are an group in BC that claims ownership of the land they live
 - a. This ownership is not recognized by the BC government
4. They operated a blockade to prevent logging on their land
5. They took it to court but found the courts unsupportive of their demands
6. They got increased democratic engagement for indigenous people, but they did not get their demands met
7. They got a special relationship defined and their area was declared a park

James Bay

1. They never surrendered their lands
2. The Quebec government wanted to build a hydroelectric dam in their area
3. They opposed this as it would impact their day-day life
4. They signed an agreement that in exchange for allowing the dam to be built they got money and were able to negotiate for greater control within the territory

Chippewas of the Nawash

1. Non-indigenous people squatted on the land claimed by aboriginal groups
2. Royal proclamation protected indigenous people against the actions of settlers but it was not well enforced
3. Protests work best when they are peaceful, organized and based on recognised legal interests

Clayoquot Sound

1. They are the majority in the area but do not hold very much land as the government thinks that they own it
2. Created a blockade to prevent resource extraction
 - a. Many arrests and confrontations

3. Supporters of them emerged and stopped supporting the resource extraction companies in the areas
4. There was no consult to the indigenous people when regulations were drafted
5. They got the area declared as a UN biosphere reserve
6. Small improvements in indigenous consultation
7. Once they had their views heard the blockades came down

Group 2 - Helping others failing at home

Oka/Kanesatake, Quebec

1. Two indigenous tribes claim the land, and the province does not recognize either of them
2. City wanted to put condos and a golf course near a burial ground and they were met with mohawk resistance
3. Municipality won in court and was permitted to continue
4. The police tried to take down the barricade and a mohawk shot a police officer, so the government established their own barricades to prevent further access
5. Facilitated a wider debate and the creation of the royal commission on aboriginal people, but their specific claims were not resolved

Burnt Church

1. Fought to uphold their treaty rights to fish and make a moderate living
2. This was seen as a short term win but it did nothing to increase their sovereignty
3. The non-native fishermen thought that by them exercising their treaty rights that they would upset the delicate ecosystem so they destroyed their traps
4. In this situation direct action was used by non-natives
5. The court made a revision of their judgement that limited the treaty rights
6. The natives created their own laws and went about fishing
7. The government prevented them from fishing and violence escalated

Group 3 - Diminishing Democracy and Eroding Freedom, Generally and Specifically

Anicinabe Park

1. The Canada-US border is seen as abstract
2. They occupied an area that they once owned but had since sold
3. They threatened violence if they did not get their way
4. As occupations progressed the non-natives spoke of also using violence
5. They undertook a negotiation with them, but no changes occurred in their day-day lives
6. They walked to Ottawa but were met with RCMP resistance on Parliament Hill

Algonquins of Barriere Lake

1. When indigenous people participate in civil disobedience they are often following indigenous law
2. They occupied Ottawa as they claimed it was their land, but their tents were removed
3. They were given an agreement to look at their traditions, but the Quebec government prohibited them from using their own laws
4. They had to use their own money to uphold the agreement, and this put a strain on their finances
5. There has been a lot of infighting and leadership contests
 - a. Because of this they have lost power

Temagami Anishinaabe

1. Dispute over logging in their traditional territory
2. Thought that if the land was cleared then it would be harder to derive a message from the earth
3. It was taken to court and the courts ruled that they were subject to a treaty that ceded the land, and that they had no strong hold to the land
4. Civil disobedience returned after the court ruling
5. Primire Harris stopped the negotiations and allowed resource extraction to continue in the area

Alfred, Taiaike and Jeff Corntassel, "Being Indigenous: Resurgences Against Contemporary Colonialism", in 'The Politics of Identity' by Richard Belamy, Oxford: Blackwell Publishing, 2005: 597-614.

1. Indigenous is an identity created and shaped by contemporary colonialism
 - a. It only exists in opposition to the settlers
2. They are defined by their struggle to exist as distinct peoples as the settlers try to eradicate this
3. The label of aboriginal is a state construction
 - a. Through this state creation indigenous self identities were lost creating a politics of distraction
 - b. Try to measure who is aboriginal, despite the fact that group identity is not stagnant nor measurable
4. Aboriginal people needed to cooperate with the state in order to physically survive and this severed ties with their indigenous community and culture

Colonial Powers as ShapeShifters

1. Danger of allowing colonization to be the only story of indigenous lives as colonization is often looked at through the settlers viewpoint
2. Globalization is expanding the empire
3. The elites define what the common good is
4. Often swamp indigenous communities by having an influx of settlers, like in bangladesh
5. Often try to devalue pre-colonial history
6. Self determination is often confined to working within the system rather than allowing for autonomy
7. Often engage in forced federalization as non-indigenous people and systems assert authority over them
8. Zones of refuge are areas where culture and knowledge are expressed, and are beyond the reaches of imperialism and globalization

Complacency, Corruption and Compartmentalized Communities

1. Academics tend to focus on indigenous self identification
2. Indigenous identity can only be confirmed by those who share that identity
3. In attempts to establish universal definitions of indigenous peoples scholars have re-written indigenous histories
4. Can create a foundation of resistance by having strong families, being grounded in the community, having a strong connection to the land, language, storytelling and spirituality
5. Indigenous peoples understand their existence as a nation formed around land, culture and community

6. Their identity is dynamic and interconnected
7. Relationships and kinship networks are the core of an authentic indigenous identity
8. Colonial worldview are relatively one dimensional
9. Peoplehood for indigenous people is often an aspiration rather than a present reality
10. Fourth world theory discusses ongoing state-nation conflicts and their spiritual struggle to enter the fourth world
11. Radical indigenism is a process of pursuing scholarships grounded in the indigenous community
12. Colonialism corrupted indigenous cultures and communities
13. Institutional processes to making change in the lives of indigenous peoples has future imbedded them into the colonial institutions they set out to challenge

Indigenous Pathways of Action and Freedom

1. Land is life
2. Language is power
3. Freedom is the other side of fear
4. Decolonize your diet
5. Change happens one warrior at a time
6. Being indigenous means acting with the intent to regenerate ones indigeneity
7. Work together as a peoples, in indigenous languages, using philosophies and laws to govern themselves

Intro Lecture

1. There is no such thing as indigenous homogeneity
2. Some people want to work with the state, others want to reject it
3. Resistance movements often want to make their own power than participate in state organizations
4. Decolonization - identification and dismantling of colonial forms of power
 - a. Often puts more of a focus on the colonizers rather than the colonized
5. Anti-colonization - tries to center indigenous people and their experiences rather than the western ways
- 6.

Week 2

Lecture - You Take Care of it It will Take Care of You

Responsibilities and Relationships

1. Ceremonies are part of the fulfillment of the relationship with creation
 - a. These are in all traditions
 - b. About being grateful and making sure all the proper things are done
 - c. These have gone by the wayside in many communities
2. Protecting the land
 - a. Many revolutions have roots in ecological survival
 - b. Environmental racism is how certain communities are disproportionately affected by environmental policies and practices
 - c. Protection includes caretaking the land and its inhabitants
3. People see and interact with the land differently

4. Sacred ground - some people see it as a business opportunity, indigenous people can see a historic place
5. There can be conflicts with science and the environment and these have conflicts
6. Private land intersects this in powerful ways and colonial policy divided the land into parcels so people own all the land
7. The interests of private companies is often seen as superior to traditional indigenous ideas
8. They often claim the superiority of western science and development over indigenous cultures
9. What does looking after the environment really mean
10. Indigenous people are often not seen to have sovereignty or any bargaining power

Environmental Organizations and Indigenous Peoples

1. Relationships between environmentalists and indigenous people can be beneficial but also extremely problematic
 - a. Often reproduced colonial relations
 - b. Ignored in indigenous rights
 - c. Perpetuated the rights of the ecological indian
 - d. Some environmentalists say that they will go against indigenous nations who are doing perceived wrongs
2. These organizations come with a lot of money and resources, while indigenous people come with cultural, spiritual and ecological knowledge resources
3. Many indigenous people working with them insist on respect for self determination but this can lead to conflict when they decide to work with resource extraction industries
4. Indigenous people have to live with the decisions that they make for many years as this is their home
5. They have different environmental and cultural practices that may collide with western thought, such as seal killing
6. Conservation is a discourse that changes over time
7. The commons are the idea that there are things that should be offered equally to everybody, but indigenous lands are seen to be the commons, when they are not
 - a. This discourse of conservation began in the 19th century with the creation of the american park system
 - b. Roosevelt encouraged people to get out and walk in nature
 - c. Indigenous people were removed from areas that were deemed to be national parts
 - d. They created a separation between nature, and the land that was lived in

R v Marshall

1. Supreme court decision that had 2 iterations
2. Marshall I p right to fish commercially based on treaties
 - a. They were attacked when they tried to use this to fish outside of the lobster season
3. Marshall II said that they could fish but that this right could be tempered by conservation which is set by the federal government
4. In 2020 there was a moderate livelihood fishery launched in September

5. Department of fisheries went around and created marshal response initiatives that were not intended to be implemented with the treaty right
 - a. There was no progress at these tables for 20 years
 - b. They launched a moderate livelihood fishery and they are once again met with violence and racism
 - c. Since then more groups have opened up similar fisheries

The Land Takes Care of Us

1. The land supports us in many ways, feeds, clothes, and spiritually nurtures
2. Discussion of resource management is high on the indigenous agenda for many communities as it provides revenue
3. These communities are able to control their finances and how their resources are used
4. Understood that indigenous communities are major players and aboriginal rights and interests are important considerations
5. There is no real self government without fiscal self government, otherwise government is only administrative
6. Income comes from mainly resource development and taxation, with transfer arrangements

Duty to Consult

1. They must be consulted about decisions that affect them
2. Government possesses this obligation, not a third party
3. Indigenous consultation is now imbedded in acts such as the Ontario mining act
4. The nature of the duty to consult is still vague
5. Still unclear of when it is fulfilled
6. Canada believes that indigenous people do not have a veto whereas indigenous people state that it is

Sustainable Resource Development

1. A huge area of development is sustainable resource companies run by indigenous communities
2. This is cutting edge development, especially in the US
3. These can bring them into conflict with environmentalists
4. There are lots of communities that are involved in oil, gas, and mining
5. Companies that operate on the reserve they have to operate within parts of the Indian Act which creates a lot of red tape
6. They want to gather private and foreign investors and they work on a smaller scale, while retaining ownership
7. This way they do not have to wait to be consulted
8. They believe that they are protecting the land and in turn the land is looking after them

Question of Who Speaks for a Nation

1. The traditional government is against the pipeline
2. There are not many treaties in BC but there are existing SC decisions
3. The Hereditary chiefs were able to get recognition of their aboriginal title
4. RCMP have been going in to dismantle checkpoints and arrest people as they try to put a pipeline through their territory
5. Band councils were created by colonialism

6. The industry turns to band councils for approval
7. This means that they are under dual governments
8. Eventually an apology statement was issued

Property Act and Chief Manny Jules

1. Act passed that makes reserves private property that is then owned by the aboriginal people
2. Land as collateral
3. Free up dead capital and create more financial independence
4. Investors are hesitant to invest on reserve do to the constraints of the indian act
5. If first nations had their own land registry then though could participate more in the market
6. This was proposed in the white paper
7. This is only popular in some areas
8. Say this is consistent with traditional values
9. This way the land can continue to look after the people
10. The land could be utilized in a more capitalistic way
11. Many people do not agree with this because they often see it at odds with the territory

Conclusion

1. Reciprocal relationship between the land and you
2. It is a contested space
3. Who gets a say about the fulfillment of relationships to the land
4. Can conservation mitigate aboriginal rights and title
5. Imposition of western government has created problem within nations and communities
6. Differing ideas of taking care of the land create confrontations at every level

Week 3

Lecture - Indigenous people and western science

Indigenous Bodies and the Site of Colonization

1. Something to be controlled and experimented on
2. They are regarded as a curiosity, inherently sexual, inherently diseases, non-human to be experience
3. Indigenous women faced sterilization

Anthropology and Indigenous people

1. Often used them as study material
2. Connect this with columbus which caused the catholic church to rethink its creation story
 - a. Had to figure out where indigenous people fit within their worldview
3. America looked for a discipline that they could study in universities without being looked down upon by britain, so they developed anthropology and studied on indigenous people through cultural anthropology
 - a. Went out to find indigenous people to capture their knowledges and make a name for themselves
4. Indigenous people we no longer able to practice their cultural ceremonies, so they sold cultural items to museums
5. Cultural knowledge was not seen to be on par with europeans

Eugenics

1. Popular in the late 19th century
2. Belief that the human race cannot rely on natural selection and we must weed out undesirables
3. Undesirables were reproducing too quickly so many women, and some men were sterilized without their onset
4. BC act was amended to include people incapable of intelligent parenthood
5. So it didn't appear to be genocide they recommended consent to be sought first, but this was often not full and informed consent, and they would often force them, or mislead them
6. It was easy for doctors to classify indigenous women as unfit to be parents
7. In 1976 there is a parliamentary inquiry into Inuit women and sterilization, in 4 years, in 5 communities, 344 sterilizations were performed, in the areas with the least amount of sterilization
8. The common reason for these was multi-parity - these women already had multiple children
9. After the review sterilizations continued under the guise of family planning
10. 25% of indigenous women were sterilized without their consent
11. Current class action lawsuit that has women claiming that they were forced to sign for it while in active labour, were told they couldn't leave or see their child until they agreed, some were told that it was reversible
12. UN committee of torture recommended that Canada do a full investigation, punish those involved, provided reparations to the victims
13. This sterilization fits with the marginalization of first nation women

Genetics

1. This sterilization was about eugenics and was a form of biocolonialism
2. The Catholic Church struggled to place indigenous people within the world view
3. Scientists are after indigenous DNA and they see it as being anti-racial
 - a. See is as being above the discussion on race, and that they have a right to this DNA because it benefits everyone
4. Power of scientists to decide what is right and wrong as whiteness = rationality
5. Their ability to claim biomaterial as property is unquestioned

DNA

1. Western science is seen as distinctly European
2. They often only discuss about European heritage, Western Europe is the core of knowledge
3. Using science is a European way of the world because they have lost their stories, Aboriginal people have the historical stories and know their origins
4. Assumption is that only through DNA studies that will allow Europeans to know their origins
5. Wells believes that his research will prove that race doesn't exist, but the consequences of being not white are reflected in life
6. Tallant et al have argued that it's in the name of the biological commons that allows scientist to own and mine indigenous DNA, and this is the new civilizing project

- a. NGS's geographic project bases on very special people today which focuses on indigenous people as they have a similar genome
 - b. They believe that they are constructing science out of interpretation
 - c. Connected to the way that indigenous people have always been seen by anthropology
7. Indigenous DNA is raw material and only european knowledge can transform it into something of value
8. Whiteness has been linked to property as they claimed all of north america on the basis of race and religion

Havasupai Tribe

1. 1989 -research trial on type two diabetes
2. Blood was taken from most adults, and then used non-consensually for research on schizophrenia, inbreeding, and to support the Bering Strait theory
3. Tribe placed a moratorium on biomedical research
4. Settled out of court, took their samples back, and they buried them
5. A similar thing happened to another nation and they lost as they claimed that after the blood left their bodies that it then became the property of the scientists
6. Scientists said that their reaction was hysterical
7. Communities have started creating research laws and form ethics communities

Heredity of Hoax

1. Jorge Barrera did as story of an unrecognised group in quebec called CAPC
2. They use viaguard accu metrics to prove indigenous ancestry of their members
3. They create cards that look similar to status cards
4. Members only need to have 1% ancestry to get the card
5. He filled out the application, one in his name, and the other in someone else's which used a swab from his dog
6. Both came back as indigenous, with tribal breakdowns which are impossible to prove

DNA

1. Bad science and a bad understanding of indigenous
2. With the drop in cost of tests more people have been identifying as indigenous
3. DNA samples are imperfect due to a lack of diverse samples size
4. They cannot be relied upon to determine indigenous people
5. The organization uses them in stores to take advantage of tax exemptions

Rise of the Eastern Metis

1. People are placing power on DNA
2. Organizations of these people have been forming claiming that they are rights holders
3. They have pitted themselves against first nations and have insisted for aboriginal rights
4. Majority of white people in quebec that have been here for 400 years they can trace their ancestry back to one indigenous woman
5. People wanted to get indigenous status when the indigenous people started gaining more rights and freedoms
6. Because of the Powley decision these groups have been trying to exercise their hunting rights

Ethics

1. You must pass through ethics boards if you want to do research in these communities
2. Many have a moratorium on biomedical research
3. US has NAGPRA which sets standards and try to practice with communities and try to partner with them
4. Because of technological advances genetic material can be taken from bodies and bones from long ago
5. Some research can link ancient DNA with modern population, which can be problematic but also have some use

Indigenous Knowledge

1. Was rendered invisible to europeans because of eurocentrism
2. Enduring assumptions about european knowledge as they believed that only europeans progress, and everyone else is frozen in time
3. Technological innovations inventions by non-europeans, bit they were often classified as art
4. 3 approaches to indigenous knowledge
 - a. Tried to reduce it to taxonomic categories that are static over time
 - b. Tried to reduce it to quantifiably observable catagenesis that remain static
 - c. Assumed it has no validity except in the spiritual realm

History of erasure in Science

1. Believes the only way to make determinations is through the scientific method
2. Indigenous knowledge is dav lauded as imprecise, subjective, not quantifiable ,prone to tricks of memory and due to oral traditions
3. Recently been given more space in western science, but is it absorbed, reconstructed and decontextualized, some cherry picking
4. There was an assumption that europeans founded science, and that indigenous people do not do science
5. Spent time to prove indigenous knowledge has validity to scientific communities
6. Co-management regimes were in place where indigenous people got some consultation, but were still spoken over
7. Indigenous knowledge still had to be justified and was not considered for its own merits
8. There has been more research done in indigenous science, in things such as astrology
9. Way to showcase indigenous knowledge and connect it with western socicen
10. Indigenous elders have worked with STEM scientist, and indigenous education encourage students to go into STEM
11. Calls on teachers to incorporate indigenous ways of knowing into stem learning both in and outside of school

Patenting and Intellectual Property Rights

1. Western science has become a business
2. They can generate a lot of money through research pounds and patenting
3. Indigenous people have a history of being generous with their knowledge and lost control over ti
4. Intellectual property rights is challenging as indigenous knowledge is collective while patenting is individual

5. Internationally indigenous groups are trying to come up with an act that protects their knowledge

Thoughts

1. Western science is assumed to do things for the good of all, but it doesn't often in reality
2. Indigenous knowledges is regarded as folk knowledge and does not have equal footing
3. Their genetic material is something to be mined, to create, make better, and create theories about
4. Indigenous knowledges are now using their knowledge to add to western science
5. They are entering STEM fields and are pushing for sounder ethics

Week 4

Lecture - Indigenous Health

1. Health is comprised of many factors and is one of our most important assets
2. Social determinants of health - housing, childhood development, social exclusion, racism, gender, equity, etc, health is more than just our physical body
3. Indigenous health has been approached in a holistic manner - mental, spiritual, emotional, physical
4. 7 grandfather teachings are also incorporated into health
5. Self, family, community, elders and society are at the center
6. Health care was used as a tool of colonization
7. Sweeping epidemics reduced indigenous populations like smallpox
 - a. Jesuits saw smallpox as a punishment from the Christian god for those who they could not convert
 - b. They brought smallpox from the Jesuits, and the fur traders as the indigenous people did not have immunity to these diseases
 - c. They would try to have deathbed conversions
 - d. Diseases took the elderly and the young which meant that knowledge was lost
8. Indigenous health was about enhancing good health
9. When the government began to legislate indigenous life they also regulated indigenous health
 - a. Indigenous health was seen as lesser than Europeans
 - b. They were seen as disease prone
 - c. Residential schools were known to have horrible health records some did not have records at all to prevent looking bad as so many children died
 - d. Many kids in residential schools died of TB, as they had very bad health, and they were housed closely together
10. Experiments were done in residential schools that took further tolls on their health
 - a. Like nutritional experiments
 - b. TB vaccine trials
11. Forced sterilization occurred
 - a. Part of eugenics
 - b. Class action lawsuit now
 - c. After eugenics became less popular ideas of childrearing and multiparity became reasons for sterilization

Indian hospitals

1. 1920-1980s
2. Provided segregated health care
3. Indigenous medicine had gone underground after it had been made illegal by the Indian act
4. The hospitals took over former army barracks, had very little funding, and were overcrowded
5. Primarily in numbered treaty areas (the treaties created by the federal government)
6. These hospitals were frequently next to normal hospitals
7. Staff was given less training, they were paid less so they often did not have proper doctors
8. Indigenous people were deemed to be less worthy of care
9. The only way that they could maintain funding was through allowing for experimentation
10. People could be forcibly sent to these hospitals
11. A lot of abuse, there were forced treatments, and many people did not understand the language or treatment
12. By 1953 it became illegal for them to refuse to see a doctor
13. People were often buried in unmarked graves close by
14. By 1960 Canada looked to closing the hospitals but received resistance from numbered communities
15. Hospitals served as a place of employment, and they served as a cultural broker
16. They wanted additional money to fix out these hospitals and the provincial funding go to them
17. The closing of these hospitals caused a court case that forced the government to recognize the fiduciary obligation for health care
18. Class action lawsuit was filed addressing their negligence in these hospitals
19. Abuse that was suffered in these hospitals contributed to a distrust of healthcare in general

Colonization and Health

1. Duran and Duran promoted the idea of ethnostress
2. Post-colonial psychologists
3. Indigenous people are misdiagnosed as they suffer intergenerational PTSD as a result of genocide and colonialism
4. To counteract this they must reconnect to traditions and their worldviews
5. Many communities are revitalizing culture as healing
6. They experience higher incidences of
 - a. Chronic diseases
 - b. Cancer
 - c. Infectious diseases
 - d. Cardiovascular disease
 - e. Diabetes
 - f. Arthritis
 - g. Fasd (fetal alcohol spectrum disorder)
 - h. Respiratory illness

7. Many illnesses are tied to the quality of water, housing, economic conditions, intergenerational trauma

Health Policy

1. Incredibly complex
2. Have to navigate between federal, provincial, territorial and municipal governments
3. Also navigate between first nations governments and the private sector
4. The federal government has resisted fiduciary obligations for indigenous health, historical legislation is vague
5. Treaty 6 has a medicine chest clause, but the federal government will not recognize this as health care

Historical Legislation

1. 1867 - BNA act gives healthcare to the provinces
2. 1945 - department of national health created an Indian health program that ensured that they did not carry diseases
3. 1952 - government agreed to provide healthcare services to the people of the Yukon, and NWT as the Inuit came under federal health care
4. 1962 - medical services branch was formed which included federally mandated health services including Indian health
5. 1988-1997 - responsibility for the health of the Yukon and NWT was transferred to the territories
6. 2000- federal responsibilities transferred to first nations and Inuit health branch of health Canada

Relationship with the provinces

1. Health care is different between the provinces
2. Self-governance agreements are good because the entire thing is negotiated, including who does what
 - a. Not every group has one
3. Hazy relationship
4. Know they need to try to improve health services delivery
5. In surveys, indigenous people have the word health and the worst access
6. The specifics of this can be difficult

Jordan's Principle

1. Jurisdictional quagmire allows indigenous people to fall through the cracks with their health needs unmet
2. Jordan was a kid with specific health needs
 - a. He had to stay in Winnipeg because his house needed to be outfitted for his needs
 - b. Nobody could decide who to pay for it
3. In 2007 the government adopted Jordan's principle which says that services must be provided to first nations children without delay
 - a. The first point of contact pays, and then funding is figured out later
 - b. It was passed but the definition of who qualified was too narrow so nobody qualified

4. FN child and family caring society filed a case with the human rights tribunal in 2007 because core funding was cut
 - a. They then increased cuts in retaliation for this suit
 - b. She was put under surveillance
 - c. This was found to be unlawful
 - d. Human rights tribunal ruled against Canada as first nations receive worse care
 - e. Trudeau's government announced \$684 million dollars over 5 years, but the inequality continued
 - f. 2016 the human rights tribunal issued a compliance order
 - g. The definition has been broadened, but they still have to keep broadening it
 - h. Bill C-92 is now in effect regarding indigenous children and the welfare system

Health, Research and Indigenous Knowledge

1. Medicines are taken to maintain health whereas western medicine is taken for the treatment of disease
2. Traditional medicine has recently been replaced by synthetic drugs
3. Traditional medicine still treats 80% of the world's population
4. The use of these medicines are embedded in people culture, land and worldview
5. This is not regarded as science by the west
6. Convention of biological diversity
 - a. Article 1 - fair and equitable sharing of benefits out of genetic resources
 - b. Article 3 - states have the right to exploit its own resources
 - c. Article 8 - the importance of traditional knowledge in conservation and sustainable use of biodiversity
 - d. Article 15 - contracting parties must provide reasonable access to genetic resource on the basis of prior consent and equitable sharing
 - e. Article 16 - developing countries should share tech that is relevant for conservation and sustainable use

Food as Health

1. Would trade for foods that they didn't have
2. With colonization came the loss of lands, colonialism (Europeans brought animals and non-indigenous seeds), and gradual dependency on rations
3. Introduction of community foods at poor quality - white flour, white sugar, white potatoes
4. Refined foods are at the forefront of diseases like obesity, and diabetes
5. In the north the prices are expensive, and healthy food is difficult to find
6. Creates a great deal of food insecurity
7. Indigenous people see food as sacred
8. Food should be participatory
9. Self-determination - ability to respond to the needs of the community
10. Policy - IFS attempts to reconcile food and cultural values with mainstream economic activities
11. Use indigenous knowledge to combat food insecurity - community gardens, feasts

Health Transfer Policy

1. In 1989 communities were allowed to establish services and design programs to their own health priorities

2. They got access to their own data
3. Corresponded to development of services
4. Communities opted to take on and deliver services
5. In order to do this, they must negotiate with feds on how it will operate
6. Most communities design and implement their programs, and employ the majority of stand
7. Increased awareness of health issues, culturally sensitive care, employment Opportunities, empowerment, self-determination, and improvement in health status
8. There are some issues concerning funding
9. Inadvertent adoption of a program mentality where funding comes from many sources, and it is directed funding
10. Focus can become justified based on the continued existence of the program and its funding
11. Health centers are understaffed and underfunded and have a short term focus
12. Communities talk about revitalizing governance, economics and culture as a part of healing, but nobody can lose the current system either
13. Increase in evergreen funding so they don't have to apply every year

Indigenous health access

1. Some community based primary care and prevention services
2. Also, non-insured health benefits program which covers more things than OHIP
3. Some communities are only fly-in or are small and remote
4. Medical transportation for emergencies is difficult
5. May not have infrastructure
6. Some can access urban centers but this is not indigenous oriented and might not be friendly
7. Indigenous people receive poorer health care quality
8. Many face racism when seeking healthcare in mainstream services
 - a. This discourages those who are vulnerable
9. Health education is trying to counter this with courses but they are lacking

Brian Sinclair

1. 2008 - disabled homeless man died in the emergency room after being left in the hallway for 24 hours
2. Double amputee had vomited on the floor, soiled himself, and everyone knew he was there
3. Assumed to be sleeping alcohol off
4. He had a treatable bladder infection
5. inquest but his death was ruled not a homicide
6. 63 recommendations

Thoughts

1. Things are changing slowly but there is an investment in the current system
2. Systemic racism is one of the most fundamental problems
3. Underfunded and understaffed
4. Indigenous people are trying to revitalize their health

5. They are trying to work within the system to get more freedom and independence to be mobile to the needs of their communities

Week 5

Lecture - Indigenous Women

1. Winona Laduke - the matrilineal societies have been obliterated by colonialism and industrialism
2. Most indigenous nations have been egalitarian and many were matriarchal and matrilineal
3. Tasks were divided by gender
4. Spiritually both men and women have important roles to play
5. Responsibilities are reflected in creation stories
6. Katsi Cool - women have relationships not roles, women are the earth

The Nature of Colonialism

1. Europeans in the 1400s were patriarchal and violent
2. Women were regarded as property and there was a lot of inequality
3. Christianity and its interpretation played a large role in misogyny
4. Disfunction was normal for many Europeans at the time
5. Smith, Warren, and others argue that patriarchy can only be maintained if it seems like the only option
6. Wasn't much room in European thought for difference
7. Savage was internalized as a psychological and moral space
8. Race was linked to human reason and rights of citizenship
 - a. Gender intersects this in powerful ways
9. English language is gendered and interwoven with assumptions of women and their roles
10. Maori women had to prove that the crown ignored their sovereign status
11. Thought that indigenous women had to be conquered
12. Land was referred to as virgin, wild, undiscovered

Gender and Sexuality

1. Indigenous cultures had a queer septum where there were 3 or 4 genders
2. Women-men and men-women often entered into relationships with same sex partners (two-spirited)
3. Well documented from every grain of turtle island
4. These people frequently held honorable and influential positions
5. Gender and sexuality was fluid
6. Sexual choices were not necessarily related to gender choices and vice-versa
7. Two-spirit are seen as spiritually powerful
8. Not every two-spirit had a spiritual basis for being gender variant
9. Western binaries served to limit and oppress indigenous gender spectrums
10. Canada became a heteropatriarchy and two spirit people were driven underground
11. Term two spirit came out of the 80s and it is not a term that works for everyone
12. Indigiqueer is an alternative term

Indigenous Women

1. Indigenous women were necessary for the fur trade relationship
2. Women had important roles in business and diplomacy

3. European women and their treatment represented the pinnacle of women as they were supposed to be in the house, subordinate and the property of men with virtues like piety, purity, submissiveness
4. Indigenous women were strong, hard working, independent had property, autonomy and sexual freedom
5. European values were projected onto indigenous women
6. Idea that Indigenous men were lazy as women participated in the work
7. Idea of the Indian princess - exotic other, sexualized light skinned version that saves the white man, noble savage

Colonization

1. Often involved rape of women and their physical abuse
2. Economic colonization removed their ownership of property and participation in trade
3. Imposition of Christianity
4. Memorial colonization and they internalized that they were less than
5. They remain highly discriminated against, sexualized and excluded by society
6. Early colonial law did not regard sexual assault as a crime, and if it did the charge was lighter

Criminalization

1. Arrested for perceived breaches of Victorian moral code
2. Arrested for agency - included prostitution and wandering the streets
3. Public poverty and moral transgression were most popular charges
4. Women were often imprisoned
5. Poverty and alcohol charges led to incarceration indicating social dislocation and marginalization

Stolen Sisters

1. Launched in response to Amnesty report
2. More than 500 women were murdered and missing 0 since more have been found as missing
3. Promote human rights of Aboriginal women to work to address violence
4. Research, education and policy initiative
5. Raising awareness about the cycle of violence
6. Over 1100 Aboriginal women are missing or murdered

MMIWG

1. 2015 inquiry was announced and it finished in 2018
2. Commissions were independent
3. Issues were
 - a. Took a long time
 - b. Did not do investigations into police misconduct
 - c. Did not compel police to open closed cases
 - d. Question of if the recommendations would be implemented
4. Based in the RCMP report
5. 231 recommendation
6. Used the term genocide

Politics

1. Women had a great deal of influence in most nations
2. Women frequently had their own council and a voice in mens council
3. In patrilineal they were still taken seriously
4. They had relationships with the settler state governments
5. Overtime womens power eroded and europeans would insist on only dealing with men
6. 1969 indian act consolidated definitions about who was an indian and this created patriarchy in the family line of birth
7. Indian women who married non-status lost their status
8. With imposed government women were not able to vote on reserved until 1951

Native Women's Association of Canada

1. Began organizing in communities and off reserve
2. Often called homemaker groups
3. Incorporated into a non-profit in 1974
4. Began organizing greater lobby groups
5. They have been accused of placing individual right above the collective

Lovelace, Bedard and Lavell

1. Lovell lost her status and challenged the right of the band to strike her name from the list
2. Bedard returned to a house from her mom but she was forced to leave
3. They challenged this saying it was based on sex
4. SCC rule against them
5. Lovellence took the canadian government to the UN committee on human rights
6. Canada was found in breach of the international covenant on civil and political rights
7. Bill C-31 in 1985 they started to work on this and attempted to remove discrimination
8. They reinstated individuals who lost status
9. Bands got power to determine their own membership
10. The problem was how to divide status membership, there were finite funds even as people increased

Gender Equality in Indian Registration

1. McIvor challenged discrimination in bill c-31 and was successful at the provincial court
2. Canada was instructed to rectify the two generation cut off
3. Discriminates people born before 1951 and illegitimate females

Bill S-3

1. Passed in 2017
2. Resolves unknown and unstated parentage
3. Omitted mirror children
4. Conscious issue
5. Does not resolve the different kinds of status, adoption, unstated paternity, provide evidence of unstated fatherhood

Economics

1. Division of labour was not restrictive
2. Women had control over property
3. Were prominent in the fur trade
4. Their work was eroded and devalued
5. They were displaced in the fur trade

6. Goods that were made by women were then purchased by the company store removing their economic participation
7. Destroyed women's entitlement to property
8. Indigenous women have a strong entrepreneurship spirit and their participation in the economy has gone in the last three decades

Christianity

1. Women did not have a role in the church
2. People are represented by men
3. Indigenous people are not always regarded as human
4. Women are naturally disposed to evil
5. Missionaries attacked indigenous women
6. Goal was for indigenous families to mirror European families
7. Goals of colonization was conversion
8. Residential schools taught women to be ashamed of their bodies
9. The violence against women from residential schools continues to today

13 grandmothers

1. Trying to get papal bulls rescinded
2. UN organization with a bunch of indigenous grandmothers from around the world
3. Make connections between spirituality, women, the earth and economic rights

Environment and Health

1. Women have a social relationship with the earth
2. Women are the first environment
3. Indigenous women are thought to be connected to the earth
4. Started water walks

Indigenous Feminism

1. Feminism began as a singular project that was white based
2. Many organizations often internalize oppression within their groups
3. Sovereignty can be a cloak for sexism
4. Attacks on indigenous sovereignty are attacks on indigenous sovereignty

Conclusions

1. Education, and awareness are important, but action is needed
2. Indigenous women are more than victims

Week 6

Urban Indigenous Issues

1. Essay needs to be framed in a positive resurgence light
 - a. Not a victimizing narrative

Urban Indigenous Communities

1. They have always lived in cities
2. Cities are an integral part of their lives
3. Traditional towns were often sizable
4. The stereotype is that they live only in rural areas and coming to the city means they have lost something of themselves
5. Many first nations and Métis people live in cities
6. Urban Inuit are underserved by existing indigenous organizations

Urbanization

1. Seeming lack of indigenous people in cities prior to 1950 had a lot to do with identification and active removal
2. Indigenous people do not come to the city like other people
3. Only recently have they been able to tell their own stories

History

1. The early 20th century saw indigenous presence to be detrimental to the city and indigenous people
2. This provided a rationale for the removal
3. Moving to the cities was seen by white people as an attempt at assimilation
4. The cities were zones of white people
5. Thought that indigenous people did not belong where white people were
6. Off-reserve indigenous people were deemed to be the responsibility of the provincial government
7. By the 1980s discussion shifted from cultural adaptation to one of poverty
8. Federal and provincial government began to address economic needs, unemployment, inadequate housing and low levels of income
9. Indigenous organizations tended to ignore the urban population so urban specific organizations were formed
10. Many urban indigenous experiences more poverty
11. Increased number and types of indigenous organizations

Push and Pull

1. This is how the movement to cities is described
 - a. Pushed to the city - low standards of living
 - b. Pulled to the city - better opportunities and access to services
2. Two spirited people were criminalized and Christian indigenous communities pushed them out and off of reserves. Moved to cities where it was slightly more acceptable

Unrepresented and Ignored

1. The stereotype was perpetuated as they seek out people that fit those stereotypes
2. Upper-middle-class people are ignored and their process and thoughts about urbanization go unrecorded
3. Research was done in areas like homeless shelters
4. Politically they were unrepresented
5. Corbiere (1999) - before this decision people who had moved off reserved were not allowed to vote in band elections
 - a. Allows them to have a representation in what is happening in their community

Governance

1. Diverse perspectives and forms of government that is required to meet people's needs
2. Bureaucratic mess of funding
3. Need to build constructive relations between local governments and urban indigenous people
4. Status have access to services but only if they live on reserve
5. Inuit are eligible for the same funding but are not organized into bands
6. Metis and non-status are frequently excluded from funding and services

7. services are not tailored to indigenous people in cities
8. Cities with large indigenous populations deal with a control-containment strategy dealing with issues as they arise instead of provided tailored services

Friendship centers

1. As people moved to cities people required an organization
2. Did counselling, made housing employment and education recommendations
3. Worked with local communities
4. Created a provincial steering organization
5. 1972 recognized by the government
6. They have now expanded programming and include more cultural species
7. 118 friendship centers in Canada
8. They help to get the issues of indigenous people on tables that make policy and decisions

RCAP

1. Royal Commission on Aboriginal peoples (1996)
2. Originally wanted to focus on rural people but then had a small amount on urban indigenous
3. Discusses self-governance to administer services
4. Also discussed reform of municipal governments to make them more representative
5. Extra-territorial organization - commitment of aboriginal organization and governments to serve their people living in urban areas
6. Host nation- traditional territory nation could serve all people living in that area, including their own and others
7. Springboard for more research

Urban Reserves

1. Land within a city that has been purchased by a first nations group and granted reserve status
2. Land is often gotten in land claim settlements, or they just purchase the land
3. Have to do a BCR to have consultation and justification with the land
4. Create dispute mechanisms
5. Goes to CARNAC where it gets approved
6. Daily popular in the prairies and BC
7. More than 120 across Canada
8. Become huge economic drivers especially for the reserves that are more remote
9. Have employment and training opportunities
10. Becomes a commercial hub in an area of town that was underutilized
11. There is often blowback when they try to build housing
12. Cities like these hubs

Congress of Aboriginal People

1. Founded in 1971 as a native council to represent off-reserve and non-status people
2. Consider themselves to be a grassroots organization that advocates at the national level
3. Metis was originally part of this, but they separated as their history is different
4. Not many urban indigenous are actually a part of this
5. They are at all major tables

Urban Aboriginal Peoples Survey

1. inquiry about the identities of urban aboriginal people
2. Have a strong sense of cultural vitality
3. Feel connected to their cities and their traditional community
4. Those with greater aboriginal investment were more likely to vote
5. Most report discrimination and stereotyping
6. Many are pursuing higher education although there are still many funding issues
7. Friendship centers are not the only places to find them

Conclusions

1. Those who do not fulfill stereotypes are often ignored
2. Only recently have their issues moved to the forefront of policy and initiatives
3. They have created and maintained vital communities for decades within cities and have created organizations within cities to serve their needs

Week 7

Justice and Indigenous People

1. Justice is about the administration of laws, this is interpreted differently by indigenous nations
2. Relation between western property and law
3. Has been a use of criminal law in land disputes
4. Many wrongful convictions
5. Criminal law reforms have started to include the relevance of a person's aboriginal heritage
6. Emerging issues and bias in litigation

Criminal Law as Colonization and Conquest

1. The criminal code was imposed on indigenous individuals without regard to its appropriateness
2. Failure to enforce criminal law to protect indigenous people and their land

Who Benefits

1. reinforcement of ideologies around capitalism and employment
2. Indian act made certain things illegal that would quell indigenous politicking
3. Destroyed their authority, leadership, beliefs
4. Presumption that all know the law and only a certain number of people are able to understand the law
5. There was a good form of career advancement for individual lawyers and indian agents to take advantage of the indigenous people
6. Interests of the HBC and the church had a lot of power and sway
7. NWMP was created because of metis resistance

Jack Fiddler

1. Chief in northwestern ontario
2. Called upon when they had a windigo - spirit which eats human flesh and possesses people during times of famine and disease
3. Two men were known for dealing with these people in a proper way
4. HBC and missionaries viewed this as a superstition and a mental illness
5. 1907 police heard about these stories and arrested them for murder

6. Jack escapes and commits suicide and Joseph was convicted for the murder
7. It took so long to get to the conviction because there was a great deal of settlers against this as they did not know the law and were not subject to it
8. One of the things that contributed to the signing of treaty 5
9. Took out two of the main leaders
10. Destruction of resources forcing them to move into towns and waged labour
11. Destruction of the cohesiveness in the community
12. Creation of a new criminal class
13. Dehumanization of indigenous subjects of punishment and control
14. Idea that there was a need for police in the area in order to control them

Indigenous people and the justice system

1. Indigenous women are more represented in the justice system than indigenous men
2. Indigenous people are more likely to be victims of crimes, more likely to be found guilty and arrested
3. Canada's justice system was created upon colonialism

Cultural Differences

1. Language barriers
2. Cultural practices- historically banned and policed by nation states
3. Cultural interaction can be different
4. Raising children is always at the center
5. Indigenous child welfare
6. More kids in the welfare system
7. Sol' N - indigenization of the justice system

Socio-Economic Factors

1. Indian acts affects economic powers of indigenous people
2. More likely to be in poverty
3. Lower education
4. See the solution as self government, education, impoverishes economies
5. Link income, education in to the placement into the justice system
6. Limited view as they do not look at the historical context

Resistance

1. To resist the state you must violate its laws
2. Offensive low level behaviors that are crimes are also often resistance
3. When people try to reclaim their land they face a good chance of being arrested

Injunctions

1. Legal tools that you go to court to stop someone from doing something
2. Common
3. Injunction is accompanied by police
4. They end up in court which then puts limits on people
5. Corporations are more likely to get injections than indigenous people

Police and Policing

1. Police represent line between colonizer and colonised
2. Police are often used in a political way, often to quash protest
3. North west mounted police was a almost military force

4. NWMP was made to keep the police, suppress liquor trade, establish relations with aboriginal people
5. Bringers of civilization to the chaos
6. Wanted to include aboriginal people so that they could understand culture but still be loyal to the british
 - a. This did not happen and instead they were orangemen like people (protestant white people)
7. They became linked to canada's national identity as it was being formed
8. Mounties were the physical arm of indian act
9. Indigenous people are over policed leading to overrepresentation
10. Charges like assault on police, hinder police, resist arrest, offensive behavior and public drunkenness
11. The police officers can add on additional charges
12. Treat indigenous victims as less worthy of attention
 - a. Include MMIW but also in other crimes

Starlight Tours

1. Take indigenous men off the streets and drive them out to the country in freezing weather
2. Well know punishment
3. Stone child inquiry where two officers were fired after this
4. Information on the wiki page have been deleted at least twice by computers at the saskatoon police station

Various Inquiries

1. 1989-1992 - number of provincial inquiries into relationships between the police and indigenous people
2. They all say that there is ineffective policing
3. Lack of understanding about indigenous culture
4. There are biased investigation
5. Minimal crime prevention programming

Ipperwash

1. Believed to be a law enforcement issue not an indigenous matter
2. Inquiry found there was a lack of communication on all sides
3. Policing of indigenous protests was made worse by racism that went unpunished
4. Policing should involve minimal violence, facilitating constitutional rights, remain neutral to grievance and try to build trusting relationships

Phasing of Policing

1. Up to the 1950s
 - a. Federal policing
 - b. Broad community mandate
 - c. Indigenous helpers
2. Up the the 1960s
 - a. Rcmp pull out of ontario and quebec
 - b. Increase in local policing
3. 1970s

- a. Self administrative policing initiatives
- 4. 1980s
 - a. Inquiries and commissions
- 5. 2000
 - a. Local indigenous police forces
 - b. They have first nations police officers, trained by the opp, not necessarily from community that they are policing
- 6. Still issues as the people think that it needs to be problem oriented rather than crime control
- 7. Still lack of funding
- 8. Need more community integration
- 9. The government announced increases in funding

Juries

- 1. Juries are taken from municipal tax payer lists and courts are generally held in cities
- 2. Terrine indigenous representation on juries
- 3. Out of date band lists
- 4. Ontario report by Iacobucci identifies many issues
- 5. They have a mistrust of the system as they do not understand it, or fear the policing
- 6. The juries are therefore not representative of the people they are convicting
- 7. Concerned with lack of privacy of information
- 8. Leadership has suggested a voluntary approach
- 9. Concerns with logistics
- 10. Nation-nation relationship is key
- 11. Issues has resurfaced due to high profile cases
- 12. Iacobucci's reports has many recommendations
 - a. Implementation committee with first nations
 - b. Systematic issues must be addressed
 - c. Cultural training
 - d. Up to date database
 - e. Improvement and training on jury questionnaire
 - f. Amending compensation amounts

Aboriginal Justice Initiatives

- 1. Emerged in the 1970s as a response to overrepresentation problem
- 2. Promoted indigenous courworkers program
 - a. Helped to navigate the system
 - b. Put them in contact with home
 - c. Program exists, very overwhelmed
- 3. 1980s constitutional discussions and interest in traditional law
- 4. Had strong social justice components and restorative justice
- 5. Aboriginal justice strategy - started in 1991 - tries to keep people out of jail

Restorative justice

- 1. Heals offender and community
- 2. Balances needs of the community
- 3. Promotes accountability to victim

4. Management of harm done
5. Accountability
6. Contributes to crime prevention
7. Uses shaming to reintegrate
8. Reconciliation is thought of as a goal
9. Should address overuse of incarceration generally
10. Provides victims with an opportunity to participate in the process

Community Approach

1. Those who have been affected try to repair harm that has been done
2. Community driven and controlled
3. Pays attention to context
4. Returns the conflict to the community
5. Victim participation is voluntary

New Zealand - Family Group Conferences

1. 1989 - children, young persons and their families act
2. Traditional Maori philosophy of restorative justice and was applied to all young offenders (14-16)
3. Brings together th supporters
4. Dropped recidivism rates

Sentencing Circles

1. Judge presides and makes the decisions
2. Community comes together

Alternative Sentencing

1. Gladue courts
2. Have to do a Gladue report if an aboriginal offender come through the court that have to explain how colonialism has affected them
3. Find alternatives to prison and fines
4. Class action from women from pikangikum - if people had a DUI they were unable to serve their sentence on a weekend, but only if they lived in the city
 - a. Closest facility was 200 KM away
 - b. Ruled unconstitutional as they should be able to serve the minimum sentence
 - c. The community should be in charge of sentencing
 - d. Suggested that the government should consult

Indigenous Justice

1. Spirituality is an important element
2. Indigenous cultural traditions are embraced by the community and are important to the success of models
3. Emphasize community renewal
4. These should address the overrepresentation in prisons
5. Recently surge in using indigenous and western principles and marrying them together
6. Shift discussion from broad philly to specific principles
7. Asses how to use legal scholarship
8. Understand elder knowledge

Conclusions

1. Use of the criminal justice system has intergenerational impacts and it was used for colonialism
2. There are many justice initiatives and reports on bias in the system
3. These things work in conjunction with other leases
4. Indigenous legal scholars, lawyers and elders are changing the landscape of indigenous justice

Week 8

Media

1. Stereotypes are portrayed through the media
2. The media was used to create a national identity and the other

Language and Power

1. Words can convince people of information, create anger, solidify opinions
2. signifier, the signified and the sign - there are always deeper meanings at play when we see the picture
3. Myths naturalise a concept of belief - removes the ability of the reader to construct their own meaning
4. Use rhetorical figures in myths do not fully explain questions

Canadian Common Sense

1. Media is complicit with colonization
2. Media has created generic hegemony- the imperial agent embodies the dominant normative, naturalizes it and assumes the right to define, impune and punish the their
3. The media perpetuates negative stereotypes to create a national identity
4. Stereotypes are very consistent and they continue to affect people today
5. Stereotypes are generally oversimplified or generalised statements
6. They are used to provide a justification for settlers and a justification for taking indigenous land
7. Newspapers played key roles in promoting canadian colonialism, created a sense of identity, nationalism and solidifying the idea of progress

Sale of Rupert's Land

1. The people were sold when HBC sold the land
2. Goal was to create a sea-to-sea nation state
3. Created metaphors of gardens and blossoming
4. Indigenous people were not seen as having a claim to the land, but rather were occupants
5. Treaties were seen as fair treatment
6. Media made it seem to be a struggle between civilization and savagery
7. Canadian media denigrate american racism, while being racist
8. Put people onto reserves and convert them forcibly
9. Indigenous people were starving because they did not use the land properly
10. Help them through the white man's burden
11. Fear mongering so that a country could be created
12. Idea that they were dependent on the government and on settlers

Current Stereotypes

1. Hollywood has an impact on distribution and visualization of some stereotypes - noble savage, indian princess and warrior
2. Victim - of their own making or forced out of their control, indigenous people being seen as unfit for modern society
3. Reduce them to just cultural beings
4. Corrupt band council member - they are not suited for self government or power
5. That they are complaining or asking for special treatment as ungrateful and irrational

Kanehsatake, 1990 / Oka crisis

1. Disrupted the expansion of the town
2. Burned down the catholic church
3. Tired to take the government to the court and filed land claims
4. 1990 - golf course wanted to expand into the pines, a sacred place
5. They created a blockade
6. They got an injunction and the military came in
7. Lots of other indigenous people came out to support
8. They blocked the Mercier bridge
9. 2015 they signed a pact that state there will never be a development plan in the area
10. Intense media coverage and violence was the most popular frame
11. Framed as a law and order issue, not as a political struggle
12. Those that framed it as a justified event used it as a way to criticise the government
13. Pictures were meant to refer to the mohawk as violent
14. Money frame was used to say how the blockade affected it

Media and Indigenous people

1. Media is used in a similar way when there are indigenous confrontations
2. Media favours poulitice version of the events
3. Rely on non-indigenous politicians or chiefs of other communities
4. Historical stereotypes are mobilized
5. Land occupations are the most covered
6. Visuals are very powerful
7. Indigenous people are portrayed as attacking society and a war-like presentation
8. Indigenous people try to control the narrative, but this can be difficult
9. Coucon cree ran a shame the flame campaign during the calgary olympics while boycotting a museum
10. Might use stereotypes to get their story out better
11. Indigenous leaders invite media to press conferences to bring awareness
12. Media coverage is very useful and powerful

Great Whale River Project

1. Cree and inuit discovered planets to build massive hydro electric dams over their territory without consulting them in 1975
2. Ensuing court case created the first treaty
3. They were not allowed to talk to the media while negotiating
4. In 1980s they wanted to do another project without consulting them
5. They went to the media as they could not stop quebec
6. They targeted the people that would be using the power

7. Built an odesk and paddled to new york to talk about environmental racism
8. Met with governor of new york
9. Americans pulled out of buying the electricity

1. Many see these events as not converting them or as a threat to the nation state
2. There is more talk about reconciliation
3. The TRC had recommendations and tried to change ideas about indigenous people
4. Increase in news stories and improved coverage about indigenous people
5. Some news organizations are focusing on cultural awareness and hiring indigenous reporters rather than working on reforming the whole system
6. They segregate the news to the indigenous reporters
7. Stereotypes are still being mobilized

APTN

1. Hired indigenous and non-indigenous
2. Started to broadcast to the north, now nationwide
3. They do more than news
4. Mainstream news outlets rely on them for indigenous news

Erasure

1. Lack of coverage of indigenous people
2. Garner coverage must be 4 ds - dancing, drumming, dead or drunk
3. Major policy moves that affect indigenous people are not always covered
4. Stories that are covered are ones that fit their narrative
5. With increased coverage came an increase in negative stories
6. Largest numbers of stories were opinion column related to direct action

Thoughts

1. Media has a powerful role
2. Stereotypes continue to exist
3. Context is still missing
4. Lack of trust in mainstream media
5. Coverage of demonstrations can also inspire other communities to do the same thing

Week 10

1. Explore resistance and resurgence - 3 different artists, 3 different genres
2. Short paper and presentation
3. Think about way in which you write a paper and present on this paper in an interesting way

Apologies and Reconciliation

1. Era of reconciliation began with a court mandated political apology from federal government to some survivors of residential schools
2. Reconciliation can only happen when there was a pre-existing relationship that was positive, and so it is a problematic term in Canada
3. Resurgence happens at a grassroots level while reconciliation has an outward look

Political Apologies

1. They are considered a fall back if compensation and restitution don't make sense
2. ILC has a distrust of them as they feel they could be misused
3. They are often for optics rather than fixing anything
4. To have a good apology you have to analyze the act, take responsibility, feel remorse, and take action to avoid future wrongful acts
5. They can go a long way to improve relationships
6. A state is not a person
 - a. How can they apologize for their predecessors
 - b. How can they be remorseful
 - c. How can they commit to avoiding wrongdoing if the government is going to change
7. There needs to be a collective passing on of responsibilities and entitlements
8. Must enable citizens to fulfill the commitments of the apology
9. People have to know why
10. We are seeing more apologies, but many are not heartfelt - sound like "I am sorry that you are upset"

National Geographic

1. Magazine known for anthropological photos, racist historically
2. Hired a historian to examine how they portrayed PIC of exotic noble savages
3. The April issue was devoted to the discussion of race within their newspaper
4. Apology was criticized as they took no action after that

Residential Schools

1. Delivered by Stephen Harper, forced to give the apology
2. For certain residential school survivors, not for colonization in general
3. These were assimilation schools, clear that the assimilation project was failing so they had to step in
 - a. Used the British schooling method
 - b. Physical abuse was fairly common in all schools in Britain
4. Day schools allowed children to be there sometimes, and leave when they were needed at home
5. Joint enterprise between the government and church
6. By 1879 there was the Davin report and he liked the structure of sending children away from their homes as it was an immersive experience
 - a. Create the immersive school system
 - b. By the time it was released there were already 4 schools already in operation
7. Goal was to have institutions far away from communities, and communication was limited to letters as visits were disrupted
8. Orphaned children were the most preferred
9. Half day system - one part devoted to academic learning, second part devoted to practical activities (industrial and domestic trades)
10. Even recreation time was European in nature
11. Language was prohibited as it connected them to each other and ancestors
12. Wide spread physical, emotional, and sexual abuse
13. Children were malnourished, poor health, and experimented on

Funding

1. There were rising school costs and they changed funding to per capita system, motivation to get more children into the schools
2. Student labour became more important
3. Clifford Sifton wanted to close industrial schools and focus on smaller schools
4. Larger schools had higher death rates and poor health conditions
5. Most did not keep records, but in 1 76% of the children died
6. Bryce sent out stats about this but was blacklisted by the church
7. Movement to close the schools but there was resistance by catholic church and protestant leaders

Closing of the Schools

1. Long process
2. Education was transferred to the provinces in 1949
3. By 1951 half day system ended but student labour was still important
4. In the north there was an expansion and a series of schools were built
5. By 1962 the staff were qualified but generally used as child welfare facilities than anything else
6. After 1969 there was a separation of the church and state
7. Most were closed in the 1970s
8. Last one closed in 1990s

Apology

1. On June 11th 2008
2. Harper and other leaders apologized for Canada's role in the residential school system
3. Residential school survivors were invited to watch from the gallery
4. On the floor were indigenous policy makers
5. The youngest and the oldest attendees were both there as well
6. Put up screens so everyone on parliament hill could watch
7. There was the creation of the Truth and Reconciliation Commission
8. The apology was a long time coming as there were apologies beginning with the united church in 1986
9. 1970s indigenous people started having land claims again and were suing residential schools
10. Big court case in 2000 that said they had to both apologize, work out a compensation package, and come up with the TRC
 - a. The apology was mandated by the SC
 - b. Getting the money was very traumatic as there was a long application process
11. Australia apologized in May, and made the NDP push Harper to do this as well
12. The Catholic church expresses sorrow in 2009
13. Fear that an apology would mean culpability and court cases
14. Newfoundland and Labrador have been excluded
 - a. Over 800 survivors were cut out and launched class action suit
 - b. Negotiated 50 million settlement
15. Trudeau apologizes Nov 24th 2017
 - a. He looked very sincere

Apology to Inuit

1. March 8th 2019
2. He went to Iqaluit to apologise for federal policy on TB
3. Government would not tell people where family members were buried after being sent to southern hospitals
4. Also included a blanket apology for other offences committed
5. Created the Nanilavut (let us find them) to create a database to let family members know where they are buried

American Apology

1. 1891 idea of residential schools was sweeping
2. American government took military in, withheld rations
3. Also a war going on while there was a policy assimilation
4. There were boarding schools in operation after the 1930s but they became primarily used as foster homes by social workers
5. America had a different relationship with indigenous people as the tribes had more power
6. 2007 was introduced into senate and house
7. Signed in dec 19th 2009
8. Covers a lot of ground, sweeping apology
9. They had moved indigenous people into Oklahoma to open up more space for the settlers

Trail of Tears

1. Cherokees resisted
2. Landmark case in 1831 - domestic dependent nations
3. Removal laws are declared invalid as the relationship is between the federal government and the state wanted them out
4. Treaty of New Echota was signed by a very small group of Cherokee
5. They had to walk 1000 miles from their home to Oklahoma
6. Around 4000 people died on this walk

Americas Apology

1. Agni Iges violence and violations of treaties, boarding schools
2. General apology, but the preamble was removed
3. Does not allow for a larger responsibility for every citizen
4. No ceremony
5. Does not mandate reparations of any kind
6. Does not introduce a concrete way for their relationship to move forward

Australia's Apology

1. Had a very specific apology
2. Made distinction between full blood and half caste Aboriginal peoples
3. Full blood were doomed to extinction, half caste was a rational anomaly and threat
4. Took the kids and put them into foster care
5. 1960s sorry movement began
6. 1990 an inquiry is launched
7. Report became a best seller and they began to hold sorry days

8. Apology for the stolen generation
9. Half time is spent talking about a good future without an concrete plans
10. Apology ceremony was very small

Truth and Reconciliation

1. Many precursors for similar things, nuremberg trials, chile, south africa
2. Many people in south africa were given amnesty even though they had committed gross human rights violations
3. Mandela was slow to implement the recommendations
4. Ours was set up as a part of the residential schools settlement
5. The first commission fell apart as one wanted to tell the truth and the other two didn't
6. 2009 a new trio was chosen
7. Couthard thought that the idea of getting over resentment was flawed
8. Governments urge to get over the past and made innocent
9. Frames colonialism as a historical term
10. In 2014 there was a final report with 94 calls to action
11. To have a intergenerational effect they need to look honestly at the past and violence
12. Apologising for some policies without examining the underlying condition without a serious move towards colonialism
13. Has to allow citizens to fulfill the commitments

Jocelyn Formsma

1. 4 steps to reconciliation
 - a. Truth telling
 - b. Acknowledging
 - c. Restoring
 - d. Relating to the process
2. 5 principles
 - a. Self-determination
 - b. culture/language
 - c. Holistic approach
 - d. Non-discrimination
 - e. Structural interventions

Conclusions

1. We are in an era of reconciliation and the term is often used
2. Many things for which there is no apology
3. Truth has to be before reconciliation
4. Still ignorance, resentment, and misunderstanding among non-indigenous people
5. If resurgence is a problem then reconciliation is a long way off

Week 11

Resurgence Redux

1. Indigenous resurgence has become a way that we speak about resistance in the past years
2. Many scholars have shaped the discourse, but the movement comes from a community level
3. Mlchel Elliot says that resurgence has 3 tenants

- a. Colonialism is not past but active
 - b. It is underlying dispute the era of reconciliation statements
 - c. Only way forward to turn towards creation and revitalization of social, spiritual, physical and environmental programs and policies
4. No real homogeneity but rather it is based on their own experiences and where they want to go in the future

Working with the state

1. Not only grassroots, also participating with government
2. Resurgence generally tends to refer more to community members
3. Taking power and making power - taking power can be necessary for them to engage in oppositional politics to have a voice, if you only focus on this then hierarchy the state works within is replicated, making power- creating structures between organizations that model the power you want to create
4. Anti-colonization - political struggle against ideology and practice of colonization
5. Decolonization - identification and dismantling of the colonialist forms of power

Politics of Recognition

1. Began with the White Paper in 1969
2. Onset of modern treaty and self government negotiations
3. Many agreements are tied to a particular kind of economic development and relationship with the land
4. Coulthard tells that there is a danger of replicating settler worldviews and institutions

Politics of Distraction

1. Cornthassel and Graham Smith discs this
2. Think about the challenges that present themselves when community members disagree about the way forward, lots of diversity in viewpoints
3. Cornthassel discusses the danger of being swept up in things that move communities away from place based learning and living towards things that enforce the current system
4. There are benefits of participating in the system, but you can't engage too much or you will be moved away from vision

Politics of Grief

1. Grief is constant and intergenerational
2. By placing indigenous grief in the past they disavow themselves of responsibility but then can appear benevolent
3. Requires indigenous people to appeal to this benevolence by performing grief, individually and collectively
4. This can create things like the TRC and Inquiry
5. It also creates a narrative and space of individual victim blaming

Generative Refusal and Reciprocal Recognition

1. Many stories and people refusing to participate in that system
2. Place emphasis on their own relationships and system
3. This allows them to revisit their goals and mission
4. Idea of "commit a sovereign act every day"
 - a. Have to act sovereign, not just talk about it or write about it