



# UNIVERSITY OF CALGARY

Fall 2021  
FACULTY OF ARTS  
Department of Sociology  
Department of Sociology Website: <https://soci.ucalgary.ca/>

COURSE TITLE: Indigenous Peoples and the Canadian Justice System			
Course Number	SOCI 421		
Pre/Co-Requisites	Sociology 325 and 313 or the consent of the Department. Sociology 331 and 333 are recommended.		
Instructor Name	Dr. Cora J. Voyageur	Email	<a href="mailto:voyageur@ucalgary.ca">voyageur@ucalgary.ca</a>
Instructor Email Policy	Feel free to contact me over email at any time. Please put your course number and section in your email's subject line, and include a proper salutation, your full name, student ID, and a proper closing in the body of your email. Emails will be answered within two business days. I do not answer emails over the weekend. Please take that into account when emailing me questions pertaining to assignments or exams. If you have a course-related question, please check the course outline first. Please e-mail me for administrative purposes only, for example to set up an appointment. Questions about the course content and readings, concerns about grades, or any other personal issues should be dealt with during my office hours (via Zoom).		
Office Location	N/A	Office Hours	Tuesday 9:00 AM – 11:00 AM Via Zoom **
Telephone No.	N/A		
TA Name	TBA	TA Email	TBA
TA Office Location	N/A	TA Office Hours	TBA
Class Dates	Tuesday/Thursday, September 7 to December 8, 2021		
Class Times	Synchronous Tuesday and Thursday. 15:30 to 16:45		
Class Location	Zoom		

## Course Description

This course is a sampling of issues pertaining to the historical and contemporary involvement of Indigenous peoples both within and across Canada's justice systems. It is designed to introduce students to the history of Settler/Indigenous relations, major structures, concepts, assumptions, research findings, legislation, policies, commissions, and Indigenous court cases. Particular attention will be given

to building connections between the historical policies and legislation and the contemporary impact of colonization and Canadian/Settler state. Attempts to Indigenize the existing justice and suggestions for designing an alternative justice system will also be examined.

### Course Objectives/Learning Outcomes

1. To give students a foundational understanding of historical policies and legislation and their roles in the treatment of Indigenous people.
2. To give students an overview of the demographic make-up of the Indigenous community in Canada.
3. To provide students with an overview of the social, legal and political position of the Indigenous community.
4. To examine the relationship of colonization to Indigenous peoples' involvement and overrepresentation within Canada's justice system.
5. To familiarize students with various aspects of Indigenous peoples' involvement with Canada's justice system.
6. To explore attempts to Indigenize Canada's justice system.
7. To gain knowledge of benchmark Indigenous and Treaty Rights cases in Canada.
8. To discuss and remain aware of various Indigenous justice issues that may arise from time to time throughout the term.

### Course Format

Classes are synchronous and will combine several formats: text readings, guest lectures, videos, in-class assignments. I will cover some of the assigned readings ~~in the pre-recorded lectures~~ but I will also lecture from additional materials. Therefore, you are responsible for any assigned readings and other materials posted on D2L. I will hold office hours (via Zoom) from 9:00 AM until 11:00 AM each Tuesday morning. Please feel free to contact me if you are having any issues with the course. Students should check D2L every Tuesday morning to receive their weekly course materials.

### Learning Resources

1. Monchalin, Lisa. 2016. *The Colonial Problem: An Indigenous Perspective on Crime and Injustice in Canada*. Toronto: University of Toronto Press. ISBN: 978-1442606623
2. Roach, Kent. 2019. *Canadian Justice, Indigenous Justice: The Gerald Stanley and Colten Boushie Case*. Montreal: McGill Queens University Press. ISBN: 978-0-7735-5638-6

The assigned readings will generally (but not exactly) correspond with the topics covered in the lectures. Thus, lecture topics should serve as a tentative guide and may be adjusted by me. The texts are available at the University of Calgary bookstore or through online vendors. Additional readings and supplemental course materials will be posted on D2L.

### Learning Technologies and Requirements

There is a D2 L site for this course which contains required readings and other relevant course resources and materials (see D2L.ucalgary.ca).
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In order to successfully engage in their learning experiences at the University of Calgary, students taking online, remote and blended courses are required to have reliable access to the following technology:

- A computer with a supported operating system, as well as the latest security, and malware updates;
- A current and updated web browser;
- Webcam (built-in or external);
- Microphone and speaker (built-in or external), or headset with microphone;
- Current antivirus and/or firewall software enabled;
- Broadband internet connection.

Most current laptops will have a built-in webcam, speaker and microphone.

### Schedule of Lectures and Readings

**Note: Synchronous Classes via Zoom with course materials available on D2L each Tuesday morning**

#### Proposed Course Schedule: Fall 2021

##### Sociology 421 Indigenous Peoples and the Canadian Justice System

Week	Date	Topic	Readings
1	September 7	Introduction	Monchalin 1
2	September 14	Who are the Indigenous People of Canada?	Monchalin 2
3	September 21	The State and Indigenous Justice	Monchalin 3 & Roach 1
4	September 28	Aboriginal Rights and Aboriginal Title	Monchalin 4,5 & Roach 2
<u>No Class on Thursday, September 30</u>			
<b>Group presentations will begin on Thursday and continue until the end of term</b>			
5	October 5	Criminalization of the Indigenous Lifestyle	Monchalin 6, Roach 3
<b>Group presentations will begin on Thursday and continue until the end of term</b>			
6	October 12	Crime and Criminal Justice Statistics	Monchalin 8 & Roach 4
7	October 19	Review (Tuesday) Mid-term Exam (Thursday)	No Readings
8	October 26	Indigenizing the System: Policing	Monchalin 9 & Roach 5
9	November 2	Indigenizing the System: The Courts	Monchalin 11 & Roach 6
10	November 7-14	Reading Week	No Readings
11	November 16	Restorative Justice Models/Sentencing	Monchalin 12 & Roach 7
12	November 23	Indigenizing the System: Native Prisons	Roach 8

13	November 30	Where do We go from here?	Monchalin 13 & Roach 9
14	December 7	Study Week	No Readings

### Methods of Assessment and Grading Weights

Examinations (Total of 60%)

There will be one mid-term examination and one take home final (essay) examination. The examinations will cover lectures, guest lectures, videos, class discussions, and assigned reading materials scheduled up to the exam. This means that students will also be responsible for readings and topics not covered in class.

Midterm – 30%

The mid-term will be 2-hour examination and a combination of any, or all, of the following: multiple choice, true/false, definition, short answer and essay questions. This manner of testing allows the student to demonstrate varying methods of academic skill. I do not expect the student to rely solely on rote memory. I expect application, analysis, synthesis, and integration of course materials into your reasoned and concise written answers. Therefore, you must be specific rather than general in your responses. The short answer and long answer questions require a reasonable standard of writing. Poor spelling disjointed or incomplete sentences, poor grammar and punctuation, inadequate sentence and paragraph structure will only detract from the ideas you are trying to express and will negatively impact your mark. The mid-term exam will be accessible on D2L for 24 hours from ~~3:12~~:30 pm on October 21 to October 22 at ~~3:12~~:30pm. When you access the mid-term exam on D2L, you will have 2 hours to complete it (for example, if you start when the exam first opens, you will have from ~~3:12~~:30 pm to ~~5:2~~:30 pm to finish the exam). I will be available online from ~~3:12~~:30 PM until ~~5:2~~:30 PM -on October 21\_.

Final Exam (Take Home Essay Exam) – 30%

Students will be given a take-home, final exam question on the last day of class (December 9 at 12:30). You will have 7-days (December 9 - 16, 2021 at 12:30 pm) to complete the take home essay exam and return it via D2L.

The exams are non-cumulative. This means that the mid-term will cover only materials from the first class to the class prior to the mid-term exam. The final exam will cover materials from the mid-term to the last day of class. Although the final exam is non-cumulative, students might find reviewing the mid-term exam materials valuable in preparation for the final. In other words, do not forget everything you learned prior to the mid-term. Examination dates are strictly enforced.

The dates and assigned weights for exams are as follows:

<i>Mid-term (2 hours. D2L access via for a 24-hour period)</i>	Oct. 21 <del>–21</del> ( <del>3:12</del> :30)	30 %
<i>Take Home Final (Essay) (7-days to complete)</i>	December 9-16 ( <del>3:12</del> :30)	30 %

Group Presentation (Groups Assigned) -- 30 %

Students must make a 30 - minute **recorded** group presentation. The group presentation will be based on a chapter of the Kent Roach text, *Canadian Justice, Indigenous Justice: The Gerald Stanley and Colten Boushie case*. The presentation must deal with the key facts/points highlighted in the assigned chapter. You can provide supplementary materials (photographs, illustrations, maps, flowcharts, music, quizzes, timelines, analysis, etc.) to fellow students and then to lead a class discussion. Be brief and be creative!

Colleague Assessment – 10%

All of your group members will evaluate your contribution to the group presentation. This evaluation accounts for 10% of your final mark so you must do your share of the work. Each group member will assess your work out of ten. These grades will be averaged and the result will be your colleague assessment mark. Further, your colleague evaluation will be proportional to your final grade on the presentation (for example, if you get an average of 9 out of 10 in the colleague assessment then you will get 90% of the presentation grade. Also, if you receive a participation grade of "0" from all of your fellow group members then you will receive a grade of "0" for the presentation, and thus, fail the course. This assessment will be done after all the class presentations are submitted.

**Grading Scale**

Letter grades will be assigned and submitted to the registrar based on the following scale:

Grade	Percent range	Grade Point Value	Description
A+	96 – 100%	4.0	Outstanding performance
A	90 – 95.99%	4.0	Excellent performance
A-	85 – 89.99%	3.7	Approaching excellent performance
B+	80 – 84.99%	3.3	Exceeding good performance
B	75 – 79.99%	3.0	Good performance
B-	70 – 74.99%	2.7	Approaching good performance
C+	67 – 69.99%	2.3	Exceeding satisfactory performance
C	63 – 66.99%	2.0	Satisfactory performance
C-	59 – 62.99%	1.7	Approaching satisfactory performance
D+	55 – 58.99%	1.3	Marginal pass. Insufficient preparation for subsequent courses in the same subject
D	50 – 54.99%	1.0	Minimal Pass. Insufficient preparation for subsequent courses in the same subject.
F	<50%	0	Failure. Did not meet course requirements.

### Passing Grades

Receiving a grade in all components of this evaluation – including presentations and colleague assessment -- is mandatory to obtain a passing grade in this course. The minimum passing grade for this course is 50% or a “D” grade.

### Absences and Deferrals

Students who miss class assessments (tests, participation activities, or other assignments) should inform their instructor as soon as possible. If the reason provided for the absence is acceptable, the instructor may decide that any arrangements made can take forms other than make-up tests or assignments. For example, the weight of a missed grade may be added to another assignment or test.

**Deferred Final Exam Form:** Please note that requests to defer a Registrar scheduled final exam are dealt with through the Registrar’s Office. Further information can be found at:

<https://www.ucalgary.ca/registrar/exams/deferred-exams>

**Deferred Term Work Form:** Deferral of term work past the end of a term requires a form to be filled out by the student and submitted, along with any supporting documentation, to the instructor. The form is available at:

<https://live-ucalgary.ucalgary.ca/sites/default/files/teams/14/deferral-of-term-work-2020.pdf>

Once an extension date has been agreed between instructor and student, the instructor will email the form to the Faculty of Arts Program Information Centre ([ascarts@ucalgary.ca](mailto:ascarts@ucalgary.ca)) for approval by the Associate Dean.

### Grade Reappraisal

Within two weeks of the date the exam/assignment is returned, students seeking reappraisal of examinations or assignments must submit a written response to the instructor explaining the basis for reconsideration of one’s mark. The instructor will reconsider the grade assigned and will then book a time with the student to discuss his or her work and rationale. It should be noted that a re-assessed grade may be raised, lowered, or remain the same.

### Handing in Papers, Assignments

1. The main Sociology Department office does not deal with any course-related matters. Please speak directly to your instructor.
2. **Protection of Privacy:** The Freedom of Information and Protection of Privacy (FOIPP) legislation does not allow students to retrieve any course material from public places. Anything that requires handing back will be returned directly during class or office hours. If students are unable to pick up their assignments from the instructor, they can provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment. Private information related to the individual student is treated with the utmost regard by the faculty at the University of Calgary
3. Final grades are not posted by the Sociology Department. They are only available online.

### Guidelines for Zoom Sessions (if applicable) (otherwise, delete this section)

Zoom is a video conferencing program that will allow us to meet at specific times for a “live” video conference, so that we can have the opportunity to meet each other virtually and discuss relevant course topics as a learning community.

To help ensure Zoom sessions are private, do not share the Zoom link or password with others, or on any social media platforms. Zoom links and passwords are only intended for students registered in the course. Zoom recordings and materials presented in Zoom, including any teaching materials, must not be shared, distributed or published without the instructor's permission.

The use of video conferencing programs relies on participants to act ethically, honestly and with integrity; and in accordance with the principles of fairness, good faith, and respect (as per the [Code of Conduct](#)). When entering Zoom or other video conferencing sessions (such as MS Teams), you play a role in helping create an effective, safe and respectful learning environment. Please be mindful of how your behaviour in these sessions may affect others. Participants are required to use names officially associated with their UCID (legal or preferred names listed in the Student Centre) when engaging in these activities. Instructors/moderators can remove those whose names do not appear on class rosters. Non-compliance may be investigated under relevant University of Calgary conduct policies (e.g [Student Non-Academic Misconduct Policy](#)). If participants have difficulties complying with this requirement, they should email the instructor of the class explaining why, so the instructor may consider whether to grant an exception, and on what terms. For more information on how to get the most out of your zoom sessions visit: <https://elearn.ucalgary.ca/guidelines-for-zoom/>.

If you are unable to attend a Zoom session, please contact your instructor to arrange an alternative activity for the missed session (e.g., to review a recorded session). Please be prepared, as best as you are able, to join class in a quiet space that will allow you to be fully present and engaged in Zoom sessions. Students will be advised by their instructor when they are expected to turn on their webcam (for group work, presentations, etc.).

The instructor may record online Zoom class sessions for the purposes of supporting student learning in this class – such as making the recording available for review of the session or for students who miss a session. Students will be advised before the instructor initiates a recording of a Zoom session. These recordings will be used to support student learning only and will not be shared or used for any other purpose.

### **Media Recording**

Please refer to the following statement on media recording of students: [https://elearn.ucalgary.ca/wp-content/uploads/2020/05/Media-Recording-in-Learning-Environments-OSP\\_FINAL.pdf](https://elearn.ucalgary.ca/wp-content/uploads/2020/05/Media-Recording-in-Learning-Environments-OSP_FINAL.pdf)

## Research Ethics

Students are advised that any research with human subjects – including any interviewing (even with friends and family), opinion polling, or unobtrusive observation – must have the approval of the Faculty Ethics Committee. In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required.

## Copyright Legislation

All students are required to read the University of Calgary policy on Acceptable Use of Material Protected by Copyright (<https://www.ucalgary.ca/policies/files/policies/acceptable-use-of-material-protected-by-copyright-policy.pdf>) and requirements of the Copyright Act (<https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>) to ensure they are aware of the consequences of unauthorized sharing of course materials (including instructor notes, electronic versions of textbooks etc.). Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy.

## Instructor Intellectual Property

Course materials created by professor(s) (including course outlines, presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the professor(s). These materials may NOT be reproduced, redistributed or copied without the explicit consent of the professor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

## Recording of Lectures

Note that the audio or video recording of lectures and taking screenshots of PowerPoint slides during the lecture are not permitted without explicit authorization. The non-authorized media recording of lectures is inconsistent with the Code of Conduct and may result in discipline in accordance with the Student Non-Academic Misconduct Policy and Procedure. For more information click here: <https://www.ucalgary.ca/policies/files/policies/non-academic-misconduct-policy.pdf>.

## Sharing of Lecture Notes and Exam Questions

Note that publicly sharing lectures notes and exam questions on 3rd party sites such as OneClass, StudyBlue, Quizlet, Course Hero, etc. is not permitted. If you wish to use these helpful studying tools, make sure you adjust your privacy settings accordingly. Any violations are subject to investigation under the UofC Student Non-Academic Misconduct Policy. For more information, click here: <https://www.ucalgary.ca/policies/files/policies/non-academic-misconduct-policy.pdf>.

## Academic Misconduct

Please refer to the website listed below for information on University of Calgary policies on Plagiarism/Cheating/Other Academic Misconduct:  
<http://www.ucalgary.ca/pubs/calendar/current/k.html>

## Academic Accommodation

Students seeking an accommodation based on disability or medical concerns should contact Student Accessibility Services; SAS will process the request and issue letters of accommodation to instructors. For additional information on support services and accommodations for students with disabilities, visit [www.ucalgary.ca/access/](http://www.ucalgary.ca/access/). Students who require an accommodation in relation to their coursework based on a protected ground other than disability should communicate this need



in writing to their Instructor. The full policy on Student Accommodations is available at:  
<http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy.pdf>

Students needing an Accommodation based on a Protected Ground other than Disability, should communicate this need, preferably in writing, to the course instructor.

### Libraries & Cultural Resources

To contact your librarian or find out about the resources and services available to sociology students go to the Sociology Library guide: <https://library.ucalgary.ca/guides/sociology>

To access the main Library website go to: <https://library.ucalgary.ca>

### Wellness and Mental Health Resources

The University of Calgary recognizes the pivotal role that mental health plays in physical health, social connectedness and academic success, and aspires to create a caring and supportive campus community where individuals can freely talk about mental health and receive support when needed. We encourage you to explore the excellent mental health resources available throughout the university community, such as counselling, self-help resources, peer support or skills-building available through Student Wellness Services (Room 370 MacEwan Student Centre, <https://www.ucalgary.ca/wellness-services/services/mental-health-services>) and the Campus Mental Health Strategy (<http://www.ucalgary.ca/mentalhealth/>).

### Student Success Centre

The Student Success Centre provides services and programs to ensure students can make the most of their time at the University of Calgary. Our advisors, learning support staff, and writing support staff assist students in enhancing their skills and achieving their academic goals. They provide tailored learning support and advising programs, as well as one-on-one services, free of charge to all undergraduate and graduate students. For more information visit:  
<https://www.ucalgary.ca/student-services/student-success>

### Student Ombuds Office

The Student Ombuds Office supports and provides a safe, neutral space for students. For more information, please visit [www.ucalgary.ca/ombuds/](http://www.ucalgary.ca/ombuds/) or email [ombuds@ucalgary.ca](mailto:ombuds@ucalgary.ca).

### Student Union (SU) Information

The SU Vice-President Academic can be reached at (403) 220-3911 or [suvpaca@ucalgary.ca](mailto:suvpaca@ucalgary.ca); Information about the SU, including elected Faculty Representatives, can be found here:  
<https://www.su.ucalgary.ca>.

### Emergency Evacuation/Assembly Points

Assembly points for emergencies have been identified across campus. Assembly points are designed to establish a location for information updates from the emergency responders to the evacuees; from the evacuated population to the emergency responders. For more information, see the University of Calgary's Emergency Management website:

<https://live-risk.ucalgary.ca/risk/emergency-management/evac-drills-assembly-points/assembly-points>

### Safewalk

Campus security will escort individuals, day or night, anywhere on campus (including McMahon Stadium, Health Sciences Centre, Student Family Housing, the Alberta Children's Hospital and the

University LRT station). Call 403-220-5333 or visit <http://www.ucalgary.ca/security/safewalk>. Use any campus phone, emergency phone or the yellow phone located at most parking lot pay booths. Please ensure your personal safety by taking advantage of this service.