



POLI/INDI 3351: Indigenous Peoples and the Law

Gender and Women's Studies

Lakehead University

Winter 2026

Instructor Information

Instructor: Victoria Seta Cosby (She/her)

Office Location: Online via Zoom

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Office Hours: Mondays 12:00-1:00 – or by appointment

Teaching Assistant (TA) Information:

Course Identification

Course Number: POLI/INDI 3351

Course Name: Indigenous PEOPLES and the Law

Course Location: D2L

Class Times: ASYNC

Course Description/Overview - This course will provide a critical examination into the historical, legal and historical-political context of Indigenous Peoples and law. The course will focus on engaging students with an overview of the concepts and theories within the scope of Canadian Law, while examining the unique legal position of the Indigenous population in Canada. The course will review historic colonial structures, indigenous identity in Canada, treaties and jurisdiction (both pre and post confederation), land claims, governance, prominent Supreme Court cases and a critical review of the Indian Act.

Land Acknowledgement:

As participants together in this course, we acknowledge that Lakehead Thunder Bay is located on the ancestral lands of the ᐱᐅᓂᓴᐅᐱᐅ (Anishinabe) people, signatories to the Robinson Superior Treaty of 1850, in particular Fort William First Nation. Lakehead Orillia is located on the traditional territory of Ojibwe, Odawa, and Pottawatomi nations, collectively known as the Three Fires Confederacy. We acknowledge the history these nations hold in the areas around our campuses, and are committed to relationships with First Nations, Métis, and Inuit peoples based on the principles of mutual trust, respect, reciprocity, and collaboration. We recognize the continual commitment needed by non-Indigenous people and institutions to learn from and about Indigenous peoples and to reconcile this colonial relationship.

Course Materials

Decolonization and Justice: An Introductory Overview Ed. Dr. Muhammad Asadullah

<https://opentextbooks.uregina.ca/decolonizingjustice/front-matter/introduction/> This is a free, open access textbook.

The colonial problem: an indigenous perspective on crime and injustice in Canada - Monchalin, Lisa - University of Toronto [Ontario] Press, 2016 – available through Lakehead Library

Another great resource to consult: Chelsea Vowell, Indigenous Writes: A Guide to First Nations, Metis, and Inuit Issues in Canada (2016) – pdf linked in D2L + available for free through the library

There will also be other assigned course readings, that are available through a link in the syllabus or through the Lakehead Library.

Course Learning Outcomes

- Students will learn about appropriate language and communication related to Indigenous laws and communities
- Students will learn about the historical and present impacts of colonization on Indigenous communities in Canada
- Students will learn about positionality and privilege in Canadian society
- Students will learn about the intersections of race, gender, and class in the context of Indigenous laws and governance
- Students will learn what decolonization means in the Canadian context for crime, court, prison, and rehabilitation
- Students will understand the current theoretical frameworks used to understand Indigenous justice
- Students will gain an understanding of the current challenges facing Indigenous communities in Canada

Generative AI Course Policy, Plagiarism Detection, and Virtual Proctoring

Generative AI Is not accepted when used to write course materials.

Topics and Course Schedule

Note: Students should expect to spend 10-15 hours/week on this course. There will be 1-3 assigned readings each week. Students are expected to complete the assigned readings for the week prior to class.

Week	Date	Topic	Readings
Week 1	Sept. 8	Syllabus and Class overview	Lisa Monchalin – The Colonial Problem – Chapter 1
Week 2	Sept. 15	Indigenous Perspectives and Governance	Whose Land is it Anyway? A Manual for Decolonization - Peter McFarlane and Nicole Schabus Lisa Monchalin – The Colonial Problem – Chapter 2
Week 3	Sept. 22	Colonialism: Past and Present	Lisa Monchalin – The Colonial Problem – Chapter 3 and 4 United Nations Declaration on the Rights of Indigenous Peoples Asadullah Textbook Ch. 1 – Decolonization and Law – Noor Shawush
Week 4	Sept. 29	Treaties and Rights Assignment 1 Due	Lisa Monchalin – The Colonial Problem – Chapter 5 Muhammad Asadullah – Decolonization and Restorative Justice: A Proposed Theoretical Framework Kirstwn Anker – Reconciliation in Translation: Indigenous Legal Traditions and Canada’s Truth and Reconciliation Commission Asadullah Textbook Ch. 2 – Decolonization and Criminology – Charmine Cortez
Week 5	Oct. 6	‘Indian’ Legislation + Residential Schools/Intergenerational Trauma	Lisa Monchalin – The Colonial Problem – Chapter 6 and 7 Reza Bamarki – Blocking Their Path to Prison: Song and Music as Healing

Week	Date	Topic	Readings
			Methods for Canada's Aboriginal Women Asadullah Textbook Ch. 3 Decolonization and Court – Greena Holding Asadullah Textbook Ch. 6 – Decolonization and Restorative Justice – Hamza Said Truth and Reconciliation Calls to Actions
Week 6	Oct. 20	Indigenous Crime and Over- Representation Assignment 2 Due	Lisa Monchalin – The Colonial Problem – Chapter 8 Asadullah Textbook Ch. 4 – Decolonization and Prison – Megan Korchak Vicki Chartrand – Unsettled Times: Indigenous Incarceration and the Links between Colonialism and the Penitentiary in Canada A. Connolly – Global news Article - https://globalnews.ca/news/4825631/demographic-breakdown-healing-lodges-canada/#
Week 7	Oct. 27	Documentary Week	Watch: https://www.nfb.ca/film/we_were_children/ And Also Watch: https://www.youtube.com/watch?v=xzGSWmi1dQ0
Week 8	Nov. 3	Indigenous Women – MMIWG2S	Lisa Monchalin – The Colonial Problem – Chapter 9 Asadullah Textbook Ch. 10 – Decolonization and Policing: Exploring Alternatives to the Current State of Policing –

Week	Date	Topic	Readings
			Aiden McMartin National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) Report Summary
Week 9	Nov. 10	Government Failures Assignment 3	Lisa Monchalin – The Colonial Problem – Chapter 10 Asadullah Textbook Ch. 7 – Decolonization and Mental Health – Nicola Kimber Denise M. Nadeau – Unsettling Spirit: A Journey into Decolonization – Chapters 4-7
Week 10	Nov. 17	Land Claims	Lisa Monchalin – The Colonial Problem – Chapter 11 Asadullah Textbook Ch. 8 – Decolonizing Mental Health Services in Prisons – Kayla Schick The Application of Two-Eyed Seeing Decolonizing Methodology in Qualitative and Quantitative Research for the Treatment of Intergenerational Trauma and Substance Use Disorders
Week 11	Nov. 24	Indigenous Justice	Lisa Monchalin – The Colonial Problem – Chapter 12 Asadullah Textbook Ch. 9 – Decolonization and Policing - Stephanie Dyck Amanda Porter – Decolonizing Policing: Indigenous patrols, counter-policing and safety

Week	Date	Topic	Readings
Week 12	Dec. 1	The Path Forward Assignment 4 Due Dec. 8	Lisa Monchalin – The Colonial Problem – Chapter 13 Asadullah Textbook Ch. 11 – Decolonizing Restorative Justice. – Jenna Smith Melinda Weng – Decolonizing Law Through Restorative Justice

Evaluation

A list and (at least tentative) schedule of all assignments, exams, and other work to be graded, and general descriptions of these assessments.

A notice if any unscheduled evaluations will be used as part of the grading scheme (e.g. pop quizzes).

Check the final exam schedule one month prior to final exams for details.

You will receive a 20% of your grade before **Oct. 20, 2026**

Late work without accommodations or an extension will receive a 5% per day grade deduction.

Assessment Weighting Breakdown :

Evaluation Component	Percentage of Final Grade
Assignment 1 – Sept. 29	20%
Assignment 2 – Oct. 20	20%
Assignment 3 – Nov. 10	20%
Assignment 4 – Dec. 8	20%
Weekly Discussion Posts (10 x 2%)	20%
Total:	100%

Assignment Structure – 4 total (20% each = 100% total)

-All assignments must utilize a minimum of 4 academic sources (plus as many other types of sources as necessary)

-All assignments must be 1200-1500 words

Late Assignments

5% per day – contact me right away so we can work through any issues

websites. Even if these sources are not from academic publishers, they should still be reliable and trustworthy. If you are unsure about a source, feel free to reach out to the professor for guidance.

Course Policies

Academic Integrity Statement:

I understand and agree that:

(1) Unless otherwise allowed by the course instructor, I must complete the assignments in this course without the assistance of anyone else.

(2) Unless otherwise allowed by the course instructor, I must not access any sources or materials (in print, online, or in any other way) to complete any course exam.

I further understand and agree that, if I violate either of these two rules, or if I provide any false or misleading information about my completion of course assignments or exams, I may be prosecuted under the Lakehead University Student Code of Conduct – Academic Integrity, which requires students to act ethically and with integrity in academic matters and to demonstrate behaviours that support the University's academic values.

University Related Requirements

Regulations

It is the responsibility of each student registered at Lakehead University to be familiar with, and comply with all the terms, requirements, regulations, policies and conditions in the Lakehead University [Academic Calendar](#). This includes, but is not limited to, Academic Program Requirements, Academic Schedule of Dates, University and Faculty/School Policies and Regulations and the Fees and Refund Policies and Schedules (Lakehead University Regulations webpage).

Academic Integrity

A breach of Academic Integrity is a serious offence. The principle of Academic Integrity, particularly of doing one's own work, documenting properly (including use of quotation marks, appropriate paraphrasing and referencing/citation), collaborating appropriately, and avoiding misrepresentation, is a core principle in university study. Students are strongly advised to familiarize themselves with the Student Code of Conduct - Academic Integrity ("[The Code](#)") - and, in particular, **sections 26 and 83 through 85**. Non-compliance with the Code will NOT be tolerated in this course and the Code will be adhered to in terms of disciplinary action. The Code provides a full description of academic offences, procedures when Academic Integrity breaches are suspected and sanctions for breaches of Academic Integrity.

Copyright (Information to consider including for online [asynchronous or synchronous] course delivery to assist in preventing the unauthorized distribution of course materials)

Students should be aware that all instructional, reference, and administrative materials prepared for this course are protected in their entirety by copyright. Students are expected to comply with this copyright by only accessing and using the course materials for personal educational use related to the course, and that the materials cannot be shared in any way, without the written authorization of the course instructor. If this copyright is infringed in anyway, students may be prosecuted under the Lakehead University Student Code of Conduct – Academic Integrity, which requires students to act ethically and with integrity in academic matters and to demonstrate behaviours that support the University's academic values.

Supports for Students – there are many resources available to support students. These include but are not limited to:

- [Health and Wellness](#)
- [Student Accessibility Centre](#)
- [Library](#)
- [Academic Support Zone](#)
- [Indigenous Student Services Centre](#)
- [International](#)
- [Student Central](#)

Lakehead University is committed to achieving full accessibility for persons with disabilities. Part of this commitment includes arranging academic accommodations for students with disabilities and/or medical conditions to ensure they have an equitable opportunity to participate in all of their academic activities. If you are a student with a disability and think you may need accommodations, you are strongly encouraged to contact Student Accessibility Services (SAS) and register as early as possible. For more information, please contact [Student Accessibility Services](#) (Thunder Bay: SC0003, (807) 343-8047 or sas@lakeheadu.ca Orillia: OA 1030, (705) 330-4010 ext. 2103 or oraccess@lakeheadu.ca)

Mental Health Syllabi Statement

As a university student, you may sometimes experience mental health concerns or stressful events that interfere with your academic performance and negatively impact your daily activities.

All of us can benefit from support during times of struggle. If you or anyone you know experiences academic stress, difficult life events or feelings of anxiety or depression, Student Health and Wellness is here to help. Their services are free for Lakehead Students and appointments are available. You can learn more about confidential mental health services available on and off campus at lakeheadu.ca/shw.

Remember that getting help is a smart and courageous thing to do - for yourself, for those you care about, and for those who care about you. Asking for support sooner rather than later is almost always helpful

Weely Discussion Posts (10 x 2% = 20%)

There will be a discussion board component in this course that will enable students to engage in self-directed learning with the course material, with each other, and with the instructor. There are ten discussions, worth 2% each for a total of 220% of the final grade. Due Every Tuesday from Week 2-Week 11.

- Students will read the assigned readings, and then reflect, and share their views on. This will require students to think more deeply and critically about aspects of the course materials.
- Students are expected to make an original post of their own and to respond to at least two (2) other students' posts.
- Original Posts must be 500 words minimum, and comments must be a minimum of 200 words.

Assignment 1 (20%)

Land Acknowledgement paper. You will pick one land/area of Canada that has some significance to you (ex. Can be a city like Toronto, or an area that an institution is on ex. University of Windsor) and look at the land acknowledgement connected to this land. You will write a paper on the pros and cons of this land acknowledgement – and land acknowledgements generally. You will also look at how the land acknowledgement is being fulfilled/honoured (or how it is not). You will need to use academic sources such as journal articles, as well as non-academic sources such as newspaper articles.

You are expected to write a 1200 – 1500 word essay (word count excluding citations). Citations can be MLA/APA/Chicago style – the citations should have a consistent style throughout the essay. You must include a title page, page numbers, and bibliography. Remember to cite not only when you use a direct quote, but also when you paraphrase information from a source.

Assignment 2 (20%)

Truth and Reconciliation Paper. You will pick one or two of the Truth and Reconciliation Calls to Action. You will write a paper on the context (present and historical) of why this action is important, and how it has/has not been fulfilled since the recommendations were first made. You will need to use academic sources such as journal articles, as well as non-academic sources such as newspaper articles.

You are expected to write a 1200 – 1500 word essay (word count excluding citations). Citations can be MLA/APA/Chicago style – the citations should have a consistent style throughout the essay. You must include a title page, page numbers, and bibliography. Remember to cite not only when you use a direct quote, but also when you paraphrase information from a source.

Assignment 3 (20%)

MMIWG2S+ paper. You will pick a case of MMIWG2S+ in Canada (solved or unsolved) and connect it to the Calls to the Calls for Justice. How the calls for justice have been or have not been fulfilled by the government, police, and public. You will need to use academic sources such as journal articles, as well as non-academic sources such as newspaper articles.

You are expected to write a 1200 – 1500 word essay (word count excluding citations). Citations can be MLA/APA/Chicago style – the citations should have a consistent style throughout the essay. You must include a title page, page numbers, and bibliography. Remember to cite not only when you use a direct quote, but also when you paraphrase information from a source.

Assignment 4 (20%)

Land Defender/Land dispute paper. You will pick a case of involving land defenders or a land dispute in Canada (solved or unsolved) and connect it to the larger issues of colonialism in Canada. How has the law/courts/policies been used for and against the land defenders or in the land disputes? You will need to use academic sources such as journal articles, as well as non-academic sources such as newspaper articles.

You are expected to write a 1200 – 1500 word essay (word count excluding citations). Citations can be MLA/APA/Chicago style – the citations should have a consistent style throughout the essay. You must include a title page, page numbers, and bibliography. Remember to cite not only when you use a direct quote, but also when you paraphrase information from a source.