

JPI201 H1S – Indigenous Politics in Canada Winter 2026

Instructor: Dale Turner dale.turner@utoronto.ca

Class Meeting: Wednesdays 15:00-17:00 **Location:** OI G162 (OISE 252 Bloor St W, Lower Translation Room - Enter via OISE main entrance; room is on the ground floor)

Quercus Link: <https://q.utoronto.ca/courses/430170>

Tutorials: Weekly, beginning Week 2 (no tutorial during Reading Week)

Office Hours: In-person W 12:00-1:00pm (Centre for Indigenous Studies, 563 Spadina Ave, Room 220) Virtual appointments can be made by appointment



Anishinaabe Artist, Roy Thomas “We’re All in the Same Boat”

STATEMENT ON ACKNOWLEDGEMENT OF TRADITIONAL LAND

“I (we) wish to acknowledge this land on which the University of Toronto operates. For thousands of years it has been the traditional land of the Huron-Wendat, the Seneca, and the Mississaugas of the Credit. Today, this meeting place is still the home to many Indigenous people from across Turtle Island and we are grateful to have the opportunity to work on this land.” See <https://indigenous.utoronto.ca/about/land-acknowledgement/>

Course Description: This course introduces students to the legal and political relationship between Canada’s Indigenous peoples and the Canadian state. This class will be in-person, though lectures will be posted weekly on Quercus. The course is divided into three parts. Part 1 examines the development of Canadian policies and legal frameworks. Part 2 analyzes the tensions revealed by Oka and the subsequent era of state-led inquiries and grassroots activism. Part 3 engages Indigenous intellectual traditions, focusing on resurgence, grounded normativity, and the role of spirituality in contemporary politics.

Part 1 – White Paper Liberalism

We begin the course with a brief genealogy of the historical relationship between Indigenous peoples and European newcomers, focusing on the formation of the Canadian state in 1867 to the patriation of the Canadian Constitution in 1982. The source for this genealogy is JR Miller's book, *Skyscrapers Hide the Heavens: A History of Native-Newcomer Relations in Canada* (please purchase the Fourth Edition).

Then we will explore the evolution of the discourse of Indigenous rights from the 1969 White Paper to the creation of Aboriginal rights in the patriated Constitution of 1982 (in the first lecture, I will clear up the use of terms such as Indigenous, aboriginal, and Aboriginal). The 1982 Canadian Constitution was celebrated by many as an innovation in a liberal politics of recognition and was welcomed by many Indigenous leaders as a profound, just recognition of their rights. The relevant section of the Canadian Constitution – s.35(1) – states, “The aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.”

We will survey a shortlist of important Supreme Court of Canada aboriginal rights cases, but focus more closely on two: *Van der Peet* (1996) and *Delgamuukw* (1997). These cases, understood in tandem with the Report of the Royal Commission on Aboriginal Peoples in 1996, distinguished two different approaches to understanding the meaning and content of aboriginal rights in the common law: the state's “delegated rights” approach and the traditional Indigenous “inherent rights” approach. These developments provide the conceptual and legal foundations that Indigenous peoples later challenge, resist, and reinterpret in the eras covered in Parts Two and Three.

Part 2 – Oka and State-Sponsored Inquiries

Part Two begins by watching two documentary films on the Oka conflict in the summer of 1990. Oka marked a turning point in Indigenous politics, not least for the renewed Mohawk assertions of their political rights and nationhood, but also for setting the political relationship down a path of state-sponsored inquiries, reports, and the government's commitment to expanding aboriginal rights into the international arena.

We will briefly examine:

- **RCAP (1996) – the most comprehensive study of Indigenous–state relations in Canada**
- **UNDRIP (2007) – international human rights framework for Indigenous peoples**
- **Idle No More (2012) – grassroots Indigenous resurgence movement**
- **TRC (2015) – national reckoning with Indian residential schools**
- **MMIWG (2019) – inquiry into violence against Indigenous women, girls, and 2SLGBTQ+ people**
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Idle No More differs fundamentally from the state-led inquiries of this period: rather than seeking recognition or reform from the Canadian state, it represents a resurgence of Indigenous political life grounded in homelands, community practices, and Indigenous women's leadership. It is this shift toward land-based, community-rooted political action that

prepares the ground for Part Three of the course.

Part 3 – Indigenous Spirituality and Indigenous Politics

Part 3 challenges the limitations of the legal and political frameworks introduced in Part 1, as well as the state-driven national inquiries examined in Part 2, by presenting Indigenous ethical and philosophical alternatives grounded in homelands. The Idle No More movement embodied an important shift in the ways in which Indigenous peoples engage with the state. This turning back to the land reinvigorated traditional voices in many Indigenous communities. The publication of Glen Coulthard's *Red Skin, White Masks* in 2014 captured the spirit of INM and highlighted what is now called the Indigenous resurgence movement. In the final part of the course, we explore the concept of "grounded normativity," especially how it relates to the problem of reconciling Indigenous spirituality in contemporary politics.

Grounded normativity refers not only to spiritual foundations but to ethical frameworks, responsibilities, and forms of political life that emerge from long-standing relationships with homelands. It invites us to think about political life beyond the limits of state-centred recognition and helps us understand the broader shift toward resurgent, land-based forms of Indigenous governance and thought. We take a closer look at what it means to listen to Indigenous peoples "in and on their own terms" in the contemporary legal and political relationship.

As a culminating exercise, we will read a selection from Blair Stonechild's (Muscowpetung First Nation) book *The Knowledge Seeker*, where he reflects on Indigenous spirituality in contemporary society and the responsibilities that flow from Indigenous ways of knowing.

An outline of the course:

Introduction:

Week 1 (Jan 5-9): Introduction – Doctrine of Discovery

Part One:

Week 2 (Jan 12-16): Creation of Canadian State

Week 3 (Jan 19-23): White Paper Liberalism

Week 4 (Jan 26-30): Constitution Act, 1982

Week 5 (Feb 2-6): Aboriginal Rights Case Law

Week 6 (Feb 9-13): In-class Mid-Term Exam (30% of Final Grade)

Part Two:

Week 7 (16-20): Reading Week - Oka Conflict of 1990

Week 8 (Feb 23-27): RCAP/TRC/ UNDRIP

Week 9 (Mar 2-6): The Idle No More Movement/MMWIG/

Part Three:

Week 10 (Mar 9-13): Indigenous Resurgence and Grounded Normativity

Week 11 (Mar 16-20): Indigenous Law

Week 12 (Mar 23-27): Indigenous Spirituality in Indigenous Politics (Week 12 will feature a guest visit from Blair Stonechild, whose work anchors our discussion of the relationship between spirituality, land, and Indigenous political resurgence.)

Summary:

Week 13 (April 1): Reflections on the Course

Final Exam (40% of Final Grade) scheduled during Exam Period (April 3–17; exact date set by FAS)

Course Learning Objectives:

- To develop a critical understanding of the legal and political relationship between Indigenous peoples and the Canadian state, especially from the 1969 White Paper on federal Indian policy to the present;
- To become familiar with liberal and traditional Indigenous approaches to understanding the source and meaning of Indigenous rights and nationhood in Canada;
- To reflect upon, discuss, and write about what it means to listen to Indigenous peoples “in and on their own terms.”

Required Text and Readings:

- R. Miller, *Skyscrapers Hide the Heavens*, 4th Edition, Toronto: University of Toronto Press, 2018.
- Here's a link to the book from UofT Bookstore:
 - <https://www.uoftbookstore.com/adoption-search>
 - [E-book](#)
 - [Hard Copy](#)

Here's the link to purchase directly from UofT Press:

<https://utorontopress.com/9781487521752/skyscrapers-hide-the-heavens/>

You may purchase and download a digital version directly from UofT Press, the UofT Bookstore or from VitalSource <https://www.vitalsource.com/en-ca/products/skyscrapers-hide-the-heavens-j-r-miller-v9781487514495>

- All other readings will be available on the Quercus class site.

Evaluation:

Component	Weight	Details
Mid-Term (Week 6)	30%	In-class, short essays
Tutorial Participation	10%	Weekly engagement (Weeks 2–12) Essay prompt: What matters most to you, and why? Has learning more about Indigenous issues affected or influenced what matters most to you?
Final Essay	20%	800–1000 words, due end of Week 12 Note: Tutorials throughout the term are intended to support your thinking toward this question by providing space for discussion, reflection, and engagement

Component	Weight	Details
Final Exam	40%	with others as your understanding develops. Drawn from lectures, tutorials, and readings

Grading Scheme:

Undergraduate

Refined Letter Grade Scale	Grade Point Value	Numerical Scale of Marks
A+	4.0	90 - 100%
A	4.0	85 - 89%
A-	3.7	80 - 84%
B+	3.3	77 - 79%
B	3.0	73 - 76%
B-	2.7	70 - 72%
C+	2.3	67 - 69%
C	2.0	63 - 66%
C-	1.7	60 - 62%
D+	1.3	57 - 59%
D	1.0	53 - 56%
D-	0.7	50 - 52%
F*	0.0	0 - 49%

*F = Fail

Tutorials

Tutorials are a core component of this course and are designed to deepen engagement with lecture material and assigned readings through structured, small-group discussion. Beginning in Week 2, tutorials will meet weekly (no tutorial during Reading Week).

From the start of the term, students will be introduced to the final essay question:

What matters most to you, and why? Has learning more about Indigenous issues affected or influenced what matters most to you?

Tutorials provide an important space for working toward this question over the course of the semester. While tutorials are grounded in weekly readings and guiding questions, they are also opportunities to reflect—individually and collectively—on how the material intersects with your own values, assumptions, and sense of political responsibility.

Tutorials are not mini-lectures. They are spaces for conversation, interpretation, and shared inquiry, where students are encouraged to:

- test ideas in a supportive environment;

- listen carefully to others, especially when perspectives differ;
- explore how learning unfolds through dialogue, uncertainty, and reflection;
- begin making connections between course material and what *matters most* to them.

Tutorials are also an opportunity to get to know one another, including your Teaching Assistants, who play an important role in supporting discussion, learning, and reflection throughout the course. Think of tutorials as relational learning spaces—places where understanding develops not only through texts and lectures, but through sustained conversation with others.

Active participation includes coming prepared, contributing thoughtfully, and engaging respectfully with both peers and TAs. Speaking is important, but so is careful listening. Both are valued.

Course Policies:

Online communication policy: All correspondence should be by e-mail, either directly to me or through Quercus. Please put JPI201 in the subject line. I will try to get back to you as soon as possible. If you have not heard back from me in two days, please don't hesitate to send me another e-mail! Like you, I'm very busy during the semester. Teaching Assistants will have their own communication policies.

Notice of Video Recording and Sharing (Download Permissible; Re-Use Prohibited)

The lecture part of the course, including your participation, will be recorded on video and will be available to students in the course for viewing remotely and after each session.

Course videos and materials belong to your instructor, the University, and/or other source depending on the specific facts of each situation and are protected by copyright. In this course, you are permitted to download session videos and materials for your own academic use, but you should not copy, share, or use them for any other purpose without the explicit permission of the instructor.

For questions about recording and use of videos in which you appear please contact me.

Accessibility: The University of Toronto is committed to accessibility. If you require accommodations or have any accessibility concerns, please don't hesitate to see me during the first week of the semester. For more information

visit [https://studentlife.utoronto.ca/departments/accessibility-services/Links to an external site.](https://studentlife.utoronto.ca/departments/accessibility-services/Links%20to%20an%20external%20site).

Academic Advising: The best place to start for any questions or advice on academic matters is to drop into one of the College Registrars' Offices. Here's the

link: <https://www.artsci.utoronto.ca/current/academic-advising-and-support/college-registrars-offices>

Academic integrity: It is worth familiarizing yourself with the *Code of Behaviour on Academic Matters*. Here is the

link: <https://governingcouncil.utoronto.ca/secretariat/policies/code-behaviour-academic-matters-july-1-2019>. If a matter of academic integrity arises in this course – for example,

plagiarism – then we will follow university procedures, which are laid out on the Academic Integrity website <https://www.academicintegrity.utoronto.ca>

If you are in a crisis: The following resources should be used in these situations, depending on the level of urgency and severity.

- Any situation requiring immediate police, fire, or medical response to preserve life or property please call 911.

- Campus Safety can respond promptly to other situations. Campus Safety Special Constables are experienced in dealing with students.

Address: 21 Sussex Avenue

Non-Emergency Line: 416-978-2323

Urgent Line: 416-978-2222

- Support if you feel distressed: <https://studentlife.utoronto.ca/task/support-when-you-feel-distressed/>

Religious observances: This is from the university’s policy Religious Observances, Policy on Scheduling of Classes and Examinations and Other Accommodations: It is the policy of the University of Toronto to arrange reasonable accommodation of the needs of students who observe religious holy days other than those already accommodated by ordinary scheduling and statutory holidays. See <https://governingcouncil.utoronto.ca/secretariat/policies/religious-observances-policy-scheduling-classes-and-examinations-and-other> [Links to an external site.](#) Don’t hesitate to see me if you have any concerns or questions about observing religious or spiritual practices.

Statement on Generative AI

Generative-AI tools (such as ChatGPT and similar systems) are rapidly becoming part of how many of us read, write, and think — and as instructors, TAs and students, we’re still learning how to use them well. I want to treat this course as a place for experimentation, discussion, and shared learning around AI.

- You are welcome — and even encouraged — to use generative-AI tools as learning supports: to clarify concepts from lectures or readings, to brainstorm ideas, to sketch rough outlines, to help with structure or clarity in early drafts.
- But AI must remain a tool, not a substitute: all submitted work must ultimately reflect *your* thinking and engagement with course material.
- If you use AI in a meaningful way toward a submitted assignment, I ask you to note briefly (for example in a footnote or acknowledgement section) when and how you used it — this helps preserve transparency, trust, and fairness.
- In all uses — for study or drafting — treat AI outputs with a critical mind. AI can help generate ideas or simplify language, but it can also err, misrepresent, or reflect bias. Always check what it produces against original sources, especially when dealing with factual claims or quotations.

Think of AI not as a shortcut, but as a study partner or a sounding board. Together — collectively, as a class — we can explore how these tools might support genuine learning, while still honouring the course’s commitment to thoughtful, ethical, and respectful engagement with Indigenous issues and perspectives.

If you have questions or concerns at any point about whether a use is appropriate — don’t hesitate to ask.

Helpful Links & Resources for Students

If you want to learn more about university guidelines, best practices, or ethical uses of generative AI — here are some useful starting points (most relevant to you at University of Toronto):

- UofT’s guide: “[Using Generative AI Tools – Students](#)”.
- UofT Library’s page on [Citing Generative AI Tools](#) (how to credit AI assistance when used).
- UofT “[Teaching with GenAI](#)” page — for instructors/TA info on integrating AI thoughtfully into courses.

- A broader publicly available [guide](#) for students using generative AI in higher education, with “dos and don’ts” for responsible use.

Class Schedule

Week 1 (Jan 5 – Jan 9): Introduction and the Doctrine of Discovery

Lecture Topics:

- **Introduction to the course (go over syllabus)**
- **Valladolid Debate of 1550**
- **The Doctrine of Discovery**

Reading:

Must-reads:

- *Skyscrapers*, Introduction

Recommended Reading:

Skyscrapers, Part One: Cooperation

For a summary of the debate, see Dale Turner, [“Indian Identity in the Valladolid Debate of 1550”](#)

Further Reading for keeners:

Anthony Pagden, [“The Problem of recognition”](#) from *The Fall of Natural Man: The American Indian and the Origins of Comparative Ethnology*

Bartolome de Las Casas, [Selections](#) from *In Defense of the Indians*

Eduardo Andujar, [“Bartolome de Las Casas and Juan de Sepulveda: Moral Theology versus Political Philosophy.”](#)

Week 2 (Jan 12 – Jan 16): Creation of the Canadian State

Lecture Topics:

- **Royal Proclamation of 1763**
- **The British North America Act, 1867, Section 91(24)**
- **The Indian Act, 1876**
- **The Numbered Treaties**

Reading:

Must-Reads:

- *Skyscrapers*, Part Two: Chapters 6, 9, and 12
- RCAP, [“Conceptions of History”](#)

Recommended Reading:

Skyscrapers, Part Two: Chapters 5,7,8,10,and 11

Ken Coates, [“Gentle Confiscation: The Settlement of Canada and the Dispossession of the First Nations.”](#) from Paul Haveman, ed., *Indigenous Peoples and the Law: Comparative Perspectives* (Auckland: Oxford University Press, 1999), 141-161.

Week 2 – Thoughts on the Tutorials:

The following remarks will be shared by your Teaching Assistant in the first tutorial to help set expectations for discussion.

You already have the final essay question, which asks: “What matters most to you, and why? Has learning more about Indigenous issues affected or influenced what matters most to you?” You’re not expected to have an answer now. The point is that this question stays with us across the term.

Tutorials are spaces where you can begin thinking toward that question — not by being put on the spot, but by listening to others, testing ideas, and noticing how your own thinking changes over time.

These are not debate spaces and not mini-lectures. They are places for thoughtful conversation. Speaking is important, but listening is just as important, especially in a course that asks us to think about what it means to listen to Indigenous peoples in and on their own terms.

Your TA is here to support discussion, not to judge your views. Curiosity, respect, and a willingness to sit with uncertainty are far more important than having polished answers. With that in mind, let’s turn to this week’s guiding question...

Tutorial 1 Question: How do the Royal Proclamation and the Indian Act express different visions of Indigenous–Crown relations?

Week 3 (Jan 19 – Jan 23): White Paper Liberalism

Lecture Topics:

- The White paper of 1969
- The Red Paper: Citizens Plus
- The Canadian Constitution, 1982

Reading:

Must-Reads:

- *Skyscrapers*, Part Two: Coercion, Chapters 13 and 14
- Statement of the Government of Canada on Indian Policy 1969: [“The White Paper”](#)
- The 1970 Red Paper (pages 1-25): [“Citizens Plus”](#)
- [The Canadian Constitution](#) (especially Part II)

Recommended Reading:

Sally Weaver, [“The Problem”](#) from Sally Weaver, *Making Canadian Indian Policy: The Hidden Agenda 1968-1970*, University of Toronto Press, 1981. (If you are keen about this period in Canadian history, this book is excellent)

Dale Turner, [“White and Red Paper Liberalism”](#)

Tutorial 2 Question: What kind of liberalism does the White Paper represent, and how does the Red Paper challenge it?

Week 4 (Jan 26 – Jan 30): Canadian Constitution, 1982

Lecture Topics:

- Theory of Minority Rights (Will Kymlicka)
- Delegated v Inherent Rights Approaches to understanding Indigenous rights

Reading:

Must-Reads:

- *Skyscrapers*, Chapter 15
- Will Kymlicka, "[Justice and Minority Rights](#)" from Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Oxford University Press, 1996

For you film buffs, this is an impressive two part documentary on the Constitutional conferences that were mandated in section 37 of the 1982 Constitution:

Dancing Around the Table, Part One

Dancing Around the Table, Part Two

Recommended Reading:

Duncan Ivison, "[The Logic of Aboriginal Rights](#)", *Ethnicities*, Vol 3(3), 2003, pps. 321–344.

Darlene Johnston, "[Native Rights as Collective Rights: A Question of Group Self-Preservation](#)", *Canadian Journal of Law and Jurisprudence*, Vol 2 (1), January 1989, pps. 19-34.

Tutorial 3 Question: Does constitutional recognition transform or reaffirm colonial relations?

Week 5 (Feb 2 – Feb 6): Aboriginal Rights and the Supreme Court

Lecture Topics:

- *Calder v British Columbia AG* [1973] SCR 313
- *R v. Sparrow* [1990] 1 S.C.R. 1075
- *R v. Van der Peet* [1996] 2 SCR 507
- *Delgamuukw v. British Columbia* [1997] 3 SCR 1010

Reading:

Must-Reads:

- *Skyscrapers*, Chapters 16 and 17
- Case Syllabi for:
 - [Calder](#)
 - [Sparrow](#)
 - [Van der Peet](#)
 - [Delgamuukw](#)

Recommended Reading:

John Borrows, "[Frozen Rights in Canada: Constitutional Interpretation and the Trickster](#)"

Tutorial 4 Question: How do the courts balance universality and particularity in defining Indigenous rights?

Week 6 (Feb 9 – Feb 13)

Mid-term Exam (In class)

Week 7 (Feb 16 – Feb 20): Reading Week (No class)

Please watch two documentaries:

- Alanis Obomsawin, [270 Years of Resistance](#)
- Mark Zanis, [Acts of Defiance](#)

Guiding Question: Why was the Oka conflict a turning point in Indigenous–state relations, and how did it reshape public understanding of Indigenous sovereignty?

Week 8 (Feb 23 – Feb 27): RCAP, the TRC and UNDRIP

Lecture Topics:

- Royal Commission on Aboriginal Peoples (1996)
- Indian Residential School Settlement Act (2006) – Apology (2008)
- United Nations Declaration on the Rights of Indigenous Peoples (2007)
- Truth and Reconciliation Commission – Final Report (2015) <http://www.trc.ca/index.html>

Readings:

Must-Reads:

- James Tully, [“A Just Relationship Between Aboriginal and non-Aboriginal Peoples”](#)
- TRC, [“Honoring the Truth, Reconciling for the Future”](#) (pp. 1-133)
- United Nations Declaration on the Rights of Indigenous Peoples [Text](#)

For you film buffs:

Documentary of RCAP [No Turning Back](#)

Documentary on Reconciliation called *True Story* Part One

Tutorial 5 Question: Is reconciliation possible within the liberal state?

Week 9 (Mar 2 – Mar 6): Idle No More and MMIWG

Lecture Topics:

- Idle No More (2012)
- Missing Murdered Indigenous Women and Girls

Reading:

Must Reads:

- Idle No More (2012) <https://idlenomore.ca>
- [Executive Summary](#), The National Inquiry into Murdered and Missing Indigenous Women and Girls Inquiry – Report (2015-19) <https://www.mmiwg-ffada.ca/final-report/>
- Ken Coates, Preface and Chapter 1, [#IdleNoMore and the Remaking of Canada](#) (U of T Press, 2015)
- [Fact Sheet from NWAC](#)
- Sylvia McAdam, [Chapter on Idle No More](#)

These are Optional, but worth listening to:

YouTube Video: [Idle No More: Protest to Change?](#)

YouTube Video: [The Legacy of Idle No More put InFocus | APTN InFocus](#)

Tutorial 6 Question: What does Idle No More reveal about Indigenous political resurgence?

Week 10 (Mar 9 – Mar 13): Indigenous Resurgence and Grounded Normativity

Lecture Topics:

- **The Indigenous Resurgence Movement**
- **Grounded Normativity**

Reading:

Leanne Simpson, “Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships”

Leanne Simpson and Glen Coulthard, “Grounded Normativity”

Tutorial 7 Question: What does “grounded normativity” mean as a political practice?

Week 11 (Mar 16 – Mar 20): Indigenous Law

Lecture Topics:

- **Indigenous Law**
- **Professor John Borrows**
- **Professor Val Napoleon**

Reading:

Dale Turner, “On the politics of Indigenous translation Listening to Indigenous peoples in and on their own terms”

Tutorial 8 Question: What does it mean to “listen to Indigenous peoples in and on their own terms”?

Week 12 (Mar 23 – Mar 27): Indigenous Spirituality in Indigenous Politics

Guest Lecture (TBC): Blair Stonechild (Muscowpetung First Nation)

Lecture Topics:

- **Indigenous Spirituality**

Reading:

Selections from Blair Stonechild, *The Knowledge Seeker*

Tutorial 9 Question: What role does spirituality play in Indigenous politics today?

Week 13 (Apr 1): Course Reflections and Review for Final Exam

Final Exam Scheduled during Exam Week