

PLEASE NOTE THIS DESCRIPTION IS FROM A PAST YEAR. A NEW ONE WILL BE POSTED ONCE IT IS RECEIVED. SOME OF THE INFORMATION DISPLAYED MAY NO LONGER APPLY.

COURSE DESCRIPTION

Winter 2012

BASIC INFORMATION

Professor	Val Napoleon
	Office 431 Law Centre
	Telephone 780-492-7749
	Email: vnapoleon@law.ualberta.ca
Course Number	LAW486:B2
Course Name	Indigenous Legal Theory
Credits	3
Hours Per Week	6
Office Hours	Arrange appointments by email.
Schedule	Monday 9:00 am to 11:50 am
Classroom	Room 105
Maximum Enrolment	25
Method of Presentation	Seminar

DESCRIPTION

This course will introduce students to the non-state legal orders and law of several indigenous peoples with a primary emphasis on the Cree, Gitksan, and Anishinabek. Using a transsystemic pedagogical model, students will critically explore the theories and practices of indigenous legal traditions through analysis and substantive treatment of: indigenous legal cases; types of oral histories and traditions (as legal archive); interpretation, reasoning, and precedent; ontologies and cosmologies; and authority and legitimacy. The course will include a range of reading materials (e.g., law, legal anthropology, and legal theory) and for assignments students will have the option of writing a major paper or completing a series of short analytical papers throughout the course.

OBJECTIVES

1. To open up intellectual space in our legal, social, and political imaginations and to creatively explore indigenous legal traditions.
2. To develop and apply a conceptual framework for non-state decentralized legal orders, and to identify historic and contemporary legal issues.
3. To identify and draw on the intellectual legal resources in Gitksan, Dunne'za, and Gwichin legal traditions, including relationships, entities, principles, obligations, processes, and pedagogy.

4. To explore how legal information is organized, recorded, and expressed in indigenous societies such forms as oral histories, narratives, songs, dances, crests, art, ceremony, practices, memory archives, and kinship systems.
5. To develop practical reasoning skills necessary to indigenous law to contemporary problems and conflicts.
6. To critically, and with good humour, examine questions relating to internal tensions, power dynamics and relations of equality, contradictions, and change.

REQUIRED TEXTS

- Course pack.
- John Borrows, Canada’s Indigenous Legal Traditions (Toronto: University of Toronto Press, 2010)

EVALUATION

OPTION #1	You are required to write a weekly 700 – 1000 word paper.	90%
Short Papers	<p>The papers must involve critical, creative, and analytical engagement with the topics, materials, and readings for each week. The papers may include reflections that synthesize the various arguments and issues represented in class discussions and current events.</p> <p>The papers may include further exploration of issues dealt with in class. They may also explore contradictions, previous knowledge and attitudes, or draw deeper connections between the course topics.</p> <p>The papers will be evaluated on the following criteria:</p> <ul style="list-style-type: none"> • comprehension of subject matter, • critical analysis of classroom discussions and readings, • reflections on your own responses and reactions to the discussion and readings, • creativity and imagination, and • synthesis of issues. <p>Students are NOT required to provide a summary of the readings. These are not to be descriptive papers, but rather are intended to be about thinking and ideas.</p>	

Deadlines	<p>The short papers are due at the beginning class each week and are to be handed in directly to me.</p> <p>Late papers submitted without prior approval will have a 5 marks deducted for each day late.</p>
------------------	--

<p>OPTION #2</p> <p>Final Term Paper</p>	<p>Part 1: Thesis statement and brief introduction Due TBA</p> <p>The purpose of this thesis statement is to provide a fairly detailed introduction to your final term paper. In order to have a clear and concise thesis statement, you will need to have begun the researching and writing for the paper.</p> <p>Part 2: Final Paper Due TBA</p> <p>The final term paper must be analytical rather than descriptive and must be about some substantive aspect of indigenous legal traditions or legal theory. Avoid generalizations and work to be geographically and culturally specific. This paper must integrate some of the course topics and materials. The paper should be 4,000 to 5,000 words inclusive of footnotes.</p>	<p>90 %</p>
<p>Class Participation</p>	<p>Students are encouraged to engage in informed, creative, and critical discussion about the assigned readings.</p> <p>Students will be invited to speak to their papers as part of a round table discussion throughout the course.</p>	<p>10 %</p>

<indigenous legal theory course description march23-10.doc >