



COURSE DESCRIPTION - FACULTY OF LAW

COURSE NUMBER: LAW 590:B1

COURSE NAME: ABORIGINAL PEOPLES & LAW

PREREQUISITE COURSES: NONE

PREREQUISITE FOR: NONE

CREDITS: 3 **HOURS PER TERM:** 3 **TERM:** 2nd **MAXIMUM ENROLLMENT:** 20

PROFESSORS: CATHERINE BELL

METHOD OF PRESENTATION: LECTURE SEMINAR **X** OTHER

METHOD OF EVALUATION:

The **primary** method of evaluation in this course is a paper worth 70% of the Grade.

The remainder of the grade in the course will be made up of:

30% in consultation with class for breakdown between class presentations and attendance.

COURSE DESCRIPTION:

This seminar is a survey course on Aboriginal legal issues in Canada. It includes an applied research option which partners students with lawyers and Aboriginal organizations. The course will introduce students to:

- a) the legal and historical foundations of Aboriginal and treaty rights;
- b) the law regarding jurisdiction over Aboriginal peoples and their lands;
- c) Metis rights;
- d) the effect of the constitutional guarantee of aboriginal and treaty rights in s.35 of the *Constitution Act, 1982*;
- e) Aboriginal claims negotiation and litigation - practise and problems;
- f) the statutory rights of Indians within the *Indian Act* regime including the impact of those rights on the application of provincial laws to Indian reserves and Indian business organizations; and
- g) the concept of self-government.

Each topic will be accompanied by assigned readings. Guest speakers with particular expertise will be invited to participate in the seminar. Students will be required to present a case brief and, later in the term, aspects of their research papers.

***SPECIAL COMMENTS:**

EVENING CLASS:

Recommended Text: Tom Isaac, Aboriginal Law (U of A Bookstore) 3rd edition

REQUIRED TEXTS (IF ANY):