SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY SAULT STE. MARIE, ON

COURSE OUTLINE

COURSE TITLE:	Legislation I
PROGRAM:	Native Community Worker
CODE NO.	NSA 102-3
SEMESTER:	Three
AUTHOR:	Native Education and Training
DATE:	September 1992

NEW: REVISED: X

APPROVED:

DATE:

<u>IP. ''^.''IX</u>

Nid^an Koch Dean, School of Arts and General Education COURSE: Legislation I (NSA 102-3) Instructor: Maryanne Buswa

Page 2

PHILOSOPHY/GOALS:

The "inherent right to self-government" is quickly becoming a household phrase within communities In Indian country as we move into a new era of Canada's history and politics. This course will provide the students with an in-depth analysis of what Indian self-government will mean for future generations of First Nation people. As we look at the past and present systems of governing and how legislative acts have been a barrier to native self determination, the emphasis will be finding and understanding a link to customary Indian Law.

Duration: One entire semester for 3 hours per week

TEXTBOOK AND RESOURCES:

, , ^ ^ ^ ^, M/? fju o' / // ^ C ^ **∧_it_** ,''-J

Drumbeat: Anger and Renewal in Indian Country. Summerhill Press: 1989 (available in Campus Book Store)

References: <u>Pathways to Self Determination</u>, University of Toronto Press <u>Aboriginal Peoples and the Law</u>. Carleton University Press

Resources will include recommended readings as suggested by the instructor and any reference material will be made available in the Learning Resource Centre.

STUDENT PERFORMANCE OBJECTIVES:

The objectives of this course are to:

- 1. to provide an understanding of the development of band government and various legislative acts imposed on such governments
- 2. to become familiar with present day political and legal issues affecting native people such as land claims and the concept of self-government
- 3. to develop research skills and make analysis on the application and interpretation of laws affecting Anishnabe life

<u>TOPICS</u>

- 1. TREATIES
 - legal status (native and non-native perspectives)
 - treaties vs. federal/provincial laws in terms of hunting and fishing

2. INDIAN ACT

- historical development
- amendments/Bill C-31
- application to present system of government

COURSE TITLE: Legislation I (NSA102-3)

Page 3

3. BAND GOVERNMENT STRUCTURE AND FUNCTIONS

- elections vs. hereditary chieftainship
- powers of band council/by-law powers
- taxation (G.S.T. and P.S.T.)

4. LAND CLAIMS

- types and processes
- Supreme Court decisions on various cases, i.e. Sparrow, Agawa, etc.

5. SELF-GOVERNMENT

- constitution (First Ministers Conferences, Meech Lake)
- aboriginal rights (international law. Royal Proclamation)
- models of self-government in existence today

EVALUATION:

Attendance and Participation	20%
Written Assignments or Field Trip	10%
Mid-Term Test	20%
Project	30%
Final Exam	2Q%
TOTAL	100%

COLLEGE GRADING SYSTEM:

:=	90 - 100%	
=	80 - 90%	
:=	70 - 79%	
=	60 - 69%	
==	Under 60 (Must Re	peat Course)
	= := =	:= 90 - 100% = 80 - 90% := 70 - 79% = 60 - 69% == Under 60 (Must Rep

Students are encouraged to seek assistance from the instructor with their assignments.

- 1. Tests must be written on announced dates, unless there is proof of mitigating circumstances.
- 2. Late assignments will be accepted but marks will be deducted for lateness.
- 3. This course outline may be subject to change.
- 4. Students will be expected to write the mid-term test and final exam on the prescribed date.

INSTRUCTIONAL METHODS:

A variety of methods will be used including: lecture presentation, group discussion, audio visual presentation, guest speakers and field trips.