

Political Science Teaching and Settler-Indigenous Reconciliation:

A Report on POL484F/2026F, “Monitoring Progress Toward Reconciliation in Canada”
December 2019

Melissa S. Williams, Department of Political Science, University of Toronto
melissa.williams@utoronto.ca

After the Truth and Reconciliation Commission (TRC) issued its Final Report and 94 Calls to Action in June 2015, the Canadian Political Science Association constituted a Reconciliation Committee to explore the implications of the TRC Report for our discipline. In 2016-17, the CPSA Reconciliation Committee developed a plan of action, led by recommendations to (a) enhance teaching on Indigenous-settler politics and (b) to recruit political scientists to monitor governments’ progress toward meeting the TRC Calls to Action. The latter recommendation was framed as an interim measure by which political scientists could deploy their research skills to support and supplement the monitoring work that, pursuant to TRC Call #56, will ultimately be performed by the National Council for Reconciliation.

In 2018, I designed an advanced (upper-level undergraduate and graduate) seminar aimed at serving both the teaching and monitoring goals articulated by the CPSA, which I have now offered twice (in 2018-19 and 2019-20). This report presents an overview of the course’s approach and summarizes the research that students have produced.

Course Design

Taking inspiration from Peter Russell’s contribution to the CPSA Reconciliation Committee’s plan of action, “Monitoring Progress on the Road to Reconciliation,”¹ the course is designed around TRC Calls #43 and #44, to use the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as the framework for reconciliation in Canada. After introductory sessions on the TRC Report and the concept of reconciliation (and critiques thereof), the course guides students through the study of UNDRIP with a focus on three normative principles that are prominent in arguments for Indigenous rights: the *self-determination* of Indigenous peoples; the standard of *free, prior, and informed consent* (FPIC) as a condition of economic development on Indigenous lands and territories; and *treaties* as the foundation of the legitimate presence of non-Indigenous people in North America/Turtle Island. The course also examines key features of the Canadian state as it affects Indigenous peoples, including the Indian Act and Aboriginal rights as read through Section 35 of the Constitution Act, 1982. In 2019, the course also included a week on questions of self-determination for Indigenous women, with selections from the Final Report of the Inquiry on Murdered and Missing Indigenous Women and Girls (2019) and work by Indigenous feminist scholars.

The students’ principal assignment for the course is to complete an original research project aimed at monitoring a federal, provincial or municipal government’s actions in relation to

¹ Peter H. Russell, “Monitoring Progress on the Road to Reconciliation,” Paper presented at the Roundtable on Reconciliation, Canadian Political Science Association Annual Meeting, Ryerson University, Toronto (May 31, 2017). Available at https://www.cpsa-acsp.ca/documents/committees/Monitoring-the-Progress-Along-the-Road-Peter-H_-Russell.pdf

Indigenous people, using a metric of governments' compliance with UNDRIP standards. Students co-developed a common instrument for measuring government compliance, adapting Sheryl Lightfoot's approach in *Global Indigenous Politics: A Subtle Revolution* (2016). Lightfoot's method draws on prior work in the field of International Relations for monitoring state compliance with international human rights instruments. Her analysis proceeds in two stages: first, assessing states' *expressed commitments* to fulfilling UNDRIP norms; and second, assessing their *actual performance* in relation to those commitments. When states fulfill their expressed commitments, Lightfoot designates them as *compliant*. If they fall short of their commitments, they are *under-compliant*. If they exceed their stated commitments, they are *over-compliant*. In the course, students collectively developed a measure for compliance with the three focal normative principles (self-determination, FPIC, and treaties) by identifying a spectrum of interpretation for each, specifying minimalist and maximalist positions on each norm as derived from course readings and research materials. Each student prepares a Monitoring Report to accompany their final research paper, articulating the theoretical spectrum for norm interpretation that they used in assessing government performance, identifying the government's level of commitment, and analyzing government actions to yield a final judgment on compliance as well as an analysis of the trend of government policy (toward the minimalist or maximalist end of the normative spectrum).

Community Engagement

Because of its experimental nature, I did not seek to build a community engagement component into the course in the first year of offering it. In 2019-20, thanks to support from the Centre for Indigenous Studies, I reached out to the Justice Department at Six Nations to request their involvement in the course, to which they generously agreed. Thanks to financial support from the Faculty of Arts and Science and the Department of Political Science, the class was able to visit Six Nations, where they participated in a 2-hour presentation from the Director of the Justice Department. Students also visited the Woodland Cultural Centre to examine wampum belts as exemplars of the treaty relationships we were studying in the course. Three students chose to make the issues they learned about from the visit to Six Nations the focal point of their final research projects. Their final research papers will be shared with the Justice Department as an expression of gratitude for the knowledge they shared. Students have unanimously expressed their deep appreciation for the visit to Six Nations as a major enhancement of their learning experience.

Student Research Projects

Following is a list of the student research projects for each of the two years of the course. Taken together, projects include all three levels of government (federal, provincial, municipal) and all three normative principles (self-determination, FPIC, and treaty-based relationship). Some students have demonstrated remarkable ingenuity not only in their research design but also in their interpretation and operationalization of the monitoring framework.

2018-19

- *Tsilhqot'in Nation v. British Columbia* and the Status of Free, Prior, and Informed Consent.”

- “Trans Mountain Pipeline Decision: Reconciliation vs. Canada’s Economic Development.”
- “Do the Federal Principles Respect Indigenous Peoples’ Right to Self-Determination? Negative Evidence from a Qualitative and a Textual Analysis.”
- “Free, Prior, and Informed Consent in the Site C Dam Development Case.”
- “Does \$154.3 Million Help in Realizing Manitoba Métis Self-Determination?”
- “Nunavut: An Exemplary Case or a Cautionary Tale?”
- “Healthcare as a Treaty Right and Kinship Responsibility.”
- “Bill C-262: Towards the Implementation of UNDRIP as the Framework for Reconciliation in Canada.”
- “*Mikisew Cree First Nation v. Canada*: Impediment to Reconciliation”
- “Reconciliation within the Toronto District School Board.”

2019-20

- “The Federal New Fiscal Relationship: Advancing Indigenous Self-Determination?”
- “Repatriating Self-Determination? Potential Implications of Bill C-391.”*
- “Provincial Funding for the Six Nations Justice Department: Supporting Self-Determination?”*
- “Federal Responses to the MMIWG Report: Supporting the Self-Determination of Indigenous Women and Girls?”
- “The Role of Crown Prosecutors and Police Services in Supporting Indigenous Self-Determination in Criminal Justice.”*
- “The First Nations Land Management Act as Self-determinative for Indigenous Peoples.”
- “Free, Prior & Informed Consent and Ring of Fire Mining Development in Northern Ontario.”
- “Splitting INAC: An Advance toward Reconciliation?”
- “Federal Ownership of the Trans Mountain Pipeline: Progress Toward FPIC?”

* Research project inspired or informed by the class visit to Six Nations.