

Indigenous Peoples, Rights, & Environmental Justice

EAS 501, Winter 2022, University of Michigan, School for Environment & Sustainability
Mondays and Wednesdays, 11:30am-1pm (Online via Zoom Calendar Invites)

Links to the Major Documents

[Syllabus](#) [this document] + [Week by Week Units \(the schedule\)](#)

[Course Materials Folder](#) + [Zoom Recordings](#)

Templates for [Toolkit Creation](#) + [Course Activity Checklist](#)

[Channel and Circle Membership](#)

[Bios for Networking](#) [Voluntary, not officially part of the course]

[Book Club List](#) [Voluntary, not officially part of the course]

Course Staff

Contact Instructors:

Kyle Whyte

Professor
School for Environment & Sustainability

Means of contact:

Slack Direct Message

Email: kwhyte@umich.edu

Zoom personal room:

<https://umich.zoom.us/j/4570041717>

Meetings (Zoom only until 2/2/22; then hybrid)

<https://calendly.com/kyle-umich/general-meetings>

Malu Castro

Graduate Student Instructor (GSI)
School for Environment & Sustainability

Means of contact:

Slack Direct Message

Email: kmcastro@umich.edu

Zoom personal room:

<https://umich.zoom.us/j/95475261529>

Grader:

Gusti Rattling Hawk

Non-GSI Grader

Graduate Student

School for Environment & Sustainability

Means of Contact:

Communication about Rattling Hawk's grading/feedback must be directed to Whyte or Castro

About the Course

The course focuses on how Indigenous rights work in environmental justice advocacy.

The rights of Indigenous peoples are powerful policy, legal, and movement-building instruments for enacting agendas in conservation, food security and food sovereignty, environmental protection, climate change adaptation and mitigation, and sustainable development. At the same time, Indigenous peoples struggle against nations, institutions, and industries that willfully defy or strategically exploit Indigenous rights. Rights are among the major policy and legal instruments Indigenous peoples use in pursuit of environmental justice. Students of environmentalism, conservation, sustainable development and sustainable systems, and environmental justice ought to have practical knowledge of the history, current practices, and future innovations in the field of Indigenous rights. They must understand the contextual differences in rights law and policy in different places, and the institutions through which rights claims can be articulated and enforced. The course will be taught as a legal, policy, and movement-building primer, including in depth study of the history of Indigenous rights, key rights laws and policies in use in different parts of the world, including through the United Nations, and innovations in rights methodology by Indigenous peoples, such as the rights of non-human entities. The Indigenous rights-based content of the course will be discussed in relation to rights traditions of other groups, including people of color and people of the global majority.

Prerequisites

There are no prerequisites required; the course is for students at all levels of background in Indigenous rights.

Course Work

Students should approach any work in the course as an opportunity to learn the different dimensions of how Indigenous rights work. As a rule, the syllabus will include about 2 lengthy articles of preparation work per course session (or 3 or 4 shorter pieces). In some cases, there are readings that are brief samples of actual laws or policies. These readings could be just a sentence or two. Or student engagement with these readings could mainly involve students doing a word search for when and how terms relating to Indigenous peoples come up. Any exceptions to this rule will be flagged in advance. Each course session will have a reading guide done several weeks in advance. Students should read the reading guide before doing the readings. The reading guide serves as lecture-like material, which will enable the students and staff to devote their course session time to discussion, conversation, and exchange. The major assignment - **the toolkit creation project** - will have several milestone points for feedback during the semester. It will be the development of a personal toolkit for

assessing Indigenous rights issues and a brief case study. Students will have broad discretion in how they do this assignment. The goal will be for students to practice and receive feedback on the skills they are learning about Indigenous rights. The course will also involve several types of learning activities that students can engage in and are graded. In addition to what appears below, later in the syllabus are further details about how everything works in the course.

(1) Each student will have their own Google Drive file that the course staff also have access to. [Stay tuned for a Google drive invitation sent to your UMich email]. In the Google Drive file, students can (a) add their updates to their toolkit creation project and (b) write reflections (up to four times) on the course content. **There's a checklist document in the Google Drive file where students enter in which activities they've done.** The checklist helps the course staff to know when to provide feedback.

(2) Each student will be a member of a **circle**, or a group of about 5 or more students that converse together during the course and post their questions and discussion content to Slack (see next item). There's a template for circles each week.

(3) There will be a Slack workspace that all students and staff will be members of. [Stay tuned for a Slack invitation by email]. Additionally, each student will be a member of a **Slack channel**, and there will be weekly prompts that students may choose to respond to on their channels. Students can choose how many posts they would like to do over the course of the semester. Depending on what choices students make, they can do a minimum of two or a maximum of 8.

[Here is a link to where students can find out about what circles and channels they are in.](#) The link does not have any circles or channels set yet. That will happen in the fourth week of the course.

Course Strategy

The syllabus will have weeks on the major topics of Indigenous rights, with an emphasis on how organizers, lawyers, leaders, and others can take action to use rights instruments, policies, and concepts. In terms of types of uniquely Indigenous rights, we will cover inherent rights, treaty rights, constitutional and consultative rights, free prior and informed consent, and human rights (such as the United Nations Declaration on the Rights of Indigenous Peoples and the International Labor Organization's Convention 169). We will cover in detail how rights are implemented through direct action and land guardianship/protectorship, courts, laws and policies, conflict mediation and peacebuilding, divestment strategies and philanthropy, reconciliation, regulation and permitting, and movement building, among other skill-areas. We will spend time discussing the historical origins of different systems of rights many centuries ago and

how the histories ground and relate to current rights-based practices. There will be substantive attention given to Indigenous innovations in rights, including rights of nature, Indigenous legal orders, and responsibility-based protectorship and guardianship practices. Given the emphasis is on environmental justice, students will have opportunities to focus their learning on issues or situations that they have the most interest in and concern for.

Learning Goals

*The course is focused wholly on learning **how Indigenous rights work**.*

- Cultivate knowledge of (1) the history of Indigenous rights and (2) the relationship between that history and contemporary Indigenous rights practices and strategies.
- Develop usable knowledge for creating a personal toolkit for how to assess Indigenous rights issues in different parts of the world and plan Indigenous rights practices and strategies for taking action.
- Establish a clear understanding of how Indigenous rights are envisioned and operate within multi-cultural contexts.
- Gain experience collaborating in a professional environment with course staff through using commonly engaged project management software: Google Drive (and its suite of applications) and Slack.

Taking Care

As a course on Indigenous rights, certain subject matters are common.

- Each week we will discuss the successes and innovations in Indigenous rights. At the same time, Indigenous peoples fight for their rights in contexts and situations where they are suffering from severe harm, violence, discrimination, and genocide. Topics, issues, and examples of harm, violence, discrimination, and genocide are likely to be brought up by instructors and students at any time across all course communications, including during course sessions, through email, in office hours meetings, and on Slack, Google Drive, and Canvas.
- Learning about how Indigenous rights work requires engaging some historic writings and historic documents. Often such documents use language that we would find problematic today in different respects, including discriminatory, demeaning, and offensive language.

Notes on Supportive Practices for a Learning Community

Be about a vibrant, safe, and restorative learning community.

- Health comes first.
- Keep close to heart the goal of building a learning community.
- A learning community privileges collegiality, reciprocity, trust, consent, and mutual care. A learning community is safe, accountable, restorative, and forgiving.
- As best we can, organize our communications to support this goal of being in a learning community.
- In exchanges of constructive feedback with one another, we should commit to prefacing all constructive points with validating points first.
- All participants will take great care over their stewardship of their language and expression in communications. Communications can be harmful when they reference, connote, or implicate others' appearance, gender, ability, race, class, ethnicity, sexuality, indigeneity, and age.
- It's important to remind ourselves that our discussions about the course content are with persons with diverse and complex life experiences. For some students and staff, the topics and issues raised in the course are experienced personally and daily. For some students and staff, they are learning about the topics and issues raised in the course for the first time or in greater depth or heightened vividness. Individuals may have different emotional and intellectual responses to the topics and issues of the course. Individuals' immediate responses may change with further reflection.
- When we feel that someone else is calling us out, there's no pressure to demonstrate to everyone that we "know better". We'll be appreciated by everyone when we demonstrate explicitly that we're grateful for the call out and we'll be accountable moving forward.
- We'll do our best together as co-supporters in a learning community given the following realities: Awkwardness happens. Mistakes happen. Some days are just not our days. We're not always prepared. We misinterpret what we're supposed to do. We convey things we regret.

Zoom Protocol

Each student will receive a zoom calendar invitation for each course session, starting with the first three weeks of the course.

- Lead course instructor will turn their camera on 5 minutes before the course begins at the start time.

- Students are not expected to have their cameras on; however, students are welcome to have their cameras on as much as they like. In breakout rooms for circles, however, students are encouraged (not required) to consider having their cameras on given the circles are small group settings.
- Students and staff may use emojis.
- Questions, comments, and information should be posted to Slack (not Zoom). There are separate Slack channels set up (and named clearly) for the different types of questions, comments, and information. [This allows for any questions, comments, or information to be further addressed in writing on Slack by course staff and students]. Instructors may paste in **for emphasis** Slack questions, comments, and information into the Zoom comments function.
- When students post on Slack or their post has been responded to in the course session by the instructors, the instructors may check in during the Zoom session to see if an individual student wishes to state their post verbally and/or on camera. The instructors may also check in during the Zoom session to see if the original poster of a question wishes to follow up verbally and/or on camera to responses from students and staff. Students who wish to immediately follow up can post on Slack using the reply function.
- Students will be placed in Zoom breakouts for the circles.
- Refrain from using the Zoom comments function (unless students are sending direct messages to each other). If Slack is not working properly, please do use the Zoom comments function as a backup and let everyone know that is the case.

First Three Weeks of Class (before January 24)

The first three weeks of class (before January 24), have a different arrangement than the rest of the weeks before the last day of the course. There's no graded activity the first 3 weeks of the course. Students are not expected to have prepared in any particular way, though at a minimum students should review the reading guides for each day of the course. For the first three weeks, this is the protocol:

- Instructors begin the course session on time at 11:30 with welcoming and updates.
- Instructors review the syllabus and other important information (likely taking more time on the very first day of the course). Instructors will identify a Slack channel for questions about how the course works and respond to students during the course session.
- Instructors will shift to discuss the major course topics for the day, appealing to the reading guide for that course session. Instructors will emphasize the basic building blocks for understanding initial definitions, concepts, and examples of

Indigenous rights. Instructors will identify a Slack channel for questions about how the course works and respond to students during the course session.

- Course sessions will conclude with a randomized, 5-10 minute breakout room with 3-4 students each. Students in the breakout should introduce themselves with their preferred names, pronouns, program of enrollment at UM, and anything about their work and career interests they wish to share, and that may have a relationship to why a course in Indigenous rights is of interest.

January 24 and Beyond: Detail on How the Course Works

Each student will be engaged in the following activities throughout the course, and that relate to the grading system. For all activities, the goal should be learning how Indigenous rights work. All students should keep working, inquiring, revising, engaging, and sharing until they have reached full clarity!

January 24 and Beyond, Protocols for Each Course Session

11:25am: Instructors join with their cameras on.

11:30am: Instructors give any updates.

11:35am: Circles meet in breakout rooms and go through their protocol.

12:05pm: Instructors facilitate a discussion with students using the Slack channel.

12:50pm: Course session ends.

Major Documents

The course features links to 3 central organizing documents: (1) the syllabus document; (2) week by week units document (the schedule); and (3) the course materials folder (containing all reading guides and reading materials). These will be central, living documents that may be amended on minor points during the course. We request students work off of the live links that will be provided on Canvas and Slack, sent by email, and referenced at the top of the syllabus (these are all to the same documents and links). There are additional documents that are provided as well, including (4) a template of the toolkit creation project; (5) a Google sheet with circle and channel memberships; (6) some voluntary documents. One voluntary document is a Google doc with a template for each student to put in biographical information for networking. Another voluntary document is a book club list in Google doc form with links to new and older books that are relevant to Indigenous rights. These voluntary documents are just for anyone who wishes to engage them.

Flexible preparation

Each course session has a file associated with it that has (1) a reading guide; (2) PDF files to engage with; (3) an “additional materials/readings” folder. Check out the reading

guide first, which will serve as a mini-lecture into the materials, and will define key concepts and reading strategies. From there, engage the materials in the way that best suits your learning style and schedule. You are not expected to review anything in the “additional” folder. It is mainly a folder with primary and secondary documents that are helpful if you seek to dig deeper into the materials for your toolkit creation project or any other purpose.

Hive Learning

The course learning community benefits greatly from the experiences, perspectives, and wisdom of all students and instructors - hive learning. Fostering a collaborative learning community should be our major procedural goal for attaining the course goal of learning how Indigenous rights work. The three hive learning processes below are ones students should expect to engage in weekly.

Google Drive File

Each student will have a Google drive file that has the following contents. (1) An activities (grading) checklist; (2) a Google document with prompts on the toolkit creation project; (3) a Google file for storing documents, drafts, and other materials related to the toolkit creation process; and (4) Google document for reflections. Students can make the folder their own, and use the **shortcut function** in Google Drive to add the syllabus, week by week units, and course materials files. The Google Drive file allows course staff and students to have active exchanges that support positive feedback and revision.

Major Activities for Google Drive: When you complete an update to your toolkit, complete a reflection, or make a community post, go into the checklist document and check that you’ve done so. That will prompt the instructors to give feedback. Course staff will respond using the comments function, and may ask for revision.

Slack Workspace

The course will have a Slack workspace that is actively used. Students will have opportunities (some of which are graded) for making posts and responding to posts on Slack. Each student will be a member of one of four channels that they can make posts on that are graded. There will be prompts each week for what students can post on these channels. The students can reply to the prompts. For students who are not comfortable posting on Slack in terms of the graded posts, the students can create a separate document in their personal Google drive folder that only the instructors can access. Students who choose this option should clearly reference whether the instructors have permission to post an anonymized and depersonalized version of the private post to the community Slack workspace. We do encourage everyone in the course to move toward,

as best possible and if feasible, a situation where each of us is comfortable posting to and responding on Slack.

Major Activities on Slack Workspace: [Know what channel you are part of and watch for the Monday prompts on the channel. If you're feeling up to it, you can respond to the prompt, which will count for a community post.](#)

Circles

The course intends to include opportunities for dialogue and mutual learning about the course materials. Students will be part of circles with roughly 5 other students during the semester. Each circle will last about 5 weeks, so there will be 2 circles that each student will participate in during the semester. Circles meet each Monday and Wednesday during class. Circles will post a summary of their discussion to the Slack thread for that class day. Students will start class in their Circles for twenty-five minutes to discuss the readings and come up with questions that they want to share with the class for discussion (and posted on Slack). At the beginning of each course session, there will be 5 minutes of course updates and welcoming remarks. From there, students will join their circles. In them, students will work out questions to bring to the entire body of students and instructors via Slack, provide support to one another on their toolkit creation, and have further discussion about the reading materials. Each circle will last about 5 weeks, so there will be 2 circle groups that each student will participate in during the semester. The circles get started after the third week of the course.

Course Session Circle prompts starting January 24:

Select a facilitator for the first session starting with the person whose preferred name (as listed on zoom) starts with letters closest to the end of the alphabet. The facilitator will then guide everyone through the questions below. It is okay for students to dialogue and respond to one another. The facilitator should just make sure all the timing is working out in the exchange.

[First Meeting of the Circle]

- For the first meeting of a circle (which will happen twice during the semester), the facilitator should orchestrate introductions, where each student discusses their preferred name, their pronouns (if students choose to share them), the particular program they are enrolled in at UM, and any brief things that they would like to share.

[For All Meetings of the Circle, cover the below prompts]

- What in the course materials for today is the most provocative in terms of understanding how Indigenous rights work? This question seeks to prompt

sharing on what information, definitions, concepts or case examples from today's course materials seem to shed further light on how Indigenous rights work.

- What questions should be brought up to the course student and staff body for consideration? Perhaps see if there's consensus on one or two questions.

[Try to cover this prompt below at least every three course sessions]

- Do you have any ideas or work you've done on your toolkit creation project? Are there any good pointers or challenges anyone would like to share that would be helpful for making progress on their toolkit creation?

Major Activities for Circles: [Know what circle you are part of](#). At the beginning of each course session after the 5 minutes of introductory material, be ready to be shifted to a Zoom breakout room,

Grading and Activities (Slack/Google Drive)

Students can perform up to 10 activities chosen from any of the three buckets below to receive feedback.

Community Posts	Toolkit Creation	Reflections
<p>Total Number = 8 Community posts will start being sent out on Slack starting on the 4th week of the semester.</p> <p>Prompts will be available Monday morning and close Thursday morning.</p> <p>Students must submit their post to their assigned channel by the deadline to receive feedback. Posts can include any addition to or expansion on the prompts (e.g., paragraphs, videos, images).</p>	<p>Total Number = 4 A basic document that provides guidance on how to assess Indigenous rights issues. The guidance document can be used to prompt how students, in their careers, create practices and strategies for Indigenous rights advocacy. The toolkit will include assessment guidelines, resources, and a case example.</p> <p>Updates must be in by the deadline to receive feedback.</p>	<p>Total Number = 4 At four points during the semester, students can submit a reflection on the course and their experiences in it. A reflection prompt will be in the personal Google file.</p> <p>These reflections can be written or recorded. Reflections must be in by the deadline to receive feedback.</p> <p>Feedback will be focused on dialoguing with the student.</p>

Feedback based grading

Student grades will be based on receiving and responding to feedback. To receive full credit in the course, students must engage in a minimum of 10 activities and respond to

any requests from instructors in the feedback. Students have 16 overall opportunities to engage in activities for feedback over the course of the semester. Students are free to choose which activities they choose to take. If a student engages an activity for each opportunity they will receive feedback even if they have already reached the minimum 10.

All activities will be reviewed for feedback based on the general rubric below:

General rubric

- [RG1] The improvement of the impacts of student actions on the community of learners. The quality of the students' work must reflect having attended all course sessions, including ensuring that their work operates at the cutting edge of discussions on Slack, Google Drive, and Zoom.
- [RG2] The intentions of the makers of course materials (the authors and artists, among others).
- [RG3] The facts of the course content.
- [RG4] Best practices for working in multi-cultural exchanges.
- [RG5] Informed interpretations of the course materials presented in the course by course staff.
- [RG6] Good faith first interpretations that indicate careful early review and attendance in the course sessions.
- [RG7] The full extent - as judged by course staff - of a student's potential to engage meaningfully in communication, including clarity, precision, patience, and rigor.

Final Grades

The numbers below refer to activities that either did not require a revision or ones that did, and the student responded to.

4.0:	10+
3.5:	9
3.0:	8
2.5:	7
2.0:	6
1.5:	5
1.0:	4

Each student will have a checklist that they maintain, and that the instructors have access to through the students' file.

Attendance

Attendance is required in the course. Students will have access to the recordings of the Zoom sessions unless the instructors have decided against sharing certain sessions. Students who miss course sessions need not let the course staff know in advance. However, should a student begin to miss more than 2 course sessions, course staff will reach out directly to check in on the student. Or if a student's submitted activities reflect not having attended, it may be challenging for that student to respond to staff requests for feedback.

Critical Policies and Resources

Rackham Academic and Professional Integrity Policy

<https://rackham.umich.edu/academic-policies/section8/>

Course Recordings: Instructor Wishing to Record Course Activity

Course lectures may be audio/video recorded and made available to other students in this course. As part of your participation in this course, you may be recorded. If you do not wish to be recorded, please contact kwhyte@umich.edu the first week of class (or as soon as you enroll in the course, whichever is latest) to discuss alternative arrangements.

Course Recordings: Instructor Wishing to Prohibit Student Recordings

Students are prohibited from recording/distributing any class activity without written permission from the instructor, except as necessary as part of approved accommodations for students with disabilities. Any approved recordings may only be used for the student's own private use.

Additional information regarding course recordings and privacy concerns can be found on the UM ITS Recording and Privacy Concerns webpage.

Disability Statement

The University of Michigan is committed to providing equal opportunity for participation in all classes, programs, services and activities. Requests for accommodations by persons with disabilities may be made by contacting the Services for Students with Disabilities (SSD) Office located at G664 Haven Hall. The SSD phone number is 734-763-3000. Once your eligibility for an accommodation has been determined you will be issued a verified individual services accommodation (VISA) form. Please present this form to me at the beginning of the term, or at least two weeks prior to the need for the accommodation (test, project, etc...).

Mental Health and Well-Being

Students may experience stressors that can impact both their academic experience and their personal well-being. These may include academic pressures and challenges

associated with relationships, mental health, alcohol or other drugs, identities, finances, etc. If you are experiencing concerns, seeking help is a courageous thing to do for yourself and those who care about you. If the source of your stressors is academic, please contact me so that we can find solutions together. For personal concerns, U-M offers a variety of resources, many which are listed on the Resources for Student Well-being webpage. You can also search for additional [well-being resources here](#).

Sexual Misconduct Policy

Title IX prohibits discrimination on the basis of sex, which includes sexual misconduct — including harassment, domestic and dating violence, sexual assault, and stalking. We understand that sexual violence can undermine students' academic success and we encourage anyone dealing with sexual misconduct to talk to someone about their experience, so they can get the support they need. Confidential support and academic advocacy can be found with the Sexual Assault Prevention and Awareness Center (SAPAC) on their 24-hour crisis line, 734.936.3333 and at sapac.umich.edu. Alleged violations can be non-confidentially reported to the Office for Institutional Equity (OIE) at institutional.equity@umich.edu.