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***Final Report - Traditional Dene Justice
Project***

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FINAL REPORT

TRADITIONAL DENE JUSTICE PROJECT

LAC LA MARTRE, NWT

1993

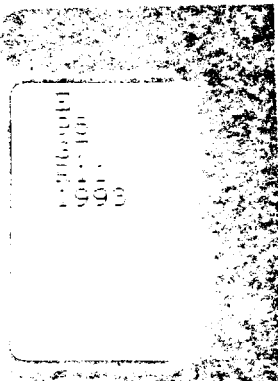
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TO THE PEOPLE OF LAC LA MARTRE

MAHSI CHO

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OVERVIEW

The **Dene Traditional Justice Project [DJP]** was a joint venture of the Dene Cultural Institute [DCI], the Arctic Institute of North America [AINA] and the **Lac La Martre [LLM] Band Council**.

Major funding was received from the Social Science and Humanities **Research Council** “ [SSHRC] and the GNWT Department of Justice. Additional funds were received from the Canadian Employment and Immigration Corporation, Justice Canada and the GNWT Department of Culture and Communications. The project had a **Principal Investigator [PI]**, a project Director [PD] and four staff positions; three staff were eventually replaced by two others, The money for the remaining position was used to pay for external translation of interview tapes.

The methodology used for the project is participatory action research [PAR] which means that the community owns the project and assumes responsibility for it from start to finish. This responsibility was assumed by a Community **Advisory Committee [CAC]**.

The CAC was composed of four elders and one representative each from the Hamlet and the Youth Group; the Chief represented the Band Council and was the chairman of the Committee. This Committee made all decisions about personnel, helped evolve the interview **guideline** concepts and terminology, and participated in verifying the results of **interviews** provided by the Pi.

A **Technical Advisory Committee [TAC]** was also formed to ensure the project stayed on track and remained relevant. The TAC was formed from representatives of interested agencies involved in justice issues. It was chaired by the Executive Director of DCI.

The research on traditional justice was based on the following assumptions: That the Dene:

- 1] had a system of rules for making sure the society worked in an orderly way at all times;

- 2] passed down these rules from generation to generation orally;
- 3] had ways of enforcing the rules;
- 4] had ways of dealing with individuals who did not follow the rules, or who broke them.

These assumptions proved to be true. The “rules” had the intent and spirit of **the** “law”.
¹The **Dene** did not “codify” their rules **and** they were not written down. However, they varied from formal to informal and offenses ranged from minor to major.

Rules for stewardship -- maintaining **lands**, animals, plants, spirits and **people in** balance -- were clear, and very important, since survival depended on reciprocal **relationships** with the human, animal and natural worlds.

Rules for “**living** together” included marriage **rules** and outlined responsibilities of adults and youth. The major ones were **concerned** with passing the rules down to **children** who would eventually take over stewardship.

Rules for political organization made it clear who made which decisions, when and how,

We have described these rules for discussion under the headings of **Natural** Resource Rules, Family Rules and Rules for **Local** Government even though the Dene system is holistic and completely intertwined.

Traditionally, rules were made by the **elders** who made their decisions by consensus. Rules were changed, or new rules were developed by elders, as situations changed. Leaders had the responsibility to make sure that the **rules** were followed and the chief and* head men **could** ask for the assistance of the medicine **people** if they **needed** help.

It is **clear** that rules were taught to children early, that is from about five years of age. These teachings came in several forms: direct advice, observations and stories. Children assumed responsibilities early for small chores and by age ten were expected to be working members of the family unit.

Physical punishment was common if children did not obey or respect parents and elders. **Stories** told during interviews **included** many memories of being hit with a willow stick

¹I do not use the term “**law**” in the text in order to avoid confusion with the western system of legal concepts and values. Instead, the term “**rule**” is used.

and being forced out into cold, dark winter mornings to get dry kindling if one had not done it the night before.

It is also clear from the interviews that the rules were different for males and females which resulted in different expectations and behaviour of each. For example, young boys approaching puberty were taken out on the **trap** line by male relatives and while there was some harshness in training, and some boys went out on the land alone to seek spiritual guidance and power, there were also companionship, food and warm tents.

In **contrast**, young girls upon reaching puberty were isolated in menstrual **tipis** alone and collected their own wood, water and sometimes food. This isolation is remembered by some women as "abandonment-; **others described** their loneliness and discomfort. **While** some claim the experience made them "strong" and connected them to the spiritual world, - others do not feel that it did so for them, especially the one elder who was left for almost a year on her own. In many cases, hpis were set **close** to the main camp and **grandmothers, mothers** and sisters visited, thus reducing the sense of isolation and also teaching the young woman many things.

People lived in small **groups** in traditional times. Therefore, any breaking of the rules was known by the whole camp very **quickly**. Minor breaches, such as stealing bannock, were dealt with by ridicule. In the **examples** we have, an effective **deterrent** was to pin the **bannock** to the person's jacket for a day during which everyone laughed at him/her.

If a person stole from a trap, he had to admit to the theft and replace the fur with one of equal or higher value. Such an offense was handled by the headman [the kawQ]², the senior male in camp.

If more serious crimes were committed, they required a gathering of the total **local** group which placed the individual in the middle of the circle and discussed ways of dealing with the matter so that family and group harmony could be restored. Serious crimes included rape, adultery, divorce and impregnating a young unmarried woman.

²The terms **kawQ** and **yabahti** are used for head man and chief in order to avoid confusion with the elected chief and council after 1921.

There was no concept in traditional times of “not guilty”. People **knew** who had done what, waited for the victim to complain, waited for the offender to admit guilt and then dealt with the person as appropriate. The process required **consensus** among the adults, both male and female, and **focussed** on restitution toward the victim as well as reconciliation, and the restoration of group harmony.

Once the matter was **dealt** with, it was over and was not mentioned again. Survival depended on the goodwill and co-operation of families and breaking the rides created disorder and imbalance, which was seen as dangerous for the group as **well** as for individuals.

The **report** provides many more details of the three areas of rules which we asked about **and** also **provides** some case examples of current attempts by the people of **Lac La Martre** . [LLM] to take responsibility for a custody case and a major case of theft.

We turn then to the question whether what we have documented about Dene traditional rules, with specific reference to the Dogrib people, might provide some directions and new ideas for the Dene people to take **back**³ responsibility for their own ways of social control now. The answer is yes and no.

Many of the practices from the past cannot address current problems. However, if the values attached to those practices could be **reclaimed**, and new **practices** built on them, then it could work. For example, if the value of respect for elders could be taught to young **people** in effective ways, then the knowledge of elders could inform youthful **behaviour** in ways which would be acceptable to both. However, if the elders sit in * judgment of youth without mutual respect, then youth **will** not **listen** nor act appropriately, i.e. they will be “**non-compliant**”. If generational bonding could be restored, many of the judgments might be **unnecessary**.

Other values identified which could provide the basis for contemporary social control include spiritual beliefs connected with the animal world and the land, self-discipline, self-reliance, sharing with others, caring for others and a sense of group identity.

³ The term “take back” is one used by the **Dogrib** people to indicate that they feel their responsibilities were taken away from them by **non-Dene** and they now wish to reclaim them. It does not imply that such responsibilities were ever given up voluntarily, or willingly.

There has been considerable discussion by people in **the non-Dene** justice system and by the Royal Commission on Aboriginal Affairs National Round **Table** on Aboriginal Justice about “adaptations” that would make the **non-Dene** system better for aboriginal people. Our research, and the **report**, does not take that approach although it would not be difficult to see what adaptations could be made if desired.

However, the view of the LLM elders and leaders is that they **do** not wish to adapt; they want to **re-establish** their own system. “Adaptations” tend to neutralize energy and motivation because they do not reflect either side’s **central** views. Putting brown faces where white ones **used** to be⁴, to do things in essentially the same ways does not lead to change, nor does it give legitimacy or authority to Dene ways of doing things.

The **real** challenge is to find ways of taking the positives from the past and to make them work for the future. **There** is some rationale for this because it means **all** community members have the opportunity to design a **Dene** system and make it work; therefore, they will take on that work and responsibility. We explore such alternatives within the report itself.

There are **two** major recommendations which emerge from the report and which are discussed at length within it.

1] If the LLM people want to take back responsibility for social control, the adults have to start by taking back personal responsibility for **themselves**. This means that individuals need to attain a permanent state of sobriety. This requires a healing process which will allow for children and youth to meet together to heal, and there should also be women’s groups and men’s groups. At some point, children and adults will have to deal with each other.

To be an abuser of alcohol, whether daily or occasionally, is to be disconnected from one’s self. This also breaks connections to others and results in a failure of adults to - protect children and to help them learn and grow. Alcohol abuse also leads to abuse between adults especially the abuse of women by men. Every woman interviewee

⁴For example, having aboriginal people as Justices of the Peace does not mean the system they use is aboriginal; on the contrary, it remains a **non-Dene** court system.

reported abuse by men over the years, often experienced when they were young girls and women.

In **traditional** times, there were reasons for punishment by physical **means**. **People** stated that there was a connection between a youth's or woman's failure to act in the right way, or to fulfill responsibilities to husbands, which endangered the safety of the group. Such acts were punished harshly in order to **teach** the person how to do things **properly**. In current times, that connection is not there and alcohol is often the trigger that unleashes physical violence, that has no context. In the **past**, few young women **were** sexually assaulted because they were protected by their parents **and/or** husbands. Current] y, alcoholic adults provide no such protection.

The **recommendation**, therefore, is that alcohol abuse be treated like the epidemic it is. We suggest a team of native healers be invited in and that they work with families, youth, men and women until things start to stabilize. Once personal responsibility is reclaimed, then people can take on community responsibilities for justice.

It should be noted that the implementation of this recommendation likely will **decrease non-Dene** court activities since almost **every** single adult crime involves the abuse of alcohol. It will also require the establishment of a **Dogrib "judgement"** circle and a healing **process** with the goals of restitution and reconciliation for dealing with past abuse, if people are to be free to disclose some hidden assaults, especially those which involved children.

2] The second recommendation addresses the issue of pulling the community together in order to reach consensus about what a **Dogrib** justice system should look like. As noted above, youth and elders need to **reconnect**; the middle generation needs to connect with **both** young and old. Leadership needs to be able to negotiate among groups and establish ways of dealing with offenses ranging from minor to major.

This process could start while **recommendation** one is taking effect; it will take time and education and discussion. It might be useful to have an external facilitator to help put this process in **place**, to work through the **report** with community members and to identify values which could lead to innovative ways of maintaining local **social** control. If available, the two **Dogrib** researchers could be responsible for this work **once** a process is

identified and agreed to by the **community**. A pilot justice project could then be put in place and should be **evaluated** at the end of two years.

The major findings and recommendations in the **report** were verified at meetings with elders and in public community meetings in **Lac La Martre**, Rae Lakes, Snare Lake, **Rae-Edzo**, **Ndilq** and **Dettah**. As a result of **these** community meetings, we are able to say that there is a regional consensus on the **data**. All communities wish the **Lac La Martre** people **success** in implementing the recommendations and wish for similar programs in their own communities.

Research Team: Marie Adele **Rabesca**, **researcher**; Diane Romie, **researcher**; **Aggie Brockman**, project director; Joan Ryan, principal investigator.

Community Advisory Committee: Chief **Isadore Zoe**, **chairperson**; Elders Johnny Bishop, **the** late Menton **Mantla**, Alexis **Flunkie**, Marie Adele Beaverho, Sophie **Williah**; Hamlet representative Albert **Nitsiza** / Joseph Moosenose; youth representatives Richard **Charlo** / **Georgie Mantla**.

DOGRIB OVERVIEW

Dene Cultural Institute, Arctic Institute eyits'q Tsòtì Kw'ahtideè giniht'èkò hazhò efets'agìdi t % di Dòsqòtì Nàowo kèè Dòsiniyati ghò niht'è gùt'è hq'e.

Social Science and Humanities Research Council eyits'q GNWT Department of Justice samba de?òat'q nègìla. Wedè si samba t'à gets'hg~di sii Arctic Institute, Dene Cultural Institute, Canadian Employment and Immigration Canada, T'ìchò Nèk'e Niht'èkò Gogha K'ade, GNWT culture and Communications eyits'q Justice Canada gets'Q samba giqzah. Wedè si edeghalagiidedòò eyits'q dò t'q la xà 7a t'à gogha eghàlagìdà hq'e.

Di niht'è k'e eghàlagìda gha sii Godi Xàeta ts'ò K'àowo (PI) gòòtì, Niht'è Gogha Sii?ì Dò (PD) gòòtì eyits'q dò dì gogha eghàlageda; dò tai t'axò dò nàke agejà. Dò t'è wet'axò gòò?ò si, eyi samba t'à goyati-ichii etagìti sii ts'ageèdi hq'e.

Dò hazhò efets'agìdi t'à di niht'è k'e eghàlada hq'e. Kòta ts'Q dò niht'è ts'ò k'agede ne t'à kèhòòwo gets'q niht'è nahòt'e gets'~ ededì niht'è k'e eghàlageda hq'e. Kòta Gogha K'eyagehti k'e Geèkw'e (CAC) gik'e eghàlagìdà hq'e, kw'ahtideè gogha dahchì k'e idà.

Kòta Gogha K'eyagehti k'e Geèkw'e sii Q h d a h dì gik'eèkw'e eyits'q Kòta ts'ò K'ade gets'Q dò t'è goxè wheda eyits'q Cheko Geèkw'e gha si dò t'è wheda and Kw'ahtideè si gota wheda. Di Kòta Gogha K'eyagehti kc' " Geèkw'e sii dò gogha eghàlageda-ha sii ts'ò k'agedè hq'e; dànì dò dats'ehke-ha, dànì etats'ehti-ha eyits'q dànì y a t i ts'ehtsì-ha, eyits'q Godi Xàeta ts'ò K'àowo (PI) niht'è etagìti gets'Q nèyìla si wek'e efet s'agedi t'à ehkw'i whela ageh?ì, hani la hazhò gits'ò k'agedè hq'e.

Dànì Niht'è Weghàlada K' e Geèkw'e (TAC) si hòetì hq'e; niht'è dàawha ts'ò wek'e eghàlageda-ha eyits'q ayii ghò aget'ì si eyi zò wek'e eghàlageda-ha, hogehdi hq'e. Dànì Niht'è Weghàlada K'e Geèkw'e (TAC) gùtì sii edeghalagiidedòò got s'ò dò ichii, hani-le-ndè dòsiniyati nàowo gha eghàlageda sii gets'Q dò ichii hq' e. Dene Cultural Institute gets'Q k'aowo t'è gogha dahchì k'e wheda.

Dosqòfı Nàowo kèè Dosıniyati gha godi ehtèts'ele kò di hats'ıwq t'à wek'e eghàlats'ıdà hq't'e: Dqne sii

- 1) dat s'q nezı efexè nàgedè gha nàowo edegha giit'ı ìlè hq't'e;
- 2) nàowo t'à geda sii edezha ghàgogehq, hanı dq efet f'axqedè;
- 3) dani dqne nàowo k'èagıt'e agogehq ìlè;
- 4) dqne nàowo k'èagıt'e-le, nàowo k'egızhıi nide dani gighàlada ìlè;

Dqne edegha nàowo giit'ı ts'ıwq ìlè sii ehkw'ıats'ıwq hq't'e nqò. Nàowo giit'ı sii "Law" lanı, dqne nezı efexè nàde eyits'q wet's dq edexogihdi si gha hòeı. Nàowo xàza t'à gist' ~ sii fàa nihtf'è k'e dek'enègıttf'è nile. Hanıkò "laws" lanı nàowo xàza t% gıdà ìlè, nàowo whohda dats'q efèet'e weghàlada, whohda efèet'e weghàlada-le; eyits'q dqne ekq-le hogèhtsı sii ıhk'è nechàlia, ıhk'è nechà.

T'asii hazhq hots'ehdi nàowo sii dqne hazhq gik'èezq xè wet'a7a de e hq't'e. Ndè nezı wek'èts'edi, tich'adi, ık'q eyits'q dq si, hazhq nezı gihots'ehdi nide eyi efets'ih7ò edets'eda-ha di-le agot'ı hq't'e.

Efexè ts'eda nàowo sii hots'et'ı nàowo weta whe7q hq't'e, qhdah eyits'q cheko ayii la gits'q-ha sii gha nàowo gehtsı hq't'e, nàowo denahk'e wet% 7a deè sii chekoa ghàgogehq. Nqde nidè chekoa ededı t'asii hazhq hogihdi agede-ha ne t'à.

Eyits'q dq gha k'ade gıı gigha si nàowo gòqfı hq't'e; ame gogha nàowo ehtsı, dani nàowo ehtsı eyits'q dàat'e nàowo whohtsı sii dq hazhq deghàa gik'èezq-ha ne t%. Di nàowo weghq gets'~de sii nihtf'è Natural Resource Rules, Family Rules eyits'q Rules for Local Government k'e dek'èet f'è hq't'e.

Whaedqò k'èè eghàlageda kò qhdah gıı sii dq hazhq efek'èagıwq nide nàowo gehtsı ìlè hq't'e. Gixè efadı nèhòkw'i nidè qhdah nàowo fadı gehtsı hanı-le-ndè nàowo-gò gehtsı. K'ade gıı sii dq nàowo k'èagıt'e-ha eyi gitf'a whe7q hq't'e. Kw'ahtideè eyits'q k'ade gıı sii dq ık'q-elı got s'adi-ha gıwq nidè dagehke.

Chekoa negechàlia-t'i sılai gighò laattq gets'Q nàowo hoghàgogehq deghàa wek'èts'eèzò ats'ejà. Chekoa ghà-yati-gi7à t'à hoghàgogehq, godà t'asii hogèhtsı t'à hoghàgogehq, eyits'q goxègogedo si t'à hoghàgogehq. Chekoa fàa negechàlia-t'i la nechàlia eghàlageda

agogehʔɪ eyits'ɔ hɔ̀no gighòo aget'ɪ nide edèot'ɪ xè eghàlageda-ha dì-le agogɪhwhɔ.

Cheko a edèot'ɪ eyits'ɔ qhdah k'èagɪt'e-le xè gets' ~ nezɪ nageʔa-le nidè gikwòq xèʔiidi ɪlè hɔt'e. Doyati liichi kò xenagedi ɪq t'à Dɔ goxègogɪdo; dɔ ɪfè t'à hadi goxègodo, ɪxè to k'è wet's nagots'iitɪa nàgehtsɪ-le nide k'òkw'ɪɪ t'à nàgogehkwa, mòht'a k'omodɔ edzah kò to yii xàgogehʔà, di.

Eyits'ɔ dɔ goxègogedo t'à nàowo dɔzhii gha eyits'ɔ ts'èko si gha efèet'e nile, efèet'e eghàlageda-le t'a eyits'ɔ efèet'e k'ehoge ʔa-le si t's, eyi deghàa wek'èets'ezɔ ats'ejà. Dɔzhia dɔzhii gɪtèe ha nide gèot'ɪ, dɔzhii gɪɪ si goxè ehdzo ts'ò gogewa. ɪhk'è hoghàdegetɔ k'e geèkw'e sii gigha dii kò dɔzhia wòohda whatsɔ dechɪni edegha t'asii niegi kaniwɔ, dànɪ yet's eda-ha eyits'ɔ dànɪ dɔ nàtso elɪ-ha sii kaniwɔ. Giagɪɪ goxè aget'ɪ, mbò si edèxè k'egele eyits'ɔ tɪ 'qhmba gòkòq yii nagete.

Ekò ts'èkoa t% gixe hagòqt'e-le, ts'èko-qhdah gɪtèe-ha nide ts'imàkqà yii yee whatsɔ dɔ nade ts'ò gowàa nàagedè agogehʔɪ. Edegha t so hagɪwɔ eyits'ɔ edegha ti si xàgetɪa, ɪhk'è gighòshètɪ si hagɪwɔ. Ts'èko wòohda xenagidi-ndè, whatsɔ ògogeède lanɪ ginadi, wòohda t'à whatsɔ gɪwɔ xè gixè gets'eedi agòqht'e ɪlè ghɔ gogɪde. Ts'èko wòohda t'à "nàts'etso" ats'et'ɪ gedi eyits'ɔ ɪk'q k'èts'eezɔ ats'et'ɪ gedi. Ekò wòohda t'a gigha t'asagòjà gɪwɔ-le; qhdah ɪfè wèot'ɪ gits'òq nageède t'à k'àahjɔ ɪfè xo ts'ò whatsɔ nàidè, di. Dɔ nagede ts'ò gowàlia lanɪ zɔ ts'imàkqà nàgehege hɔt'e, eyit'à t'eka gitsɪ, wemɔ, eyits'ɔ gidè hani gets'agehwho, hanit'à t'eka whatsɔ gɪwɔ-le xè t'asii ɪq hoghàgogehɔ.

Dakwe whaèdɔ efèxè nàgɪde kò efèot'ɪ zɔ lanɪ efèxè nàide ilè. Dɔne nàowo k'èɪzhii nidè dɔ hazhɔ gighɔ giikw'o hɔt'e. Deʔòq nàowo k'èɪzhii-le, fèet'è ets'eʔɪ lanɪ nidè dɔ gighaedlò t'à ɪɪzha-yii-geetè ɪlè. Dɔne fèet'è eèʔɪ nidè ɪfè dzɛ ts'ò fèet'è weʔeè k'e dexɪɪ ʔa agehʔɪ gà dɔ hazhɔ gighaedlò.

Dɔne ehdzo ts'q eèʔɪ nidè, sɪ eèhʔɪ gòhdi-ha hɔt'e eyits'ɔ ts'àwò dèeʔɪ sii wexèet'e ts'àwò dɔ ghoyeʔa-ha hɔt'e, hanɪ-le-ndè ts'àwò we ʔòqanihtɪ sii dɔ ghoyeʔà-ha hɔt'e. Di haòt'ɪ nàowo k'egɪzhii nidè k'aowo elɪ, dɔzhii qhdah elɪ sii gogha siiyehʔɪ.

Nàowo nechà nàatɔ nide dɔ hazhɔ ɪqà nìgidè gà dɔ nàowo k'èɪzhii sii tani nigihtè gà dànɪ weghàlada-ha gɪwɔ ghɔ gogede, hanɪ-ɪdè zɔ efèot'ɪ

gìlì eyits'q dọ hazhọ eřexè nade sii gixè nezì anagode-ha họwọ t'à aget'ì. Dọ k'èch'a goht'q yìi xàts'ehte, dọxoet'ì eřets'qò xàgede, eyits'q t'ekoa ts'ò kọ-le eghàlats'edà sii nàowo nechà k'ets'ezhii ghaità họt'e.

Dakwe whaa dọ hojie whihtsì-le ts'edi k'èegezọ-le ìlè. Dọne hojie hòetsì nidè dọ hazhọ gik'èezọ họt 'e. Ame wets'ò hojie nàhòwo yek'e nà yaehti - ha danàageè?ì eyits'q ame ayìlìla sii siahfà gòehdi-ha danàageè?ì; nide eyi dọ at'ì sii dànì gighàlada-ha sii hageh ?ì. Di hanì eřexè eghàlageda nidè dọzhii qhdah eyits'q ts'èko qhdah eřekèagìwọ t'à naowo gehtsì hot'e, ame wet s'ò hojie nàhòwo sii wegħa ehkw'ì anagot'ì, eyit s'q dọne hazhọ ts'èewhì eřexè nàgede anagot'ì.

Nàowo-jìe wegħàlada t'f'axọ, hòt'a wetehoòwo ne t% wegħọ nagogede-le. Edzanè k'e hoila agòt'e ne t'à dọne nezì eřexè nàgedè xè eřets'àgedi nidè zọ nezì edegeda-ha họt 'e. Nàowo k'egedzhii nidè dọ hazhọ gixè ekọ-le agot'ì, wets'ih?ò dọ hazhọ gixè hoejì agot'ì, eyits'q eyi dọ ajà si wexè hoejì hò 7Q, gìlìwọ.

Dọsòqòfì nàowo niht'f'è gets'Q nàowo tai xà?a k'e dọ dagìhke t% godi fọ xàit'f'ì họt'e, eyits'q dii Tsòtik'eot'ì dànì chekoa dọ ghàts'ehte nàowo eyits'q t'asii nechà ets'e ?ì ghọ nàyaeti sii edegħa gik'e eghàlageda-ha hogeèdzà sii niht'f'è k'e dekèet'f'è họt'e.

Dọne whaèdọ ginaowo, Tfìchọ ts'qhk'e dek'enèts'it'f'è sii, asìlì wegħàa dọne edegħa nàowo-gòo gehtsì-ha dii-le, asìlì wegħàa edegħàlageda nagìchi-ha di-le ts'ìlìwọ t'à dọne dagits'ehke. Di dze gogħa sii, asìlì dọne nàowo t'à dọne edehogihdi-ha di-le ts'ìlìwọ? Hẹ?ẹ si, ìle si ts'edi.

Ìnèe whaèdọ dàgiat'ì ìlè si wet's di dze gogħa edexè siigots'ele-ha dii. Hanikò ìnèe dàgiat'ì ghāa wek'e nàowo nezì giit'ì ìlè sii k'achì nagìihchii gā wek'e nàowo-gòo gèetsì nidè dii-le-ha sòqni. Nàowo ìfè, nezì qhdah ts'ò nats'e?a, eyi nezì chekoa ghàgogehtọ-ha dii-le họt'e; hanì-ndè qhdah cheko dànì qhdah ts'ò nats'e?a nàowo hoghàgogehtọ-ha họt'e, hanì-ndè ìfak'a nezì eřets'ò nage?a agede-ha họt'e. Ekò qhdah cheko k'ayagehti lanì cheko ts'ò nage ?a, dọ eřegìwhọ wede nidè cheko sii gogeèkw'q-ha-le, gets'~ nezì k'ehoge?a-ha nile, gok'èhoge?à-le agede-ha họt'e. Eřets'q dọ agìt'e sii eřets'ò nàgetso anagedzà nidè d q k'ayats'ehti sii while agode-ha. -

Eyi-le dōne nàowo tō ghō gets'~de hōt'e, wet's di dze k'e gogha sīi dōne efēhogihdi-ha dii-le, sīi weghō gets'~de. Wet'a dānī ik'ō k'è ts'eda, dānī tich'adi nàowo k'èets'ezō, dānī n d e k'èets'edi, dānī hōghàdets'etō, dānī edets'eda, dānī dō ghàts'edi, dānī dō k'èts'edi eyits'ō ayīi dō ats'it'e sīi nezī edek'èets'ezō.

Dōsīniyati Dōsōōtī gha hòelī-le k'e geèkw'e eyits'ō Royal Commission on Aboriginal Affairs National Round Table on Aboriginal Justice k'e geèkw'e sīi yaàzea tādī hòzō wek'e gōtō gighō xàyagīti hōt'e. Dōsīniyati Dōsōōtī gha hòelī-le sīi yaàzea tādī ats'īlā nīde dōsōōtī gha denahk'e nezī ade-ha hōt'e. Whaèdō nàowo efèts'īlā eyits'ō dōsōōtī nàowo ts'it'è sīi dàgīdi k'èè ts'it'è-le, hanìkò dō hagīwō nīde edī tādī at'sele-ha dii-le si wek'e eghalats'eda-ha t'asanī-le.

Hanìkò Ts'ōtī qhdah gīlī eyits'ō k' a d e gīlī si dōsīniyati yaàzea tādī agele- ha gīwō-le; ededī xae edet s'ō dōsīniyati nàowo nagehtsī-ha gīwō. Sī di hawhō, dōsīniyati nàowo yaàzea tādī ats'eh?ī sīi wets'ih?ō dō t'asaget'ī-le lagot'ī, xè wek'e eghàlageda-ha gīwō-le agot'ī, dō nake xà?a īlā deghāa gik'èè hòzō-le t'à. Dō d e g o o t'axō dō dezō dèekw'e ats'īlā, xè dānī kwet'ī eghàlagīda sīi xèet'e eghàlageda nīdè tādī agode-ha nīle, dōsōōtī nàowo k'èè e h k w ' i ghàlageda-ha nīle eyits'ō dōne nàowo k'èè k'agedè s i h a nīle.

Īnèe nàowo nezī t'à gīat'ī īle sīi īdaà gogha dānī nezī wet's ts'et'ī-ha sīi la deèdlī dee hōt'e. Hanī hòzō t'à-īdè k'ōta gōla gets'ō dō hazhō edegha dōsōōtī gha dōsīniyati nàowo gehtsī-ha, eyits'ō wet% nezī dōnesōōtī g h a nezī et'e ade-ha; hanī-ndè edegha dōsīniyati k'e eghàlageda agede-ha hōt'e. Dōne nàowo niht'è ts'it'è sīi di hanī tādī hòzō ghō got'sīde hōt'e.

Dōsōōtī nàowo niht'è ts'it'è gets'ō nàowo hòelī nechā nake wegōet'ī ajā, eyi nàowo nake sīi niht'è k'e gōwāā ts'ō weghō gets'īde hōt'e.

1) Ts'ōtik'eot'ī ededī dōne gīxōedi la edegha nagīichi-ha gīwō nīdè, qhdah gīlī si ededī d a k w e edexè sīigogele t'à kēhogihde-ha hōt'e. Dōne gedō-le xè dats'ō ts'ewhī gīwō agede-ha awèts'edi. Ts'edō-le ts'īlāwō nīde dānī k'aat'ī ats'ede k'è nèts'ede-ha hōt'e, ts'èko gīgha whatsō gōzō k'è eyits'ō dōzhīi si gīgha whatsō gōzō k'è, eyits'ō chekoa eyits'ō qhdah si efexè sīinagogele-ha hōt'e.

Dzɛ taàt'e jìetì k'slats'ede ts'ìlì eyits'ò ɬhk'è jìetì t'à ch̀edets'e 7a nide eyi wets'ihʔò d̀one edets'òedlì-le aget'ì h̀ot' e. Wets'ihʔò d̀one efets'òò aget'ì eyits'ò gotà, gomò g̀lì s i edezha hogihdi-le aget'ì, edezha hoghàgogeh̀tò t'à gets'agedi-le, dànì ts'ezhe t'à d̀ò ts'ìlì si t'à e dezha ts'agedi-le. Ts'èko hazhò gets' ~ gogide si ɬnèè ɬò xo d̀ozhii gok'alagide gedi, deʔat̀tò t'à t'ekoa g̀lì kò gixè agòjà.

Dakwe t'asii ghò d̀ò kwòyàà ageh̀t̀l̀l̀. D̀ò gets' ~ agedi, cheko hanì-le-ndè ts'èko ehkw'i k'ehogeʔa-le, ededò gha edila ghàlada-le tahko nidè gits'ihʔò d̀ò efexè n a g e d e s i i gixè hoilà agode-ha sòni hòwò. D̀one ekò-le eghàlagida nidè hòt'ò nàgogeh̀tò ɬl̀, w e t % d̀one nezì efexè eghàlageda-ha hòwò t'à hanì hoghàgogeh̀tò ɬl̀. Di dzɛ gogha si eyi nàowo t'à hanì efets'ò eghàlageda-le agejà, eyit'à jìetì wets'ihʔò t'asii ghò-le d̀one ɬò efekwòyàà afegeh̀t̀ h̀ot'e. ɬnèè d̀ozhii t'ekoa ts'ò ekò-le eghàlagida ɬò-le ɬl̀ h̀ot'e, gèot'ì hanì-le-ndè gidò goxogehdi ts'ihʔò. Di dzɛ k' e qhdah jìetì ghagewì agejà t'à t'ekoa hogihdi-le.

Eyit'à wek'e nàowo hòelì s i i di hats'edi ts'it'è, jìetì k'slats'ede s i i tàada deè gok'enìwòo lanì awets'ihwhò-ha h̀ot'e. D̀osòt̀t̀ gets' ~ d̀ò k'at'ì agogeh̀t̀ gikàts'ihʔa gà ɬt̀h̀ kòò d̀ò nàadè, cheko, d̀ozhii eyits'ò ts'èko gixè nezì hòʔò agode gets' ~ goxè eghàlagida ts'edi. D̀one ededì edexè siagogilà nidè d̀one edekòta gha d̀osinìyati nàowo t'à e deghàlageda agedè-ha.

Jìetì k'slats'ede s i i tàada lanì gighàlagida nidè d̀one ɬò nàyaetikòò ts'ò aget'ì-le agode-ha, qhdah hoilà hògehtsì s i i k'àh̀jò hazhò t'èè j ietì k'alagede t'à aget'ì. D̀one e d e g h a d̀osinìyati hõgehtsì-ha g̀wò nidè T̀t̀chò d̀osinìyati k'e geèkw'e hòtèe s i h a h̀ot'e, eyits'ò dànì edek'èxa nàts'ehdi-ha eyits'ò ɬnèè d̀ò gok'alade t'à d̀one dagiʔa s i i dànì edexè siinagogle-ha, gik'e eghàlageda-ha h Q t' e . D̀one edets'ò k'agede t'à edeghò gogede-ha hòwò nidè eyi s i gha gòʔò agele-ha h̀ot'e. Chekoa g̀lì kòò gits'ò ekò-le eghàlada s i i eyit'a deʔòò wek'e eghàlageda-ha hQ't'e.

2) Nàowo hòelì nàke t'à wheʔò s i i dànì d̀one hazhò efexè eghàlageda xè efek'èè ag̀wò t'a T̀t̀chò d̀osinìyati dànì agele-ha s i i , wek'e gets' ~ de h̀ot'e. C h e k o eyits'ò qhdah efets'ò nàgetso agedè-ha hòwò weghò gets' ~ de ɬl̀, tani gighòò g̀lì s i i chekoa eyits'ò qhdah s i ts'ò nàgetso agedè-ha hòwò, eyits'ò k'ade g̀lì s i i d̀ò haàt̀tò xàʔa ɬàà geèkw'e s i

gogha gogede-ha hq't'e, eyit s'Q hoila necha, hoila nechà-le hogehtsì sii, gik'e eghàlageda-ha hq't'e.

Ìfàà nàowo hòelì ìfè k'e eghàlageda t'i, di efets'ò nàts'etso nàowo k'e kèhots'iide-ha t'asanile. Whaa nide zq wek'èè hò?q agode-ha, dq hoghàgetq xè dq efexègeèdi t'axq wek'èè agede-ha hq't'e. Dq fadi, efets'ò nàts'etso nàowo t'à gets'a\$di nide nezì-ha; dQne xè nihtf'è yetf'è-ha, eyits'q dqsqòfì nàowo dàhòt'ì t'à fadi dQne gixoedi k'e eghàlageda-ha sii t'à gets'adi-ha. Dànì weghàlada-ha k'èhodzq agejà eyits'q kòta ts'Q dq hē?ē gīwq nide Tfichq ts'Q dq nake godi nàgehchì la gik'e nide-ha dii-le. Eyitf'axq dqsniyati fadi hò?q k'è nègidè-ha dii-le, nake xo k'ehqwo t'axq k'achì gik'qeta-ha, asìì dq gha nezì li? -

Qhdah eyits'q kòta, Tsòtì, Gamètì, Wekwetì, Behchqkò, Ndilq eyits'q T'èhda gixè efets'aadi kò dQne nàowo wet'a?a wegots'ì?q eyits'q wek'è nàowo hòelì nihtf'è k'e dek'eetf'è sii gigha ehkw'i hq't'e. KQta haatfò xè efets'aadi ts'ih?ò dihdē nek'e hazhò dQne nàade sii nihtf'è ts'itf'è ghq efek'è-agīwq hq't'e. Kòta gòla hazhò Tsòtik'eot'ì nàowo hòelì k'èè eghàlageda gha mahsì gīwq. Eyi nàowo k'èè gikòta hanì hò?q nidè gīwq.

Godi Giichidqò: Marie Adele Rabesca, Diane Romie, Aggie Brockman gogha k'aowo elì, eyits'q Joan Ryan, godi xàetadqò elì.

Kòta Gogha K'eyagehti K'e Geèkw'e: Kw'ahtideè: Isadore Zoe, Dahchì k'e geekw'e: Qhdah Johnny Bishop, Menton Mantfa ni, Alexis Flunkie, Marie Adele Beaverho, Sophie Williah, Kòta ts'ò k'ade gha wheda: Joseph Moosenose, Cheko gha geèkw'e: Richard Charlo eyits'q Georgie Mantla.

Translation by Mary Siemens

FRENCH OVERVIEW

Le Projet de justice traditionnelle dénée fût réalisé grâce à la collaboration de l'Institut culturel déné, de l'Institut arctique et du conseil de bande de Lac La Martre.

Les fonds nécessaires à sa réalisation proviennent en majeure partie du Conseil de recherche en sciences sociales et du ministère de la Justice du gouvernement des Territoires du Nord-Ouest, L'Institut arctique, l'Institut culturel déné, Emploi et Immigration Canada, la commission scolaire de division dogrib, le ministère de la Culture et des Communications du gouvernement des Territoires du Nord-Ouest ont aussi contribué financièrement au projet, ainsi que certains organismes et individus qui ont fourni des services en nature.

À l'origine, le projet comptait un Enquêteur principal (EP), un Directeur de Projet (DP) et quatre postes de soutien technique. Trois de ces postes furent éventuellement combinés pour n'en former que deux, et l'argent ainsi épargné fût utilisé pour défrayer les coûts de la traduction externe des entrevues enregistrées sur bandes sonores.

La méthodologie du projet en était une de recherche active participatoire alors que la communauté est maîtresse du projet et contrôle son évolution du début jusqu'à la fin. Un tel contrôle s'est exercé par le biais du Comité consultatif communautaire (CCC) sous la présidence du Chef.

Le CCC se composait de quatre aînés, du chef et de représentants du hameau (1) et du Groupe des jeunes (1). Ensemble, ils ont pris toutes les décisions relatives au personnel, aidés à définir les paramètres et la terminologie utilisés lors des entrevues et participé à la vérification des résultats des entrevues fournis par l'EP.

Un Comité consultatif technique fût aussi mis sur pied afin de s'assurer que le projet ne déviait pas de ses objectifs et qu'il conservait toujours sa pertinence. Le CCT, sous la présidence du directeur exécutif de l'ICD, se composait de représentants d'organismes oeuvrant dans le domaine de la justice.

Les prémisses ayant servi à la recherche sur la justice traditionnelle sont les suivantes :

- 1) Il existait chez les Dénés un système de règles visant à maintenir l'ordre à l'intérieur du groupe social en tout temps;
- 2) Ces règles se transmettaient d'une génération à l'autre de façon orale;
- 3) Il existait des moyens de contrainte visant à assurer le respect de ces règles;
- 4) Des mécanismes étaient prévus pour ceux qui n'obéissaient pas aux règles ou les enfreignaient.

Ces prémisses furent confirmées. Ces règles faisaient office de "loi" chez les Dénés bien qu'ils ne les aient jamais codifiées et qu'elles n'existaient que sous forme orale. Cependant, cela ne les empêchait pas d'être soit formelles, soit informelles et il existait une certaine hiérarchie entre les infractions qui pouvaient varier de mineures à majeures.

Ainsi, les règles de surveillance, c'est-à-dire les règles relatives au maintien de l'équilibre entre la terre, les animaux, les esprits et les humains étaient bien définies et importantes puisque la survie était fondée sur les relations réciproques entre les mondes

¹Nous avons évité d'utiliser le terme "loi" dans le texte, afin de ne pas créer de confusion avec le système occidental de concepts légaux, et lui avons préféré le terme "règle".

humain, animal et naturel.

Quant aux règles de "vivre ensemble", qui comprenaient les règles de mariage et précisait les responsabilités des adultes et des jeunes, les plus importantes d'entre elles traitaient de la transmission des règles aux enfants qui allaient être appelés à s'occuper de la surveillance.

Il existait aussi certaines règles d'organisation politique afin qu'il soit bien clair qui prenait quelle décision, quand et comment. Ces règles font l'objet d'une étude plus approfondie dans les sections intitulées *Règles des ressources naturelles*, *Règles familiales* et *Règles pour le gouvernement local*.

Traditionnellement, les règles étaient faites par les aînés qui prenaient leurs décisions par consensus. Les aînés adaptaient ces règles ou en créaient de nouvelles à mesure que les circonstances le demandaient. Il appartenait aux dirigeants de s'assurer que les règles étaient respectées et, autant le chef que les sages, pouvaient demander l'aide des guérisseurs lorsque le besoin se faisait sentir.

Il ne fait aucun doute que les enfants apprenaient ces règles très jeunes, dès l'âge de cinq ans environ. Ces enseignements prenaient plusieurs formes : conseils, observations et histoires. On confiait de menus travaux aux enfants très tôt pour leur enseigner les responsabilités et on s'attendait à ce qu'ils soient des membres actifs de l'unité familiale dès l'âge de dix ans.

Les punitions corporelles étaient monnaie courante lorsque les enfants n'obéissaient pas ou ne respectaient pas leurs parents ou les aînés. En entrevue, plusieurs ont dit se souvenir d'avoir été frappés avec un bâton de bouleau et jetés dehors en plein hiver, dès leur réveil, pour ramasser du bois d'allumage lorsqu'ils ne l'avaient pas fait la nuit précédente.

Il ressort aussi des entrevues que les règles n'étaient pas les mêmes pour les hommes ou les femmes, ce qui avait pour effet de créer des attentes et des comportements différents. Ces différences se manifestaient surtout dans les rituels d'initiation à l'approche de la puberté : alors que les jeunes garçons allaient relever des pièges avec des parents mâles², les jeunes filles, elles, étaient isolées dans des tipis menstruels et forcées à se ravitailler en bois, en eau et même en nourriture par leurs propres moyens.

Certaines femmes ont raconté qu'elles ont vécu cette mise à l'écart comme un abandon alors que d'autres ont ressenti solitude et malaise. Bien que certaines d'entre elles prétendent que cette expérience en ait fait des femmes "fortes" et les a rapprochées du monde spirituel, d'autres disent n'avoir rien retiré de tel de l'expérience, en particulier cette aînée qui fût laissée à elle-même pendant presque une année. Cependant, dans plusieurs cas, les tipis étaient érigés près du camp principal, ce qui permettait aux grand-mères, mères et soeurs de visiter et d'instruire la jeune fille à l'écart, réduisant ainsi son isolement.

Les groupements étaient petits à l'époque, et tout manquement aux règles était vite connu du reste du campement. Les manquements moindres, tels que voler du pain, étaient punis par voie de ridicule, par exemple en accrochant le pain aux vêtements du

² Bien que cette activité pouvait se révéler dure par moments, et que certains garçons préféraient l'entreprendre en solitaire à des fins spirituelles, les garçons y étaient rarement seuls, sans nourriture ou abris.

voleur pendant une journée pour que tous aient la chance de se moquer du voleur.

S'il s'agissait du vol d'animaux piégés, le voleur devait reconnaître son crime et fournir à la victime une fourrure de valeur égale ou supérieure à celle qu'il avait prise. Le sage (k'awo)³, l'homme le plus âgé du groupe, se chargeait d'une telle infraction.

Lors de crimes plus sérieux (agression sexuelle, adultère, divorce et grossesse non-voulue chez une jeune femme), le groupe au complet se réunissait en cercle avec l'individu au milieu et on tentait d'en arriver à une solution susceptible de rétablir l'ordre clans la famine et le groupe.

L'innocence en tant qu'absence de culpabilité n'existait pas à cette époque : tous savaient qui avait fait quoi, attendait que la victime se plaigne, que le coupable confesse son crime avant de décider du châtimeⁿt approprié. Tous les adultes, autant hommes que femmes, devaient en venir à un consensus à chacune des étapes. Le processus clans son entier visait à obtenir réparation pour la victime, à favoriser la conciliation et à rétablir l'ordre clans le groupe.

Lorsqu'une décision avait été rendue et exécutée, l'affaire était terminée et on n'y " faisait plus allusion. La survie du groupe dépendait en grande partie de la bonne volonté et de l'entraide entre familles et tout manquement aux règles venait menacer cet équilibre et compromettait la survie du groupe et des individus.

Notre rapport discute plus amplement de ces trois types de règles en plus de présenter quelques exemples de tentative récentes des gens de Lac La Martre (LLM) visant à régler un cas de garde d'enfant et une affaire importance de vol selon des modes traditionnels.

A ce stade-ci de notre étude, nous nous sommes aussi demandés si la connaissance que nous avons acquise sur les règles traditionnelles dénées, règles du peuple dogrib en particulier, était susceptible d'éclairer le peuple déné clans ses efforts pour reprendre⁴ la maîtrise de ses modes de contrôle social.

Il est difficile de répondre à une telle question par l'affirmative parce que plusieurs de ces coutumes ancestrales ne sont pas adaptées aux problèmes actuels. Cependant, une telle adaptation pourrait être réussie s'il était possible de rapatrier les valeurs associées à ces coutumes et de construire de nouvelles coutumes sur ces valeurs. Ainsi, si la valeur du respect pour les aînés pouvait être enseignée aux jeunes de manière efficace, alors le savoir des aînés pourrait servir à guider les jeunes d'une manière qui satisfasse autant les aînés que les jeunes. Une telle interaction n'est pas possible lorsque les jeunes ne respectent pas les aînés; ils cessent alors d'écouter ou se conduisent mal et deviennent «désobéissants». Le nombre des affaires devant les tribunaux diminuerait sans doute si l'on pouvait rétablir ce rapport entre générations.

Il faut noter, au nombre des autres valeurs qu'il serait possible d'intégrer aux modes actuels de contrôle social, les croyances spirituelles reliées au monde animal et

³ Dans notre rapport, nous avons utilisé les termes "k'awo" et "yabahti" pour désigner le sage et le chef afin d'éviter toute confusion avec le chef et le conseil élus en usage depuis 1921.

⁴ Le terme "reprendre" en est un que le peuple dogrib utilise pour bien indiquer qu'il n'a jamais renoncé à la maîtrise de ses modes de contrôle social, qu'elle lui fût enlevée par les non-Dénés et que le peuple dogrib désire maintenant qu'elle lui soit retournée. En aucune façon ne faut-il y voir une renonciation volontaire à ce contrôle.

à la terre, le contrôle de soi, la débrouillardise, le partage, le respect de l'autre et la conscience de l'appartenance à un groupe.

Le système judiciaire non déné et la Commission royale sur la justice autochtone ont amplement discuté de la possibilité de procéder à des "adaptations" au système judiciaire non déné afin qu'il corresponde plus à la réalité autochtone. Notre étude, et le rapport qui en découle, ne supportent pas cette thèse, bien qu'on puisse facilement concevoir les adaptations qu'il serait possible d'apporter, si désiré.

Cependant, les aînés et les dirigeants de LLM ne désirent pas s'adapter, ils veulent rétablir leur propre système. Nous croyons aussi que les «adaptations» ne sont pas souhaitables parce qu'elles neutralisent l'énergie et la motivation en ne reflétant les idées d'aucuns des deux camps. Remplacer des visages blancs par des visages bruns, sans modifier les méthodes de fonctionnement, ne produit pas de changements, pas plus que cela ne légitime les méthodes de fonctionnement des Dénés.

Le vrai défi consiste à trouver des façons de bâtir l'avenir en se fondant sur les valeurs traditionnelles positives. Une telle approche se justifie du fait qu'elle suppose que tous les membres de la communauté aient la chance de s'impliquer dans l'élaboration d'un système déné qui leur appartienne et dans sa réussite. Notre rapport traite plus en détail des possibilités associées avec cette approche.

Notre rapport débouche aussi sur deux recommandations principales qu'il importe de résumer ici.

1) Pour que les gens de LLM réussissent à reprendre la maîtrise de leurs modes de contrôle social, il faut tout d'abord que les adultes reprennent la maîtrise d'eux-mêmes. Cet objectif ne peut être atteint que si les individus demeurent sobres de façon permanente, et pour y parvenir, il faut que des groupes soient formés (jeunes et enfants, hommes, femmes) pour que s'amorce un processus de guérison. A un moment donné pendant ce processus, les enfants et les adultes devront résoudre leurs conflits les uns avec les autres.

L'abus quotidien ou occasionnel de boissons alcoolisées a pour effet de rompre le contact de l'individu avec lui-même et avec les autres, entraînant ainsi une incapacité des adultes à protéger les enfants et à les aider dans leur apprentissage et leur croissance. Toutes les femmes que nous avons interviewées ont parlé d'abus prolongés qu'elles ont subis de la part des hommes, plusieurs d'entre elles alors qu'elles n'étaient encore que des jeunes filles ou femmes.

Jadis, tout châtement corporel avait ses motifs. On maintenait qu'il existait un lien entre le comportement déviant du jeune ou de la femme (ou son défaut de remplir ses obligations envers son mari) et la sécurité du groupe. On punissait donc sévèrement la personne fautive de manière à lui apprendre à se comporter correctement. De nos jours, un tel lien est disparu et l'alcool est devenu le déclencheur d'une violence sans motif, non provoquée. Les agressions sexuelles étaient rares à l'époque où les parents ou les maris assuraient la protection des jeunes femmes. Aujourd'hui, les adultes alcooliques ne sont plus en mesure d'assurer une telle protection.

En conséquence, nous recommandons qu'on reconnaisse le sérieux du problème de l'abus d'alcool et qu'on agisse en conséquence. A cette fin, nous proposons qu'une équipe de guérisseurs autochtones soit amenée sur place afin de travailler avec les familles, les jeunes, les hommes et les femmes jusqu'à ce que le problème soit circonscrit. Les gens ne pourront prétendre reprendre le contrôle de leur système judiciaire qu'après

qu'ils aient retrouvé la maîtrise d'eux-mêmes.

Il importe de préciser que l'application de cette recommandation va probablement diminuer les affaires devant les tribunaux non dénés puisque la plupart de ces affaires tournent autour du problème de l'abus d'alcool. La constitution d'un cercle dogrib de jugement serait aussi nécessaire à cette application ainsi qu'un processus pour régler les abus passés (processus indispensable si l'on désire lever le voile sur certains abus encore cachés, en particulier des abus impliquant des enfants) par le biais de la restitution et la réconciliation.

2) La seconde recommandation touche au problème de la réunification de la communauté clans le but d'en arriver à un consensus sur la forme éventuelle d'un système judiciaire dogrib. Comme nous l'avons fait remarquer précédemment, les jeunes et les aînés doivent reprendre contact les uns avec les autres. Quant aux adultes, ils doivent reprendre contact autant avec les jeunes que les aînés. Ceux qui sont appelés à diriger doivent aussi être capables de faire le lien entre ces différents groupes et d'établir des moyens de régler certaines infractions, autant mineures que majeures.

-Ce processus pourrait être amorcé alors que la première recommandation est encore en vigueur puisqu'il nécessitera du temps, de l'éducation et de nombreux échanges. A ce stade-ci, il serait aussi utile de pouvoir compter sur les services d'un facilitateur externe qui pourrait être instrumental clans la mise en place de ce processus. Le facilitateur pourrait également guider les membres de la communauté clans leur examen du rapport sur la justice traditionnelle et identifier les valeurs susceptibles de déboucher sur des modes innovateurs de contrôle social. Les deux enquêteurs dogrib pourraient très bien s'acquitter de cette tâche aussitôt que la communauté arrêtera son choix sur un processus en particulier. Un projet-pilote judiciaire faisant l'objet d'une évaluation après deux ans pourrait alors être instauré.

Les principales conclusions et recommandations de notre rapport ont été confirmées lors de rencontres avec les aînés et d'assemblées publiques tenues à Lac La Martre, Rae Lakes, Snare Lake, Rae-Edzo, Ndilo et Dettah. En raison de cette participation populaire, nous sommes aujourd'hui en mesure d'affirmer qu'il existe un consensus régional sur les données de notre rapport. Toutes les collectivités s'unissent pour souhaiter la meilleure des chances aux gens de Lac La Martre clans leurs efforts pour implanter les recommandations de notre rapport et espèrent la venue de programmes semblables clans leurs collectivités.

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Comité consultatif communautaire : Chef Isadore Zoe, président; Johnny Bishop, le regretté Menton Mantla, Alexis Flunkie, Marie Adele Beaverho, Sophie Williah, aînés; Joseph Moosenose, représentant du hameau; Richard Charlo et Georgie Mantla, représentant des jeunes.

Translation by Joel Tremblay

GWICH'IN OVERVIEW

Aii Dene Cultural Institute, Arctic Institute ts'at Lac La Martre Band Council, jiinits'oo dinjii zhuh kat Justice hah gwitr'it t'ugugweedi 'in' eenjit nihkhah vah gwitr'it t'igeedi'in'.

Aii Social Services, Humanities Research Council ts'at GNWT Department of Justice, tseedhoh hah guutsrat tr'iniinjik. Aii gehghee than Arctic Institute., Dene Cultural Institute, Canadian Employment and Immigration Canada, Dogrib Divisional Board of Education, GNWT Cultural^e and Communications ts'at Justice Canada tseedhoh lat hah guuts'at than tr'iniinjik. Iizhii gwich'inat, gwitr'it hah guuts'at tr'iniinjik.

Principal Investigator, Project Director ts'at gwich'in daang, jii gwitr'it nihkhah t'igeedi'in'. Gwich'in tih akhe' goonuu ts'at gwich'in neekaii guudeek'it guunjik. Aii iizhii position vitseedhoh, interview tapes vah t'ehete'tr'idiinli' eenjit giit'adahch'uh. Jii project aii kaiik'it giits'at k'agwahdhat. Dagweheedi'yaa eenjit responsible giinlih. Community Advisory Council gaftsaii ts'at khehkaii gutshid iinli' ts'at jii gwitr'it geenjit k'agwahdhat.

Jii CAC gwizhit anjoò' daang, Hamlet gwits'at dinjii in'ak, k'eejit kat gwits'at dinjii in'ak, ts'at khehkaii, jiigwich'inatjiiCAC gwakak gidii. Juudin jii gwitr'it t'igiheedi'yaa, nits'oo de interviews tr'ahahtsaa, ts'at jidii dee agagwah'aii, jii tthak eenjit nihkhah gugwaandak ts'at jii edineht'eh gwidinithat'oh. Aii gehkhee than Technical Advisory Committee (TAC) tr'igwi'tsaih. Sriits'at jii gwitr'it t'ugugwah'aa eenjit gwik'andehnahtih.

Juudin justice ahdindaii kat than gwakak gidii, aii ts'at Dene Cultural Institute eenjit Executive Director guutshid iinli'. Yeenoo alai', nits'oo dagwidiin'e' hah tr'iin'e', agugwah'aih. Jii t'at gik'igaanjik.

- 1) dagidi'in tthak ts'at sriits'at t'igidi'in.
- 2) angoo' kat, digitr'iinin ts'at yeendoo gweedhaa geenjit gwizhit giyahgahgweheedindaii, gwandak k'iighe' akoo dagootr'ahnuh.
- 3) dagwidiin'e' ts'aii gugweendai'.
- 4) juudin tehk'oo t'idi'in, vitr'agwahnahshih.

Jidii gatr'agwah'aii xi' didlii gik'igaanjik. Dagwidiin'e' ts'aii tr'igweendai'. Aii dagwidiin'e' k'it tr'igwindaii etr'idinuut'oh kwah. Gwilat formal nilii, gwilat informal nilih, ts'at nits'oo vitr'agwanahshii, geetak gwiiniint'aii goo gwiintsal giyah gwitr'it t'ugwah'in'.

Nits'oo nanh goo nin goo ch'ank'yuu' goo gwich'inat, nits'cm sriits'at vah gugwaa'e' gwiinzii gahgidindaih ts'at aii ts'ants'at gugweendaih. Tthak ts'at nihk'hah sriits'at tr'oo'ai' ts'at vikan tr'igweendai'.

Nits'oo sriits'at nihk'hah goodii, nits'oo anjoo ts'at tr'iinin kat nihk'hah gwiinzii gugwich'in, jii tthak digitr'iinin kat gagootr'oonahstah, ginjih hah.

Nijin yinji' tr'ahahtsaa alai', juudin yihahtsah, nijuk alai' yahahtsaa, ts'at jadee yahahtsah, tthak ts'at giyah gahgidindaih. Jidii t'igwinuu, jii gwidinithat'oo gwizhit veenjit tr'idint'oh, jii t'at Nanhkat tr'igwindaii gwirules, Zhehk'oo gwirules ts'at Kwantat local government gwirules eenjit t'igwinuh.

Yeenoo alai', anjoo kat nihkhah yinji' gałtsaih. Geetak ejuk gałtsih, goo geetak than yinji' k'eejit nagałtsih. Dagwidizhik k'iighe' yinji' gałtsih. Tshid kat jidii dagwinuu, akoo ts'aii tahdeedhat gwik'andehnahtih. Khehkaii ts'at anjoo kat, dinjii dazhan guuts'at tr'iheendal giiniidhan ji', giyuudahkat. Tr'iinin kat, guughaii' inłogwinli' gwits'at gagootr'onahtan. Geetak guuvah tr'igiinkhih, geetak dagwidi'in ginah'ih, goo geetak gwandak k'iighe' guutr'onahtanh. Gwitr'it hah diits'at tr'igiinjih. Guughaii' inłak juutin gwits'at than, zhehk'oo gwizhit diiyah gwitr'it t'igidi'in. Tr'iinin kat oodhadhahch'eih kwaa ji', guutr'agwanahshih. Interviews triłtsaih alai', leih kat juu diginuh. K'aii ts'ik hah shidahtr'o' gwinuh, geekhee than, vanh alai, gwiiniik'oo goozhik chiitaii, aazrik goo łuhchil ginałtsii ts'at kwan'gwijaak'ih ginuh. Juu than dagweedi'in' gik'igaanjik. Dinjii kat ejuk ts'at guuvah gwitr'it t'igwidi'in, tr'iinjoo than ejuk. Chyaatsal kat, dinjii giheelyaa gwiiniindhat alai', uu'ok dachn tat khyah ditr'ah'in * guuveevanh tr'eedah, digiti', digichaa hah. Geetak guuveenjit gugoontrii laii geedaa gwat than dinjii ahdindaii tat t'iinch'uh ts'at shih ts'at zheh gwidhoh niidhaa gwizhit t'igiinch'uh. Nich'it kat, ts'ehch'in giinlih alai', zheh gwich'ok gwizhit tthan' ts'at t'igiinch'uh, ts'at adigwidaandaih. Troo, chuu ts'at geetak shih gihee'aa geenjit gwitr'it t'igidi'ih. Tr'iinjoo' leii ganagaandaih, akhe' shitr'uunuu giiniidhan, guulat tr'iniizhii guudhahkhaii ts'at guuvah tr'agwaalai'. Guulat gwiinzii gwitoh guujil, niint'aii guutr'ıłtsaih, ginuh. Guulat guuveenjit gwiizuh.

Shanaghan inlak, khaiinjii khaii inlak ganhshuk tthan' t'iinch'u' nub. Gwiinlit aii ts'ehch'in guuzheh gwich'ok, kaiik'it srii t'anh thee andhat nigiiyahttheih ts'at shanaghan, tr'iinjoo' ts'at veejii kat guuts'at tr'igiinjih. Nits'oo adagwahdaandaii guutr'oonahantah. Yeenoo alai', zhehk'oo srii t'anh xei nikhah gugweech'in'. Ihxee tehk'oo t'idi'in alai', vah gahgwidindah. Ihxee, xuhch'uh iin'ii alai', guuvatr'eedlah. Duuleh, aii di'ik kak xuhch'uh digiiyahchoh ts'at yageedlah.

Ihxee, khyah gwits'at nin uunjik ji', nindhoh hah gwit'ii nagwahahtsah. Juu dagwidizhik ji', aii khehkaii t'at dagwedeenjik akoo dahdeenjah.

Xoo hah gwiizuu t'igwidi'ii ji', gwich'inat tthak xigaajil ts'at nits'oo datr'shah'aa eenjit ginjih gahdaaghoh. Gwiinji' ihtok gahtsii t'ee tthak ts'at guuveenjii gwiinzii neegwidadhat. Aii ts'at rape, adultery, divorce goo tr'iinjoo' pregnant tr'ahtsii, jii t'at iisrits'at gwiizuu t'igwidi'in.

'Not guilty' xoo hah gahgwidindai' kwah. Juudin gwit'agwiin'e' ahtsii vah gahgwidindah, juudin vigwidiinjik, dahdeenjaa nitr'uuvil 'ih, gehghee than juudin t'iyah'ii, aii shii t'ishi'in gehdeenjaa than nitr'uuvil'ih. Aii t'ee nits'oo vitr'agwahnahshii eenjit gwitr'it t'ugugwah'in. Tthak ts'at yinji' ihtak gahtsii t'ee gwich'inat guudavee gwiinzii nagwidadhalit Juudin tehk'oo t'igwidi'ii hah tr'oo'ai' t'ee vatri'igiinkhii kwah. Nits'oo deh zhehk'oo kat tthak gwiinzii nikhah gugwiheendaii eenjit nikhah gwitr'it t'igah'ih. Ihxee tehk'oo t'idi'ii alai', aniidhok vah gwitr'it t'igah'ii k'iighe' gwiinzii nagwidhalit.

Jii edinehtł'ee gwidinithatł'oo gwizhit gwindak leii gwik'inaanjik.
 Nahgwan gwinoo t'at Lac La Martre gwich'inat t'at tr'iinin
 dizhehk'oo eh'at t'ihēech'aa giyit̄tsaii, ts'at ihēee iinuu'ii hah
 gwitr'it t'igah'ii t'igwidizhik.

Jii edinehtł'eh gwizhit jidii gwidinithatł'oo, t'eleh aii k'it vah
 tr'oo'ai' lee eenjit ganiinji'iidadhat. T'eleh adanh tthan' ts'at
 giyah gwitr'it t'igahahtsaa gwik'it goonlih. Aii t'at aha' ts'at
 akwaa gwinuh.

Nits'oo deh'yeenoo alai', ihēee vah tr'oo'ai' , juk gwinoo ejuk
 goo'aih. Gwiintsal ejuk ts'at vah tr'oo'aih danh duuleh vah
 gwitr'it t'igahah'ah gwik'inaanjik. Aii anjoò' kat jidii ah
 gahgidindaii, k'eejit kat gagootr'oonahantah ji', duulehguudavee
 gwiheezah. Nihkhah gwiinzii gwitr'it t'igah'in ji', gwik'it
 goonlih. Anjoò' kat, k'eejit eenjit respect gidi'ih kwaa ji',
 ts'at juu t'oh'ii guutr'ahnuu alai', duuyeh guutr'oodhahch'eih.
 Gwiinzii nihkhah gwitr'it t'igah'in danh gwiizrih guudavee
 gwiheezah.

Uu'ok dachantat ts'at nin eenjit spiritual beliefs, nits'oo "
 sriits'at adigwidaandaih, iizhuu kahah ijiich'ii share gahtsii,
 iizhuu ka eenjit ganinji'tr'adhat ts'at nits'oo gwiinzii nihkhah
 gugwiheendaii eenjit than gwik'inaanjik.

Aii Royal Commission on Aboriginal Affairs gwikak dinjii gidii
 ts'at iizhuu oonjit kat ginjih gahdaaghoo ts'at juu diginuh.
 Yeenoo alai', nits'oo deh gwich'inat, nits'oo justice hah tr'oo'ai'
 ts'at juk gwinoo, oonjit guujustice hah tr'oo'ai' , duuleh nihch'ii
 ts'aii nihkhah gwitr'it t'igah'ii ji', duuleh gwiinzii
 neegwidahdhat gwinuh. Jii edinehtł'eh gwizhit akoonch'ii gwindak

ooniidinjik kwah. Gwat duuleh aii gwik'it goonlih goo'aih.
 Lac La Martre gwizhit anjoo' kat gat'igiiniidhanh kwah. Nits'oo
 yeenoo alai' gwits'at nits'oo' gwitr'it t'ugweedi'in' k'it
 t'ugwahah'aa giiniidhan. Juu diinihdhan. Nihkhah gwitr'it
 t'igah'ii kwaa danh nihch'ii ts'aii ejuk ts'at gwitr'it
 t'igahah'ah. Dinjii zhuh kat, oonjit k'it ihloh hah gwitr'it
 t'igah'ii danh t'at aii dinjii zhuh ts'aii gwitr'it t'igwah'ii
 kwah.

Nits'oo deh yeenoo alai' , sriits'at gwitr'it t'ugweedi'in' , juk
 gwinoo aii ts'ants'at gwitr'it t'ugugwah'in' ji', duuleh gwiheezah.
 Gwich'inat tthak hah nihkhah gwitr'it t'igah'in ji' , duuleh
 gwiinzii tugwahdhalit. Akoonch'ii gwitr'it eenjit k'agwahadhat
 ts'at veenjit nihkhah gwitr'it t'igahah'in. Jii edineht'eh
 gwizhit akoo jiidinuh.

Jii edineht'eh vigwindak gwizhit recommendations triitsaii ts'at
 gwiint'oh vitr'igiinkhah.

1) Lac La Martre gwich'inat Social Control giiniidhan ji', agadanh
 tthan' ts'at t'igiheedi'yaa gwik'it goonlih. Tthak ts'at
 igidinii kwaa ji' gwiizrih gwik'it goonlih. Nits'oo deh, sriits'at
 tr'igwiheendaii eenjit k'eejit kat, tr'iinjoo' kat ts'at dinjii
 kat, dhok ts'at nihkhah tagaajil ts'at nihkhah gigiinkhah eenjit
 gwitr'it t'igah'ii ji', guodaveegwiheezahnagwahdhalitgwik'it
 goonlih. Anjoo' ts'at tr'iinin kahah, nihkhah gwitr'it
 t'ugugwahah'aa gwik'it goonlih.

Itr'idinii alai', diigwizhi' kwaa. Yohghwan kat igidinii alai' ,
 digitr'iinin kat k'aganahtih kwah ts'at sriits'at
 gagootr'oonahantah kwah. Gwiinlit shitr'idhi'khahii, tr'iinjoo' kat

nakhwahgahnuh. Tr'oochit guutr'oonjih gwits'at guutr'adhahkhaih ginuh.

Yeenoo alai' , ih'ee tr'adhahkhaih alai' , dadi'ii eh'an akoo t'igiiyah'ih. Tr'iinin kat goo tr'iinjoo' kat, gwiinzii gwitr'it t'igah'ih kwaa alai' guutr'adhahkhaih. Tr'iinjoo' kat digidinji' ts'at gwiizuu t'igah'ii alai', guutr'adhahkhaih. Gwich'inat datthak guuveenjit gwit'agwiin'e' alai' aii ih'ee tehk'oo t'eedi'in', aii vidinji' yidhahkhaih. Juk gwinoo ejuk t'ugoonch'uh. Dinjii inidhinii alai' , ditr'iinjoo' zhuu ii'an eenjit yidhahkhaih.

Yeenoo alai.' , nich'it kat guuvah tr'iin'e' kwah. Guuyohghwan goo " guudinji' kat guk'aganah'tih. Juk gwinoo, dinjii kat igidinii geh'an nich'it kat guuk'andak kwah.

Itr'idinii akhe' tr'uunuu jiidinuh. Anjoo' kat, healers giinlii, zhehk'oo kat, k'eejit kat, dinjii kat ts'at tr'iinjoo kat, nits'oo sriits'at gugwiheendaii ts'at igehdeenjah kwaa eenjit guuts'at tr'igiinjih ji', guuveenjit gwiheezah. Gwich'inat sriits'at gugwindaii t'ee gwiizrih adats'at tr'igiheendal ts'at digikaiik'it tthak eenjit ganinji'gahahdhat.

Juu dagwidizhik ji', duuyeh Atr'oodahkat Zheh gwizhit tr'ahnah'aa kwah. Juk gwinoo, itr'idinii geh'an, Atr'oodahkat Zheh neetr'ididal . Dogrib gwich'inat igidinii kwaa t'ee, gwich'inat ditr'iljil ts'at itr'idinii geh'an juudin vah tr'iin'e', guuvah tr'igiinkhah ts'at guuts'at tr'igiinjii k'iighe' duuleh guuttheiitat gwiheezaa tagwiheedidhat gwiiniidhan. Itr'idinii geh'an tr'iinin leih kat guuvah ni'ts'aiigwah'ee gwik'igaanjik.

2) Aii izhii recommendation juu ts'ants'at t'iinch'uh.

Nits'oo deh Dogrib justice system gwitr'it t'iheedi'yaa eenjit

gwich'inat tthak nihkchah yinji' gahtsii ji', gwiinzii gwik'it goonlih. Gwitshih alai', juu jiidinuh. Anjoò' ts'at k'eejit kat nihkchah sriits'at gwitr'it t'ugugwah'in ji', gwiheezah. Tr'iinin kat, k'eejit kat ts'at anjoo' kat, tthak ts'at gwiinzii nihkchah gwitr'it t'igigah'in ji' , gwiheezah. Akoo dagweenjik ji' , juudin tehk'oo t'idi'ii, guuvah gwiinzii gwitr'it t'ugweheedi'yah. "Jii gwits'at gwitr'it t'ugugwah'in ji', gwiheezah. Iinch'its'at t'ugwiheedi'yah kwah, niizhuk gugwahahdaht. Gagootr'oohanahtan ts'at gwiinlit nihkchah tr'igiheekhyah. Duuleh digikaiik'it eh'ok facilitator guuts'at tr'iinjih ji', jii edineht'eh gwizhit jidii' gwidinithat'oo, nihkchah vah tr'igiinkhii ts'at jidii guuvah ni'ts'iigwah'ee gik'inaanjik ts'at veenjit gwitr'it t'ugugwah'in ji', gwiheezah. Dagwiheedi'yaa k'iginaanjik t'ee duuleh aii gwits'at gwitr'it t'igwidi'ih. Tr'oochit pilot justice project hah gwitr'it t'iidii' t'ee sriit'anhshuk, nits'oo deh gwitr'it t'iidii'ii, evaluate tr'ahtsii t'ee ginjih tr'ahdaaghoh. Jii edineht'eh gwizhit gwandak nihkchah t'iidilik t'at Lac La Martre, Rae Lakes, Snare Lakes, Rae-Edzo, Ndilo ts'at Dettah gwizhit gwich'inat hah ginjih gahdaaghoh. Tthak ts'at jidii gwindak gwik'inaanjik guuveenjit gwiinzih. Jii kaiik'it tthak, nits'oo Lac La Martre, jii recommendations gwits'at gwitr'it t'igiheedi'yaa, guudavee gwiheezu' giiniidhan. Juunch'ii program iidii' ji' gediingidizhit ginuh.

Translation by Enna Vitrekwa

NORTH SLAVEY OVERVIEW

Dene wake heágúʔa gha ʔeghálayedake, Artic institute kúdedike w'ila, gets'q las la martre gha dene bek'áhowerè k'édéhw'ike dayi, ʔelez 7a denewá k'è dene hesériyaʔetɿ gala keyuda kéʔegoke nihwe.

Hıde gets'6 k'ahoweke dene dáʔedegúdi, dádene ts'ólɿ keys gokúhʔa gha gok'édéhw'ike, júda hınéné gha k'ahoweke, dene hesérihaʔɿ gha ʔeghálayedake w'ila sQba hısha hé gets'q rákeyıdi_ goze deri kádeʔake w'ila sQba he gets'~ rákeıdi_ Artic institute kúdedike_ denewáke herá gúʔa gha ʔeghálayedake_ Cánada gets'~ láhta ts'e dede gálayedake_ Cánada ya ʔeghálaıda k'e k'ınarehtake w'ila_ ıchó gQdenéke - dene gáhureʔe gha gok'e déhw'ike_ ʔuhdá gogha deri néné ts'è k'ahowkék dagháre xede k'e ʔeghálayeda got'ınéke_ gets'q dene hesériyahetɿ kádeʔake w'ila_ dene héla wila gozə ʔeghálakeıda p. 1_ galats'únida gúni dene lát'e suré dágáht'e ʔareyQné kegúhʔa gha káyet'ı_ gets'q dene léyi w'ila bedagháre ʔeghélat s'e yuda gha berıʔédétle_ gets'~ dene dıdet'e w'ila ʔeghélayeda_ hayılè dene tat'eke dák'é dene rákə ZQ herıraʔédét'le_ gets'~ dene léyi ʔarahet'e sQbá heni meni dene godé tape k'e ʔahet'e ghálayıda ts'è ráʔe yédi_

C. A.C._ dágálat's'únida la ʔareyéne ʔeləzə ats'útɿ góʔQ_ yeri ʔagódedi la kQta gQdenéke heʔeghálayıda yáʔahet'e_ ʔekedıni yá keʔegonıwe gets' ? goxə gQdenéke kudagháre ʔeghálat's'eyeda gha goke keddhw'i wila, dene bek'áoweré kugha chairman hełɿ gúyá galakeyuda gha ridaokedanıʔQ

C.A.C._ kudagháre ʔeghálat's'e yuda gha dene gok'e déwow'i káts'e -yıla ʔekú ʔQhdaike dıdet'e w'ila_ Hamlet ts'è dene lat'e_ gets'q dene bekáowéré w'ila gozə gok'e weds gogha chairman hełɿ_

Deri deneke yá meni ʔeghálayuda sı dats'udehke ʔegúyə, su sure dexedə hagodıshe_ ʔeyi gogá dayi dene zə ʔaket'ı_ gets'q denelə kugha t'ahsı keyáguhʔa gha xáwe weds yeri dáyıʔıh dayi ghákeyeda_ T.A.C.- gonezó gaw'e wóle gha w'ila deneke bedagháre ʔagút'i kákeyıla_ gets'q dene hesériyaʔetɿ goʔeghálayıda gugha nezQ ke yá goke rıkenıla, gets'e k'ahowe yá kugha chairman hełɿ_

Yahne ʔeku dene dza rágóʔQ hide dá galats'uıda koduya gha galatseʔıda gunı duka yá ʔaguniwe

(1) hıne denewake gonezq ʔelehta dene tsule gha xedə kat'ı

(2) gets'q kuxedə dowé yewe, goghq ke deyake hégokede hé_

(3) xedə k'é dene ts'ule gha rágose dene ts'é gokedə

(4) gets'q meni goxedə yens rágóʔq nidə goruzha gha ʔakiyehı_

Keyagowę gháre ʔehw'i ʔekáyá 7a góıte deri xedə kigháre kulu du gok'e rikidénitl'éle_ héla hi suré xedə rase yıle_ gotse héla hi dusuré ráyıséle_ gotse dza rágóhw'e nide wila ʔekáʔagóhte, láhtare suré dza rágots'éʔq sɔni_ gotse láhtare dusuré dza ʔagóht'ele_

Ne_ góhwire hek'égudi gha wila xedə kat'ı_ gets'q dene dáʔedegúdi gháre yeri neke góhıı hé gonezó gúwóʔa gets'q, góhwire ʔareyqné wile hek'ékadi_ ʔefı_ gódi wen'é dayi suré hek'ékadi_ bete ʔagut'ıle, ıı w'ıla duyé ʔefıw'ené heʔa_ 7eyi got'aré yá 7edegokedi hé sure kugha got'áʔodéʔa yá 7edegokedi he sure kugha gotáʔodéna_

Dene kérádəke_ dene ʔehgháheýále ʔelehé rádə ke gha w'ıla xede góıle_ gets'q dene hıshake, ts'qđəneke w'ıla kuʔeghálıda gha yá w'ıla deri xedə ʔayıte_ ts'qđəneke gok'é dene kule gha suré gots'é gokədə, hıdowé nidə ʔekededıni yá gha wila xede góıle, 7eyi ghará nidə meni t'ahsı gogha xedə wesı hésı hodıxhı, yeri gha xedə yá góıle goxo gúnı deri yá gok'eridérıtl'e, Ne k'e yeri góhıı ʔareyqané_ dene ʔeleghádehw'i gha w'ıla, gets'q kəta gogha xáwe déhwıke gha yá w'ıla xedə góyıle_

Yahne 7eku dene hıshake ʔareyqné ʔelehk'é ʔakedi gháre yá t'ahsı gogha xede yákıstı_ dene hıshake héte yá láhtare nide xedə kigháre dene heıı ʔedé ʔarakehıh_ gets'q dágóht 'e gháre wila xedə ʔekónı rakehsı, meni xawe dehwıke yá xedə k'égúwoʔa gha gok'é kedi, gets'q dene bek'áoweré hè meni yek'é weda hé t'ahsı hé kugha kegqf'é nidé dene 7etsene gút'ı gets'~ ráwodi gha goku déke_

Ts'qđəneke kısele gets'q yá deri xedə k'é dene kule gákurétq, kughayé lak'e gets'q yá gágokurehtę_ láhtare gots'é gokedə_ gode hé w'ıla kégokede_ suré gokekınakerehtá w'ıla_ gets'q kısele gotsé yé godezhıle galakeyeda wila ʔagokehı_ ʔekahęt'e kulu kugháre horénq yıtı'á nidé k e dégot'ıneke zhe duıle ʔeghálakeyeda_

Ts'odaneke kedetá_ denq kuwéhw'ole nidá_ gets'q dene hıshake w'ila kedıshále nidá gok'e ʔekedehfa yıle_ deneke dahudeike gú raxégokade gets'q gótló kayi hé raxek'e ʔets'edéfa yıle kerahıdı kedi_ gets'~ riyákale godúk'ó gha shıt'q duʔegots'e dıshq nidé_ dene ts'e keyeshu gets'q tıch'a godereht'eni shıt'q shıyıle dene hékedi_

Dene dahudeike gháreni denelıke gha wani xedə goıle_ gets'q yenineke gha wila xeda goıle_yeri gháre ya dene keyıle_ ʔehkə beghayé k'ereht'e ʔava nidé b'égot'ıneke kighame deshıtàá “ʔehdzo hé kedede gakuruhte gha, láhtare suré godezhi_ ʔekahet'e kulu nõbali ye ʔelehé kedehw'i_ shékezhe heni sqdı gohwę_ ʔehkeke hela hi wani ʔak et'ı_ soadéhwa gots'é wani deshıta ʔakıt'e_ soadéhwa gets'~ wani deshıta ʔakıte_ gogháre dene ráse kule gha_ gotsé kudayıné he w'ila gonezq gwoʔa gha_ -tireke w'ila dékereté nidé dene dudzıne gogha ʔekdı rakesi gets'q xaré tse ʔedegha ʔakehı tu, hé bé w'ila_ yenineke héla gox gokede guno hotı duraxáqoyédi heni raregħa ʔagóıte kedi_ héla ke w'ila dágodésħa wani kereyıwı kerakedi_ gets'~ yenineke héla hi gogháre ráhıse gets'e gonezq dene hdıldı ʔahıvá kedi gozə hélake wila du sure got'áodéyıʔále kedi_ dene hısha leyi k'ájıne t'ireke ʔareyqné hi ráts'edə góʔdone yá wani ʔayakeyıt'e hagú kunQke, kudareke, kudéke gotsé nokéde gotse tahı gha kurehte_ dene sóaréhte yá deshıta ʔelehé rayıdə_ ʔeyi hé meni dzá ráóʔq nidé ʔekúhétu y% dene ʔareyqne kegodıhsha_ meni góselé dzá rágóʔo nidé beghq ráʔetsudlo gha ʔakıyehı ʔadaşq létéh réʔı nidé begho ráʔets'údlo gha kibegé létéh hekeʔekedısi guni leyi dzıné gotsé ʔekáʔayıhwę_ goke ruzħa gha yá ʔagokehı_

Dene ʔehdzo ts'é ʔeréʔı nidə_ ʔeka ʔahwi yá ʔasédedı dudi guni_ ʔedek'e gode yıtı'ı ni ts'awe réʔı k'étdə noyehdi gha_ ráts'edə gets'q dene hisħa legi dene k'ahowe helı dagħaré yá ʔagot'ı_

ʔekáʔahet'e kulu gó'sħa dza rágots'éʔq nıde dene ʔareyqné shıkeyede gets'q meni dza rágóʔqısi ʔedetade vıkıte gotsé dáqokule kekınadaokedehʔa_ bégot'dıneke w'ila denęze goghq gokudə gha ʔeyi ʔaket'ı_ hanıdó kexaʔóte ʔelehtsé dene k'éch'a gha ʔıle_ deri gets'~de gó'sħa gódedı la dene kóráde hıʔq ʔezhuwi ts'é ʔatı nidé wila_ gets'q yenine dene ch'áʔahent'e kúlu betsé dzá rágots'éʔq nidé w'ila_ dene ʔegházħa duʔele ghárakeyédi dayı_ goze t'ire dene xaʔót'e bebebı góhđı nidé ʔeyi yá gets'~d~ gq'sħa gokedi_

Yahni ʔeku duladu mQla yeri (not guilty) kedi gok'ě ʔats'edeɖile, meni dza rágóʔq nidə dene ʔareyané kodishq, hagú meni bets'ě dza ʔagát'ı goxq t'asıadi gotsě dene hahédedi ʔehw'i yáʔasédedi hadi nidə zoyá dágokule goké kınagokeʔa, denelıke hé yenineke wila ʔareyqné ʔeleké ʔakedi gharé yé ʔaketı, meni dza rágóʔq heşı hoti ráraʔedeyedi ʔekaʔawot'ı góʔq, meni ts'ě dza kınagoıʔa ts'ě wila kokereheıı gha, ʔeyi gharé nidə zoyá gonezó ʔelehta dene ts'ııı ʔaragode gha_ lanı dza rágóhwe nidə goxq gets'eida ydıtıd'a káradadet'ale_

Gonezó ʔelehta dene ts'ııı nidə ʔeleht'a ʔehts'ě ráts'edi guys ʔedegots'adi_ ʔedi hé dene léyi dene hé dza góhʔq nidə kexaqt'e dene ʔelehta rádə ʔareyqné gha dza góʔq heni ʔagóht'e_ deri xedə kidagháre yahne dene . yile, goxo daudeıle gú t'ahşı tat'e gharé wáyi t'ahşı keyágotş'ıʔa gha duile_ hédú yeri galats'eıda goʔedıhtı'le deyıt'le gháre w'ila_ lac la martre de di gets'q deneke t'ahşı he dza rágóhwe nidə ʔedexáre gúlakeuda gQka ʔakat'ı_ t'ahşı hısha ts'eréʔı nidə wila_ gets'q yeri custody gódedi gogá wila ʔakát'ı_

Yáhne deneke ʔede gokúdi gha kugha xedə góıle, ʔeye gogáyá ʔedıhtı'le deıt'le, lac la martre gqdenéke gharé ya galaıda, ʔadaxq gogharé dágálakúwoda gotsé káyediekuwi guni sá dúıle yeri hé kgha dza góʔq xáre ʔedegha soʔaragokelə sqni- goxq ráyedietsewe gúni ʔadaxq dudıe sqni_ ʔadaxq duyé sqni t'seniwe_ yahne goxedə la hedu yeri hé dza ʔagóht'e gogha ʔahętele_ duyé behé sóʔaragots'elə ʔekáhdęt'e kulu yeri hé yahne gonezó goıʔa gok'ě heni hedu gálatş'eyeda nide ʔadaxq gonezó rigodewi gha sqni_ dennhıshake ts'edıhsha gha góʔq, ts'qđaneke lahot'e denehıshake ts'ě gonezó k'ınagokuʔa gha gonezó kuts'ě gets'eda nidə_ gets'q dene hıshake wila dúıle ʔek'qnike gonezó ʔawot'e gha gots'ě gokedə_ ʔekahęt'e kulu golq gets'~ kuk'e rádats'édedə nidə ts'qđaneke duyé denek'ě ʔakıt'e gets'q dene ts'ě yedikeniʔále gha góʔq_ ts''Q đanek'e, denehıshake hé ʔelehzə ʔaket'dı gú rıragots'eniq nidə duyé gozó ʔelehk'e rádats'ededə, yahne denewáke dáʔeedegokádi la deri gódi hısha, góhwire kádeʔá ʔareyqné wila, gets'q ke denéné wila sure kedeısha, néye gets'q t'ahşı kákeı ʔq nidə ts'et'uri_ kq he ne ts'ě ráʔekeyehdi_ gets'q tu wila kik'e ʔat'ı nidə kit s'ě ráʔeyehdi yıle_ dene nezq kule gha w'ila ʔakát'ı_ xáre ʔedegokúdi gha, meni begha ts'qnet'e nidə w'ila ts'érákedı dayı_ ʔekáyaʔagóıt'e, gogháre dúıle xáre ʔedegha k'sots'ewe gúni ʔeghálát s'e yúdea gha rigots'ęʔá sqni_

Mqlake hıtlı yá deri mqlak'ê dene hesériyaeti gozēghálaıda ghı goıde_ deri léyi kádeáke mqlak'ê Royal Commision on aboriginal Justice kúdedike goghı gokedə gets'q mqlak'ê rıgots'eni?ı nidə dend wake gha gonezı gha gó?ı keniwē_ sure keots'edúsha gha galat s'eıda gets'q gozedıhtl'ê deıtl'ê gúni du kuk'ê ?ats'eniwē, ?ekahet'e kulu gok'ê galats'euda gha rıgodéwe nidə dúile tabs'~ hela heni kuk'ê ?ats'útı gha rıgots'ê ?á sQni ?ekáhe're kulu Lac La Martre gets'q dene hıshake hé xawe déhwike du ?eká ?akeniwéle, dene hesériya?eti dágóıte yıle gok'ê ?edegha rıragówit'a keniwē, dene leyi ?eká?adi ?ezhuwi ké rıgots'e?a nide kexa?ıt'e gonezı gawele_ ?eht'á ?elehk'ê ?ats'eniwéle hé_ dene bıńıı dek'ale yeri rit seyéshu nide duyé dá gú?ı ?ede ?agots'ele_ gets'q kexaıt'e kaots'ewe denewák'ê t'ahsı galats'eyeda gha duyé_ yahne yeri he gonezı dene gha goı?a ?eyi goké hıdowé ?edegha ?eghálats'euda gQka ?ats'ut'ıni yá suré kégıf a_ 'yeri kexa?ıt'e ?agıt'e la kota gets'Q dene ?areyıne yá ?elehzə goxı gokedə guni denewa ké dágalats'uwoda keniwē goghe guni denewa ké dágalatsuwoda keniwē gogha xedə kusı gets'q ?ekededıni yá gálakeyúdá gó ?ı_ ?eká?agıt'e yá wila kekınyedi ?ets'eyıhw'e_ xedə dewe ráke bek'ê ?eghálats'euda ya ts'edeıtl'e_ yeri galats'eıda gok'e rıyátsedetlé gets'q suré goxē gets'e~da w'ila_

(1) Lac La Martre gets'q deneke xaré da?edegó wıdı goxa k'ahowıwe keniwē_ ?eká?akeniwē nidé ?ekededıni dádene kóhı feré s67 agokele gha gó?ı_ yeri ?agódedi la meni kıtue hesheda sı lahot'e duyáwodi gQka ?awot'ı gó?ı_ ?eká?agudə gha nidá ?areyıne ?elehts'ê dene niye, dene dza yə gonezı rıragówowi gha gálats'eyeda gha_ ts'ıdaneke hısha, ts'ıdaneke hsele ?elehé kedehwi gets'q goxı gokedə gha w'ila ?eká ?agıt'ı nidə hı hake ?elehé ?akutı goxı ?elehts'ê gokedə ni da gonezı .

Dzıne taoréhte, deriQwa kıtue ts'edı sQni kulu suré ?edeots'e deyıle heni ?ats'ıt'e gets'q hı?ı dene wila ts'ê yedi ts'eni?ále kexaıt'e yá deneke héla wila kedeyake gonezı k'ékedıle t'ahsı got'áodé?a gagokureht'ele_ yenineke dáreht'e dahudake ?areyıne ?eká?akedi denelıke gıtlı raxets'ê duk'ê ráká?a, t'ireya hıdı gúw'ila_ gets'q yenine hısha w'ıldé gú gıtlı ts'ırahetsıwe kerahıdı kedeıdı_

Yahne ?ekú t'ahsı kexaıt'e yá dene deyedilé wexə yılé, deneke ?eká ?akedi yeniné, ts'ıdaneke ?ehw'i kınagoke?ale kexaıt'e yá ?agokeydıhı kedi_ gets'q yenine dedenelé k'ê ?ahet'ele kexaıt'e gonezı ?elehta dene ts'ııle nidé yá w'ila_ meni dza k'ınago?a nidá goruzha gha ?akiyehı, gogháre hıdowé gonezı dene kúle gha_ hedu ?eká ?agıt'ıle kexaıt'e yá

deneke kɔtué kedé nidá ʔelehts'é ʔekéch'a k'inagokeʔa_ yahne gú t'ireke kunoke suré gok'ékadi hé kuts'é dza k'inagotseɪʔa cho ʔíle_ gets'q kɔrákedo nidá kudeneleke w'ila gok'ékádi_ heduni kɔtué xaɔt'e tireke k'égodíle gúʔagúja_

Kɔtué la hoti ʔeya ʔekáʔahete hé gok'é bélats'eyeda gha goʔɔ dedi gúyú xedə ts'ehsɪ denewá dene dúíle heɫɪ gonezɔ denehé riragówowi gha denets'é ráwodi hɪka got s'udə_ hagúni dene ʔeghádw'ike, ʔek'ɔnike, denelike, goze yenineke w'ila ts'é rákudi, dadehwá tsɪne riragówi gets'\$ dene zə ʔeghálakeuda_ deneke dádene kóhɪ feré soríragokéni ʔɔ yít'k'á nide zɔyá dúíle dene hesériyaetɪ goga ʔedegha ʔeghálakeuda gha rígot's'éniʔɔ nidə_ mɔlake dene hesériyaetɪ yíle k'éts'ene ʔagode gha sQni Judəni dza rágot's'éʔɔ nidə kɔtué xaɔt'e zɔ yá ʔagot'ɪ_ yahne yeri hé dza rágot's'eʔɔ gok'ere ts'ɪɪ sóʔaragots'ule gka ʔats'et'ɪ gets'q meni ts'é k'et'á ráraets'eyudi nidə w'ila gok'é ʔats'et'ɪ gha_ dene ʔehghá déw'i ts'ɪlawe nidə w'ila, láhtare ts'ɔdane hɪsele ts'é dza k'inagots'eɪʔa kulu rágot's'erehʔɪ ʔeyi dayi dúíle goghɔ gets'ede wole gha (Dog Rib) ɪchɔ gɔdénéke hoti dene hesériyachtɪ k'é ʔakút'e gha rígot's'éniʔɔ nide got'áodeʔa ʔelehts'é rákúdi gogha-

(2) deri xede rake bek'é ʔeghálat's'euda gha ts'esɪ la (Dog Rib) ɪchɔ gɔdénéke dene hesériyaʔetɪ ʔeghálaída k'e ʔedegha galakeudá nidé kQta gets'q deneke ʔareyɔné ʔelehzə ʔawotɪ gha rígot s'éwoʔa góʔɔ, haguyá xede yákisɪ gha_ ʔeyi heyá ʔek'ɔnike, dene hɪshake hé t'ahsɪ ghɔ ʔelehts'é gokedə got'áodéʔa_ gets'q meni xawe déhw'ike w'ila lani gɔsha_ gɔsele dza ʔagúja nidé dá galakúwoda goxɔ dene ts'é gokudə gha kugha góʔɔ nidé ʔelehé kesóriyá daokedéʔa gha dúíle_

ʔala xáwe xeda t s'esɪ əú kɔtué dugháts'eyədi got'áodéʔa ts'edeɪdi_ ʔeyi galats'unida guni deri xedə rake w'ila k'é ʔeghálat's'euda kéʔegots'erihwi gha dudíle_ niwá galats'eyeda, sure keots'eduhsha gha w'ila kek'ina daots'e dehʔa gha góʔɔ_ dene leyi dene ts'é galats'eɪda gharé dene hé weda gets'q yeri suré got'aodéʔa ké dúíle ʔedegharé galakeyeda keokeduhsha gha gets'@adi_ ʔeyá tɪ'á nida ɪchɔ (D.R.) gɔdéné ráke t'ahsɪ keyágokúʔa gulakeɪda yɪle ke deri ʔeghálaída lahot'e sóʔats'ɪla sú dúíle galakeyeda sɔni_ dene ʔareyɔné ʔeká ʔayeniwə nidə_ gets'~ ráke xayɪ gets'\$ni dene herériyaetɪ ʔedexaré galats'euda w'ila gok'á ts'ude ts'eniwə_

Tahsɪ suré got'áodéʔa keyágots'ɪʔɔ, gogá xede yatsɪsɪ la dene hɪshake, kɔta gɔdéné'ke dayi dagháré yá galats'eɪda_ kQta dukáʔagorehte ʔeəúye

yá goxq gágots'eida_ Lac La Martre_ Rae lakes– Snare lake_ Rae Edzo_ Ndile_ Dettah_ KQta ʔeka ʔagorehte ʔareyqné ʔelehk'é ʔakeniwę_ kQta kágodáila gets'q dęneke Lac La Martre gqđęnéke ʔedegha ʔeghálayewída keniwę gets'~ rąyedikededi_ gets'q raxeniwa raxegha ʔeká ʔagújá nida keniwę_ (Research Team) meni research dedi goke ʔeghálayeda ke la, Marie Adele Rabısca_ Diane Romie_ Aggie Brockman_ yá bedagharé ʔagotı_ Joan Ryan t'ahsı keyágotsiʔa gálayeda_ Community Advisory Committee– dene bekaowerè Isidore Zoe Kugha Chairman heıı_ deri denehıshake Johnny Bishop_ Menton Mantla wila denéze goke yıda yıle behúle_ Alexies Flunkie_ Marie Adele Beaverho– Sophie W illiah_ Hamlet ke gha Joseph Moose Nose_ ts'qđaneke hısha gha Richard Charlo.– gets'e George Mantla_ wila dene ʔekáʔarehte yá gálats'e yeda gha gok'e déhwi_

Translation by Mary B. Wilson

SOUTH SLAVEY OVERVIEW

Dene Etth'aahtu Ndee,

Kótah gogha Dene Gogháádé Agot'í-ke t'á qhndah dū gets'qh kótah gets'~ k'aogedéh-ke gotah gets'~ dene líé gets'qh dene k'ónia gotah gets'~h dene líé gets'~h Dene Etth'aahtu Ndee, dene kanéht'é t'áóhts'eduthe t'áh edí edíht'éh ts'ehtsı ıót'e. Edí Dene gogháádé Agot'í gha goniédét'éh-ke t'á, azhíu gháádé dene, Dene ts'ehk'eh eghálaenda meniédét'éh gha góʔq gedí t'áh gedéhtth'í. Ezhí dahshu, dene gets'@k'eh t'ahsú gok'eagenehta t'áh eghálaenda gonathee theda gha meniédét'éh, dáóndíh dene gogha eghálaʔuhndá enidhe dadıhke shu gok'eagenehta t'áh eghálagenda.

Edí eghálaenda nezıı agut'í gets'~ dene sáánéht'é, Móla k'éé, *Technical Advisory Committee*, góhgedí, kexogedıhndıh gha eniégedénıt'éh. Amı Móla goʔetth'aahtu edıht'éh ghoh kegogedıhsho-ke t'á edı kaondıh ghálaenda gha goniéts'edénıt'éh gets'qh dene gogháádé, Dene K'éé Gets'endeh gets'qh K'egots'eʔah gok'eats'enehta gha goniédét'éh gonathee theda gha meniédét'éh gháádé eghálagıhndá.

Dene, Móla gotah ajá godneh azhíu gháádé aget'í t'áh goxéh ehth'í agıht'e gok'eats'enehta t'áh eghálaenda, edı t'ahsú kaondıh kegots'edıhsho gháádé t'á ats'et'ı;

- 1) Dene ká t'ahsú megháádé agot'í gháádé goxéh ehth'í agıht'e góılé.
- 2) Dene t'ahsú megháádé agot'í, zhót'ohı gots'eh gogendeh t'áh dezhaa gets'~ kagedı t'áh dúh gets'~ k'áhla met'áh agot'í.
- 3) Edı t'ahsú megháádé ehth'í agıht'e gha theʔq k'éé ats'et'ıle mold, ká t'ahsú mets'ıhʔóq edek'eets'ıı gııı shu agóıt'é.
- 4) Dene, edı t'ahsú megháádé ehth'í agıht'é k'éch'a at'ı rode, ká t'ahsú meghót'áh ts'ıhʔóq edek'eʔıı shu góılé.

Adezhq T'ah Goghaets'ends

Zhunih Dene dáóndih goxeh ehtth'i agoot'é ts'ehk'eh k'egoge'ah gok'eats'enehta gha eghálaeda t'a, Dene Cultural *Institute*, Arctic *Institute* gets'qh Lac La Marte Band Council, etexeh eghálagenda t'ah aget'i qot'e.

Kaondih eghálaeda gha, Dene, dáóndih dene gúlu káde?a zhágúndih gok'eagenehta t'ah eghilagenda-ke, "*Social Science and humanities Research Council* ", góhgedi, gets'~h Góhdli Ndeh ts'é K'aodhe gha Etth'aahtu Edihth'éh Ts'ehk'eh Eghálaeda, saamba t'ah kút'íé naxets'ághndi. Ezhi dahshu, Arctic *Institute* gets'~h, Dene Cultural *Institute* gets'qh, *Employment and Immigration Canada* gets'~h, tıchqo . gogha Edihth'éh Goghágonetę Ts'ehk'eh Gedéhtth'i-ke gets'qh, Góhdli Ndeh ts'é K'aodhe gha Edek'éę Gets'endeh gets'~h K'egots'e?ah Ts'ehk'eh Eghálaeda gets'~h, Ndeh ts'é K'aodhe Ndedhe gha Etth'aahtu Edihth'éh Ts'@Web Eghálaeda, shu adezhq saamba t'ah naxets'ághndi.

Edi edihth'éh, eghálaeda kazháóndih t'sots'e4.hthe t'ah ts'ehtsi qot'e; dene lie, t'ahsú gok'eats'enehta ghálaeda gha k'aodhe gets'~h, edi eghálaeda adezhq gogha k'aodhe líe gets'~h, dene gozhih eghála?idéh-ke dı - ezhi tah gets'~h dene tai t'a dene qki gondah gogedéhtthe ts'ıh?óó saamba ndah gets'~ káıkı. Edi saamba gets'Q káıkı t'a gets'endeh t'ah gondi náts'ehtsi, latats'edet'éh gha met'sots'ed@he.

Dáóndih eghálagıhndá t'a kótah gets'eh dene saánéht'é t'ahsú gok'eagenehta gets'~h gondi nágehtsi gha goniédét'éh gets'?h gokótah gogha Dene Etth'aahtu Ndee-gets'Q k'aodhe t'ah eghálagenda. Kaondih eghálaeda ghaádé kótah ededı dáódenéhsı gets'~ eghálaeda, ededı t'a gok'eh gó?o.

Kótah gogha Dene Gogháádé Agot'ı-ke t'a qındah dı, gets'~h kótah gets'c k'aogedeh-ke gotah gets'~h dene líe, gets'~h dene k'ónıa gotah gets'?h dene líe gets'qh Dene Etth'aahtu Ndee, dene kanéht'é t'áohts'edıhthe t'ah edi edihth'éh ts'ehtsi qot'e. Edi Dene gogháádé Agot'ı gha goniédét'éh-ke t'a, azhı ghaádé dene, Dene ts'ehk'eh eghálaenda meniédét'éh gha gó?o gedı t'ah gedéhtth'i. Ezhi dahshu, dene gets'@k'eh t'ahsú gok'eaneta t'ah eghálaeda gonathee theda gha meniédét'éh, dáóndih dene gogha eghála?uhndá enıdhe dadıhke shu zhek'eagenehta t'ah eghálagenda.

Edi eghálaeda nezıı agoot'ı gots'é dene saánéht'é, Móla k'éę, *Technical Advisory Committee*, góhgedi, kexoegıhndih gha eniégedénıt'éh. Amı Móla go?etth'aahtu edihth'éh ghoh kegogedıhsho-ke t'a edi kaondih ghálaeda gha goniéts'edénıt'éh gets'~h dene gogháádé, Dene K'éę Gets'endeh gets'?h K'egots'e?ah gok'eats'enehta gha goniédét'éh gonathee theda gha meniédét'éh ghaádé eghálagıhndá.

Dene, Móla gotah aja godheh azhú gháádé aget'í t'áh goxéh ehthh'í agúht'e gok'eats'enehta t'áh eghálaeda, edí t'ahsú kaondih kegots'edihsho gháádé t'á ats'et'í;

- 1) Dene ká t'ahsú megháádé agot'í gháádé goxéh ehthh'í agúht'e gójlé.
- 2) Dene t'ahsú megháádé agot'í, zhq't'qh gets'~h gogendeh t'áh dezhaa gets'~kagedí t'áh dúh gets'~ k'áhla met'áh agot'í.
- 3) Edí t'ahsú megháádé ehthh'í agúht'e gha theʔq k'éé ats'et'íle nidé, ká t'ahsú mets'jhʔqó edek'eets'íí gúí shu agójt'é.
- 4) Dene, edí t'ahsú megháádé ehthh'í agúht'é k'éch'a at'í rode, ká t'ahsú meghót'áh ts'jhʔqó edek'eʔíí shu gójlé.

Edí kagojt'é acts'endl t'á ká ehthh'í. Edí t'ahsú megháádé agot'í gójlé, ká dúh Móla goʔeʔa láondih t'á aʔt'é, ko, kí dek'eh nídat'éh ile kaondih t'áh kí láqlí ełéht'e aʔt'éle. Kagojt'é t'áh dene edí t'ahsú megháádé agot'í k'éch'a aget'í, kí adezhq ełéht'e t'áh seegodleh ile.

Dene t'ahsú adezhq nezuy ełexéh eghálaenda gháádé nezuy agúht'e aegenidhe gháádé ndéh, goloah, t'ahsú adezhq godazhúne - t'ahsú kazháóndih ts'ehk'eh nezuy agóót'é gets'~ eghálagenda.

Deneí gets'~h ts'élí ełexéh nágedéh gha t'ahsú megháádé agot'í shu gójlé. Edí, dúh gogha ká ełexéh kqhts'eda láondih éhsáa aʔt'é. Dene zhánizho, dene k'ónia gets'~h ts'údaa, ká adezhq edí gháádé aget'í gha góʔq agojt'é. Dene zhánizho, t'ahsú megháádé agot'í ghq azhú egogedihshq, ts'údaa gets'~ kagedí gháádé zhundah gogha meghqh kegots'edihshq.

Ek'éteʔet'ah ts'ehk'eh eghálaeda gha shu ká t'ahsú megháádé agot'í gójlé. Kaondih gháádé godqh gets'qh amú dágóót'é ndí t'áh t'ahsú ts'é goní nits'eníʔq kek'éódezhq. Edí t'á, Dáóndih Ndeh k'eh T'ahsú Zháthela T'sots'e@hthe gets'qh Dáóndih Ełéót'í Ełexéh Nágedéh gets'qh Dáóndih Kúé Kázháódenílá Ełets'é K'aogídéh ghq gondí náts'ehtsí gets'ʔh dek'eh nídaat'éh zhiéh t'á meghqh gets'hdeh.

Zhundih t'qh gets'~h qhndah t'á t'ahsú adezhq zhets'é heʔeh egenidhe gháádé zhets'é dení níq'áh. T'ahsú k'óní nigodédhé rude, mek'eh eghálaeda gha t'ahsú megháádé agot'í gehtsí. Dene gonatthee déhthh'í-ke, dene adezhq t'ahsú megháádé agot'í k'éé aget'í gha kexogihndih gets'qh t'ahsú gogha godezhí nidé dene ík'o mets'eh shu dúle t'áogedehthí.

Ts'údaa sulái meghayé gotah gets'qh t'á edí t'ahsú megháádé agot'í meghágonete. Ts'údaa edí t'ahsú goghagonete t'á gets'~ gets'endeh ile rode, gogháégenda ile rode, zhq't'qh gets'ʔh gondí t'áh goxéh gets'endeh t'áh t'á kegogedíʔáh ílé. Ts'údaa kí k'áhla agatséla t'qh gets'qh t'á dáóndih kúé godhoh déót'í gets'agend goghágonete

gots'eh hono goghayé t'áh t'a ká oldie gáhjene t'ahsú adezhq t'áh kúé godhoh dúle gets'iigen~ goʔets'enihthe mlé.

Ts'udaq decho gok'éágit'ele ile rude, qndah goʔegedihchále rode, gotthé ezah agots'ehʔi t'áh shu goghágonete ehéh. Qndah ndah zhundéé kenagendih ghoh nahets'é gogendeh ghaáde, dzah k'egoghʔah nidé, k'átthaa t'áh gok'eʔets'edihthah kenagendih gets'eh qhk'ée genetéh dheh méhnaodik'qh nágehtsile rode, xaye gotani agúht'e kó eht'ʔq nígítah t'áh ét'ih éhsáq kari gets'~h méhnaodik'qh nágetsí gha góʔq.

Denelja gets'~h ts'élja, zhundah dene gılı gha lahk'aa goghágonete. Denelja t'a denel goʔqndah xeh ehdzo agehʔi t'áh t'ahsú kegogediʔáh gets'qh ndah shu thah dechitah aget'i ts'jhʔóʔt'ahsú kegogediʔáh. Godezhi agojt'é kó, elexéh ats'et'i gets'qh ká t'ahsú moozhéts'etih gılı gets'qh lumbaa thekó t'áh ats'et'i t'áh ká gonuzú.

1. Dene dáondih t'ahsú megháade agot'i gots'eh, Mola k'éé "Law" ts'edi éht'e laondih t'ah megháets'undá goch'á, Mola k'éé "Rules" góhjh, t'a, edi edih't'éh zhiéh méhdehtsi.

Ts'élja t'a sa t'áh ezahgılı goxéh kéonidhi rode, ká gogha godezhi godlih agot'jh. Gotsu ndah zhundéé kanagendih ghoh naxéh gogundéh gogháade, thah lumbaa zhiéh nágende agots'ila gets'qh xadé edegha tu ats'eʔi gets'qh qhk'ée t'ahsú moozhéts'etih shu edegha ats'ehʔi gha góʔq. Gotsu ndah goxéh kagúja kenagendih ghoh gogendeh ghaáde, ekúh goxéh kagúja, kí qhgots'edélú láondih edegenuthi gets'qh óqgedeʔa godaohdihthe shu kenagendih. Gotsu ndah dáondih godaohdihthe ts'jhʔóʔ nágetse ageja gets'~h xazhagedetu shu kegogediʔq aegenidhe kó qndah líe ká líe xaye gotah gets'~ medugháts'ehndih kí kaenidhele. Ká loqlih kagogehʔih nidé, godu náts'edéh gets'~xo~ godlih agojt'é gets'~h gotsu gets'~h gomo gets'qh godéa gets'~h gombare dúle dzeh taʔt'ee gets'Qgogehthe gets'qh amú goʔqndah agit'e-ke dúle t'ahsú "goghágonehte agojt'e t'áh kí see dzaágojt'e ile."

Zhunih t'a kí dene saánét'ea zoh elexéh názhádéh t'áh dene líe t'ahsú megháade agot'i k'éch'a at'jh rode, ekúh ét'ih dene adezhq zheghoh kegodihshq. T'ahsú megháade agot'i, kí see kújt'íe met'áodé'a qt'éle (lét'éh ts'eneʔi kazháondih kaondih) t'a goghoh dlóts'edehtsi t'áh goseenizhaegihthi ehéh. T'ahsú ndah naxets'é kats'edi ghaáde meghoh kegodizho t'a, qhk'ée dene lét'éh neʔih megúʔq rode, dzeni ghaáde ezhi lét'éh néʔi meʔedigé gets'~h godu náts'edéh gotah gok'eadetle amets'ehʔih gets'~h dene adezhq zheghoh nágedló.

Dene, dene gılı ehdzo ts'eh t'ahsú dheh néʔi megúʔq rode, gets'qh kaa ehdzo ts'eh enéʔi ndi gets'~h rude azhi dheh néʔi éht'é ile rude meʔóq nezú zhendah zhéghoqchu gha góʔq. Edi t'ahsú kaondih t'a godu náts'edéh gogha denel qndah t'a kagóot'é rich. Dene kújt'íe dzah k'egoghʔah nidé, godu náts'edéh agúja gets'qh dene gonatthee

azhót'e, adezhq zheseenizhaeghtu gha légehdeh gets'~h dámegudleh gedí. Kagondih t'ah adezhq goxéh nezuy snag@'e anagogeh'ih ehléh. Dene náets'edihdlá gets'?h dene gúlii ts'ékee héh dzah k'egots'e7ah gets'?h qhlets'ededlúh gets'~h ts'éliqá kí meghayé k'énéht'éle gets'lh?od mezhaa gúli gha at'ih níde, dene amii kaondih k'ego7ah, kútt'íé edek'e7li amets'eh7ih eh'éh.

Dene k'éé t'a kí móla k'éé goseenizha7itu rude "not guilty" ts'edi, húle agúht'e. Amii, azhiu dólá ká kegots'edihshq gets'eh amii mek'eh dzah t'ahsáagujá t'ahsáadi gets'~h amii dzah k'ego7ah, ká kagóhla ndi gets'eh níde amii dzah k'ego7ah dene gonatthee déhtth'i-ke edek'e7eli gets'~ zheseenizhaeghtu ehléh. Kaondih t'ah deneli gets'~h ts'éli gonatthee zhágedéhtth'i agit'e-ke, amii mexéh dzah t'ahsáagujá goxéh gonezu anagudeh gets'~ k'egoge7ah gets'qh amii dzah k'ego7ah, k'endah mets'é dzah acts'enu~e gets'qh godii náts'edéh goxéh nezuy agúht'e anagudeh gha gets'g t'a kaondih k'egoge7ah lé.

Dzah t'ahsiu t'ahsáagujá, seenats'íla gets'qh níde, kí meghqh nagots'edeh ile. E7exéh nezuy eghidats'ends ts'ih7q a zhundah gogha dene adezhq gogha gonezu gha t'ah dene léé t'ahsiu megháádé nezuy e7exéh zhágots'indih gha the7q k'éch'a at'í níde dzaagúht'e agot'ih gets'~h qhk'ée shu dene léé dzah k'ego7ah ts'ih7qó dúle godii náts'edéh gogha kégoneji agúht'e.

2. Edí edihth'éh zhiéh dene gonatthee déhtth'i gets'~h dene eth'aahu ndee, zhundih 1921 t'qh gets'qh Móla, "Chief" gots'éh "Band Council" góhgedi, góht'e láondih t'ah gogháets'undále goch'á t'a T7chqk k'éé, Kawo gets'qh Yabahu góhdidi.

Edí edihth'éh, zhunih t'ahsiu gúlii agúht'e gha t'ahsiu megháádé agot'í t'ah gúlii káde7a góilé ghqh dagoguke gets'qh meghqh gondi edut'éh thitsi qót'e. Dúh thale Lac La Marte ts'úda7a gogháts'ihthéh gets'qh dene kútt'íé ené7i gha meseenizha7itu, ezhu t'ahsiu qkí, Dene k'éé dáondih k'egots'e7ah t'ah seenagots'edleh ts'é k'egots'e7ah t'ah gets'a~dih ghqh edihth'éh thetsi shu qót'e.

T7chqk, zhundih dáondih t'ah godii náts'edéh goxéh nezuy agúht'e gets'~ azhiu megháádé agot'í go7hts'eh mek'eats'enehta gets'~h rude, Dene adezhq zhenaegenudhi gha edí t'ahsiu kaondih t'ah dagodúke aeniddhe - Zhundah gogha, dúh dáondih eth'aahu k'egoge7ah, sí dúle méht'e láondih t'ah Dene zhunih dáondih edek'éé goxéh nezuy agóot'é gets'~ k'egoge'ah, t'ahsiu k'óni metah t'ah dúle edets'é k'sots'edeh gha olí aets'enidhe. Ezhu dagots'edihke ts'é "ile" níde "he7eh" ts'edundi aeniddhe gha.

Zhunih t'ahsiu dáondih gha t'ahsiu megháádé agot'í góilé, dúh gogha kí dúyé met'ah agot'í, kó azhiu mets'eh kegogets'edí7ah gha azhíht'é éht'e láagondih gha edahxq dúle ndah t'sots'edehtlu olí aeniddhe. Kagondih gháádé, edahxq dene k'ónia, qhndah go7ets'edihchá gha gó7q ghqh goghágets'enehté rude, edahxq qhndah dágedi

goʔegeditth'e gha. Ko, dene k'ónia kí qhndah egedihchále gets'~h qhndah t'ahsiu gets'~ kagedundile egenidhe nidé dene k'ónia kí gogeditth'ile gha gets'~h gok'éch'a góhlih k'egogehah gha. Qhndah gets'qh dene k'ónia dúle ahlah nezuyú etets'é gogendeh gets'?h nezuyú elegehoh aegenidhe rode, kí kagogéndih elegenithe gha ile.

Zhunih dáóndih goloah gets'qh ndeh ts'edihchá t'áh xazhats'edeti gets'~h dáóndih nezuyú edexoets'edih gets'qh azhiú egots'edihsho t'sots'edeht t'áh xalats'ededa gets'qh t'ahsiu gets'~h nidé dene gúliu shu ghaets'edetsi gets'~h elegehoets'ededih gets'qh elek'éts'ehndih t'áh k'éndah Dene Kéhle ats'it'e ghoh nezuyú edeghoh acts'emddh~ gha.

Duh thale Dene gets'~h Móla saánéht'é, dáóndih t'áh zhundah gogha Dene Kéhle gets'~hk'eh k'éndah nezuyú eghálaeda gha edi ndeh teh adezhq dene gúliu kádeʔa adezhq dagogedihke gháádé t'a Dene Kéhle zhunih dáóndih goxéh nezuyú agóot'e gha t'ahsiu megháádé agot'i gojts'eh, edahxo dúle Móla goʔeʔa taedet'éh aegenidhe. Azhiú dáóndih Móla goʔeʔa dúle taedet'éh egots'ihʔáh gha kí godezhile gha olí aeniddhe kó nahxí gok'eanéhtita gháádé kí kaondih eghálauda aeniddhele.

3. Ediht'éh zhiéh Tihchoq Dene "Take back" gedi t'a, Móla azhiú goch'á nigedihdah niagedichu gedi t'a agedi, kí t'ahsiu ededii xade t'ah zhegediitse ilé gets'qh niagedúchu egenidhe t'ah agedi ile.

Lac La Marte gets'~h dene gonatthee zhádéhtth'i gets'~h qhndah kaegenidhe gháádé t'a k' zhunih dáóndih t'ahsiu megháádé agot'i, Móla goʔeʔa tah ets'edut'éh aegenidhele gets'qh edegha thah zhundih dáóndih t'ah goxéh nezuyú agóot'é gha t'ahsiu megháádé agot'i enagogúhʔáh gets'qh zhegháádé anagut'i egenidhe. Si thah aenehthe gháádé t'a, dene gúliu ts'eh t'ahsiu tah gets'~h t'ahsiu ets'edétt'éh gha rode, kí see nezuyú zhegedihchá gha ile sóondi aenehthe. Dene Kéhle, Móla ʔeʔa ts'ehk'eh eghálaeda goxéh eghálagenda gha goniéts'edétt'éh kó k'éndah Móla k'éé dáóndih ʔeʔa ts'ehk'eh eghálaeda gúlih anagots'ilá ile nidé, kí gúlih anagots'edleh ats'et'i * aenidhele - kí xádé t'áh gets'~h qt'e acts'emdh~ gha ile.

Dáóndih t'áh zhundih azhiú nezuyú eghálaenda, zhundah gogha met'sots'edehti gets'~ k'egots'eʔah nidé éhsáá nezuyú gha olí aeniddhe. Kaondih k'egots'eʔah nidé kótah gets'~h dene adezhq dáegenidhe dúle got'áohts'edehtu gets'qh dene adezhq ezhi kótah gets'~h gets'a@ndi ts'ihʔóq nodeq azhiú ts'ehtsi, saécho gets'?h shu qt'e aegenidhe gha - kaondih t'áh see nezuyú aot'é agenidhe ts'é zhek'eh eghálagenda gha. Dáóndih t'áh gúlih anagots'ilá gha olí gha gok'eanitah ekúh, t'ahsiu kaondih shu t'a k'eanéhtita.

Edi gok'eats'enehta ts'ihʔó t'a t'ahsiu kagóot'é ets'enidhe qkí káikí gets'~h ká thaa godlih meghoh gets'@.ndeh.

i) Lac La Marte gets'~h Dene ká see ehth'i t'áh edets'é k'aogudéh egenidhē rode, dene zhánizhō t'á atthee edexéh nezuyú níogogíʔah gha góʔo. Ezhi ts'é t'á ala, káh kótúé daghágíndí gha góʔo gets'~h dáóndíh t'áh zhundah gogha kótúé edeh nezuyú gets'endih kegogedíʔah gets'qh zhek'éé gogendih gets'e k'egogeʔah shu gha góʔo. Kótah gets'~h ts'údaḡ gets'qh dene k'ónia gets'qh ts'élí gets'~h denelí, adezhō éhsáá kótúé ts'íhʔóó dáhxít'íé dzaáagóit'ee ghoh eléxéh gogendeh ts'íhʔóó goxéh nezuyú anagudeh ts'é eghálagenda gha góʔo. Nodeḡ, adezhō eléts'é zhaógíndeh ghaáde eléxéh nezuyú níogíʔah gets'~ eghálagenda gha góʔo.

Dzēh taunét'ee ile níde kí qhk'ée zoh kótúé ghilats'ends acts'endh? kó ezhi ahlah t'á ká kótúé t'áh tsáhts'edendah t'áh móódat'í qót'e. Kótúé ghdlats'ends ts'íhʔóó shu thah goníodétsí gets'qh kí gozhaa goxéh t'ahsáágondeh gohthē acts'emdhqle gets'qh kí genezheh gets'~ t'ahsú kegogedíʔah t'áh gets'ats'undi ets'enidhēle ats'et'íh. Ts'élí dagots'edíhke, adezhō ts'élíḡ agít'é ekúh gets'~h ká ts'élí genézhō agít'é ekúh shu denelí tsáhgogedíthe gedí t'áh kágogíhndeh.

Zhunih t'á dene k'ónia ile rude ts'élí ehth'i k'egogíʔale, ile níde gets'ekee ehth'i - k'egogíʔale ts'íhʔóó dúle dene amú goxéh nágedéh gogha dzaágondeh gohthē t'áh t'á amú ehth'i k'egogíʔale, k'ahshu kanagut'íle gha kút'íé gotthē ezhah agots'ehʔí eléh. Dúh taút'ee t'á kí kagondile t'áh ets'enedéh níde, ek'aats'udhe gets'qh dene tthē ezhah ats'uleh ets'enidhē. Zhundíh t'á ts'élí gets'qh ts'élíḡ gotá ile rude godené goxoehndih t'áh kí goxéh dzah k'egots'eʔale kó dúh taút'ee t'á kótúé ts'íhʔóó kí kagondile.

Kótúé ts'íhʔóó kagondih t'áh t'ahsú líé kagóot'é agots'uleh gedí t'á kótúé see t'ahsú adezhō t'áh mets'íhʔóó dzaáagíht'e t'áh megháéts'undá agots'uleh gedí. Ezhi ts'é t'á Dene Kéhle sáánéht'é dáóndíh t'áh kótúé t'áh tsáhts'edendah goteh ts'edetla t'áh gets'agend-ke, kótah nígots'óódhah gets'qh eléót'í gets'~h dene k'ónia gets'~h denelí gets'~h ts'élí goxéh eghálagundá t'áh kótúé k'éch'a k'egots'uʔah gedí. Kaondih k'egots'íʔah gets'qh dene nezuyú náegenidhe agejá gets'qh rode, dúle thah edets'é k'sots'edeh ts'é see ehth'i egh&lats'ends kéots'enihthí aeniddhē.

Kótúé ts'íhʔóó godíh zoh t'á dene etth'aahtú k'éch'a k'egogeʔah t'áh kótúé ets'editsí ts'é edexéh seegots'íllá rude, Móla k'éé goseenizhaḡtú kút'íé éhsáá nahekótah zhuzhieh agondeh gha sóondi. Tíhchōq Dene sáánéht'é goseenizhaegíhtu gha goníéts'edénit'éh gets'~h níde, Dene adezhō goxéh gonezú anagudeh gets'~ dene amú zhundíh ts'élí ile rude ts'údaḡ k'eh dzah k'egogíʔah, Móla k'éé goseenizhaḡtú gha ile góhts'edí t'áh dúle zheghoh gogendeh gets'~h amú k'eh dzah k'egogíhʔah, kaondíh k'egogegíʔah gha - edek'eegíllí dúle góhgedí.

2) T'ahsú líé shu t'ahsú kagóot'é gedí t'áh edíht'éh gehtsí tah theʔo t'á, kótah gets'~h dene adezhō léguhdéh gets'~h adezhō t'áh Tíhchōq k'éé ehth'i agóot'é ts'é eghálaeda gets'ehtsl rode, dáóndíh qót'e gha ghoh gets'undeh gedí. Godheh kats'edíndí mílé, k'ahshu kanadídí gha - dene k'ónia gets'qh dene zhánizhō gets'~h

qhndah, adezhq elets'é gogendeh ghaáde dáóndih t'áh amí zhundih kútt'íe t'áh ile nidé kí see kútt'íe ile t'áh dzah k'egoꝛale-ke gets'qh amí mek'eh dzah k'egots'ꝛꝛah-ke, goxéh seenats'eleh ts'é eghiilats'ends gha shu góꝛq.

Edi kaondih eghálaeda t'a mets'é sadzee lq k'ehodhi gha gets'~h meghqh goghágonete gets'?h meghqh gets'endeh gha góꝛq t'áh ala kagóot'é edaat'éh k'eh eghálaeda tóh mek'eh eghálaeda kéhoniðhe rude éhsáá neꝛu gha aeniddhe. T'ahsiéh gúli gets'~h dene kótah goxéh edi gondi náts'ehtsi ghqh k'ahshu gets'~ nagodeh olí gets'qh see neꝛuꝛ t'áh dáóndih t'áh gets'gh azhíi dúle met'sots'ed@.he olí, kágeleh gets'qh zhet'áogedehthi kéhogenihthi gets'~ eghálagenda olí. Kótah dáóndih t'áh kaondih k'egogꝛah aegenidhe, elexéh seegogilá gets'~h nidé dúle Tꝛchqꝛ dene qkí edi edihth'éh etsi ts'é eghálaeda goxéh eghálaguhndá, dúle gets'@k'eh eghálagenda gha goniádeðt'éh sóondi. Kéóts'eniðthe gets'~h rode, zhundah qkí xaye, dáóndih eghálaenda gha k'ahshu mek'eanats'enehta gha.

Edi gok'eats'enehta t'áh t'ahsi kútt'íe met'áodeꝛá egúꝛq gets'qh meghqh kagóot'é ts'edi t'áh edihth'éh ts'ehtsi, Tꝛchqꝛ kúé kázháódenilá, Lac La marte, Rae Lakes, Ndushih Kúé, Ndilq gets'qh T'eꝛehda, ká adezhq goxéh názhats'ihthi t'áh zhek'eagenehta gets'~h gogha neꝛu ghaáde zqh meghqh edihth'éh ts'ehtsi óqt'e. Edi kaondih k'egots'ꝛꝛah ghaáde edihth'éh ts'ehtsi ghaáde ká godꝛi gets'qhk'eh ts'ehtsi, ká see ehth'í t'áh adezhq zhets'ádagedendi kegots'edꝛshq. Ezhi dahshu, kúé kázháódenilá amí gets'qhk'eh edi edihth'éh ts'ehtsi adezhoné Lac La Marte edi kaondih k'egogꝛah ts'ꝛꝛóq goxéh neꝛuꝛ nigodédhé rude gogha máhsí egenidhe gha gets'qh adedꝛi shu zhundah sáódeðthale kaondih edegha seegogeleh gets'e eghálagenda kéogenihthe nidé gogha neꝛu gha gedí t'áh kágoguhndeh.

Amí edi edihth'éh k'eh eghálaguhndá: Marie-Adele Rabesca gets'?h Diane Romie, t'ahsi gok'eagenehta t'áh eghálaguhndá; Aggie brockman, meghááde agoat'í, gets'?h; Joan Ryan t'a dáóndih gok'eats'enehta eghálaeda gets'~ k'aodhe aꝛ'é.

Dene Ts'qhk'eh Gonatthee Gedéhtth'í-ke: Dene Etth'aahtí Ndee, Isadore Zoe, qhndah, Johnny Bishop, dene dúh thale mehúle, Menton Mantla, Alexie Flunkie, Marie-Adele Beaverho, gets'qh Sophie Williah; Kótah gonatth'ee gedéhtth'í gets'qhk'eh, Joseph Moosenose gets'~h; dene k'ónua gets'qhk'eh, Richard Charlo gets'~h Georgie Mantla.

Translation by Jimmy D. Hope

T'at'ue Yatı ʔelghárílya

Dırı ʔatthe yuníze ʔelth'ile náxádhër de t'at'u bek'e ʔeghálada ní ʔeyı t'á yek'e ʔaghádálana sí dırı Dëne Ch'anié xél ʔeghádálana chu, Arctic Institute yúlye chu, tth'ı Lac La Martre ts'ı dëne beba ʔelıgıth dëne ʔeyı t'a ʔek'e ʔeghádálana ʔat'e.

T'á tsamba yeghaila sí dırı ʔası k'odónelṭá xél ʔeghádálana-u, dëne dána k'odónelṭa xél ʔeghádálana-u, ʔedızı néné ts'ı nie ts'én k'aldhër-u, nie ts'én k'aldhër nedhe-u, ıchṭá xárelʔa ʔereht'ıs kúé xél ʔeghádálan-u, tth'ı begháthën ʔeyıle ts'ı tsamba beheghálya.

Dırı la xa nádëne dëne behenérıṭ'ıs, ʔılghe dëne la beghálada sı xalı-u, ʔılghe dëne k'aldhër helı xalyá. Harelyu t'a dıne dëne xa la hulı nulı, ṭane dëne ʔeghádálana ní hulı, nádëne hulı ʔája. Xat'e t'a tsamba la xa thela ní, la xa bet'átule-u, ʔeyı tsamba sí dëne beba ʔetáyatı xa-u, tth'ı satsán bet's dëne yatıé náłtsı ıını, ʔeyı xa bet's xat'ı.

Dırı t'at'ú ıa beghálada ʔalya sí, háyorıla xáṭá t'a bet'ase ıa búnıdhër ts'ı nohot'e ts'én denı t'a yeghııní. ʔeyı t'á bet'ase ʔeghádálada sí, háyorıla ts'ı dëne ʔelghárílya -u, lıshéf t'a dëne natthe theda xalya.

ʔeyı dëne ʔelghárélya sí, dıne ʔalmedh-u, hádóyorıla dála ts'ı ʔılghe dëne-u, dëne gódhe ʔela déłth'ı sí-u, begháthën tth'ı lıshéf dëne xél theda xalya. Harelyu t'at'u ıa xale sí, dırı ʔelghárílya t'a behet'ası la k'e ʔeghálada. Dırı dëne la k'e ʔeghádálada xalı dëne tth'ı yetłase ʔeghálana.

ʔeyıle tth'ı dëne ʔelgháríya la k'e ʔeghádálada dëne ts'éhenı xa. ʔeyı dëne ʔalá déłth'ı sí dırı agencies dóllye, dëne náyatı kúé xél ʔeghádálana sı-u tth'ı begháthën ʔılghe dëne tthe theda xalya.

Dırı t'at'u ʔatthe yuníze dëne gha náyatı k'edónelṭa sí, dırı t'ayıṭthën sı gharé:

- 1) Dëne sıııne hárelʔa ʔatthe yuníze dëne níze náhedae sı ts'edhı-u dahena.
- 2) Dëne t'at'u ʔelth'ı-u begharé náł'ats'ede xa dëne ts'edáyatıe t'a.
- 3) Dëne dagháı huı t'a náł'ats'ede.
- 4) T'á dëne ʔelth'ıle-u denı néł'adhër de, ʔesát'u sıııdhën.

Diri t'áúndhën ni sí, ʒeltth'i ʒat'e k'e. Begháré nák'ats'ede sí diri t'a ch'as nánet'ën sí chu ʒelt'e. 1 Dëne sũline hárelʒa sí, diri begháré nák'ats'ede xa yehék'éhritʒ'ísile. Xat'e hulí ʒedeni t'a t'at'u sugha-u yeheniʒdhën sí t'a gháré suhuriʒdhën.

Begháré nák'ats'ede sí, diri ní-u, ʒejër-u, dëne dáʒin-u, tth'i dëne hárelʒa sí harelyu ʒelk'izj xa hultá. Diri hat'u bet's huzj dire néne k'e ʒejër-u harleyú ʒasí ʒelá dána.

Begháré nák'ats'ede t'ats'edi sí, dëne hárelʒa ʒelá tide-u, ʒelts'ak'e yegháré ʒelgá deltth'i-u, tth'i, pained.he-u, dëne góth-u yegháré sekui ts'ën dáyahelti-u, tth'i sekui náneheʒën.

Diri rue ts'ën k'aldhër kizj xáʒa sí, begháré nák'ats'ede sí, ʒeyi t'a begháré t'o to, t'atu-u yatı xale Diri begháré nak'ats'ede begħa náyaltı is taghe ʒası ʒalidı ʒat'e, ʒeyi sí, nie ts'ën ʒası t'a dáts'eda-u, begháré ʒelnaku náde-u, tth'i begháré dëne beba ʒelıgıth ʒelá nilye.

Tatthe yunızı t'at'u begháré nak'ats'ede xa yatı xale ni sí, ʒalmedhe deni t'a yatı dáhełtsı ni, harelyu dëne t'adáyıdhën gháre.ni. Begháré nák'ats'ed ʒaxa ʒedu ʒajá-u to, yatı tth'i begħaret'a to de, ʒalmedhe nadlı tth'i bedagháralʒı. T'a k'aralde sí t'a deni t'a beghare nák'ats'ede yatı thela sí t'a hahelnı, tth'i, lıshéf -u, yek'in deltth'i -u , diri dëne t'a ʒası k'orelʒa dëne hurekër hurélʒı de háyehıle xa dúele.

Diri yatı begháré nák'ats'ede sekui sqlághe bexay ts'i hádóneltën. T'at'u “ hádóneltën sí sekui bets'ën yatı-u to, sekui badı-u to, tth'i sekui xanı t'a bets'ën yatı. Sekui dánehıle ts'i la xa dábelʒa, łqne bexay ghá núdhër de behetthıkuı kizj ghádálana.

Sekui dáníye sí behetthıkuı-u to, ʒalmedhe-u to seʒudıle dé, sekui belgháıl. Diri la xalı sí t'a dëne, dëne x61 dálnı sí dáhedı-u, xalı k'ai luth t'a beráılghel-u tth'i xaye dabidëne ʒedza xel bıt'ase bet's norık'a xa ʒetthade xa débıʒʒa k'énitedhe yahenahelnıle de.

Dire dëne xél dahelni gháre ʔatthe dëneyu-u, ts'ékui-u t'at'u yegháre nak'ahede ni si ʔełk'iz ʔat'e ʔife. Dëneyuaze chëleku nełé ʔaja de ʔılghe bélat'in ʔıdzes xa yełtı. Dëneyuaze tth'i denı nok'é dhën ts'ën ʔat'i. ʔıás ts'ën dëneyuaze dëne xél dzékeredhir bet's noréʔá

Ku, ts'ékuaze t'eke dheli-u, hate henáile ʔaja, yuwá dhëne ts'ën t'abál súłın nałtthı ʔalthën ni. ʔedenı tth'i ʔedabalʔı ʔalthën ní. T'a ts'ékui dëne xél dáłni sí t'at'u yedánalni ni sí, dáhedı-u, t'a'tu behéba horélyaile-u, behéba nesuile ni. Dirı tthën t'abal nałtthı ʔaldhën sí, nane ts'ékui dáyıdhën-u, bet's behedáyiné nadsér ʔat'i. Dirı ʔılghe ts'akuı ʔılghe xay xa dhën ts'ën náıdhër ʔalyá snı. T'abál sułiné nárátthı sí dëne ts'ën nıdhıle ʔáts'edı, dëne tsuné-u, dëne nakui-u, dëne ghá naıdıł xa dúele.

ʔatthe yunızı dëne ʔıła miracle ni. Xat'e t'a dëne ʔełtth'ile náxáldhër de harelyu kúdëne bek'óreja. Hút'etthe honıla xáıle de, t'a ʔełtth'ile náxáldhé sí yedeghá huréja ʔaldhën. Dëne ʔet'éstéth to néʔı de, ʔet'éstéth tsıs bek'e dorıłón, yet's huréja xa.

Dëne ghá ʔejér thédh nét'i dé, t'a beghá ʔenedı si xats'edı-u tth'i ʔejér thédhe bek'aénarelchudh-u to xat'ale de sát'u t'anılt'e dëne gha ʔenet'i si beʔarıtı be'énet'á. Dirı dat'ú ʔełtth'ile náxáldhé de t'a bedaregha surıdhën si lıshéf k'in déłtth'i si-u xátaile de, t'a dëneyu t'a tther si t'a bet'ase nıt'a.

ʔełtth'ile nedhe xalı de, harelyu nats'ede sí ʔıła nıdél-u, t'a ʔełtthıle náxáldhër si t'anıs neda ʔaldhën-u ʔeyer ts'ı yesenáyereltı. T'a ʔełtth'ile nedhe xa hultá sí, ʔełtth'ile xa ts'edkuı k'anáts'edhër-u, ʔełts'ake heyıle ts'ën dëne ts'áhedı-u to, dëne xaráıt'i ʔegháıdáıle-u, tth'i, ts'akuaze nułtı ʔalye de.

ʔatthe yunızı dëne ʔełtth'ile náxáldhër de harelyu bek'oreja ni, xa'te t'a t'a ʔełtth'ile náxáldhër sí-u to, t'a bet's'ën ʔełtthıle náxáldhër si sáhedı de k'ání t'a surıłtthën. Harelyu dëneyu-u, ts'ékui-u t'a bedarıgharé t'a ʔełtth'ile náxáldhër si nonele ʔaldhën-u tth'i t'a t'ën ʔełtth'ile náxáldhër si gha nonele ʔaldhën.

ʒełth'ile húʒa sı besenáyarıtı tı'ą tth'i begha háyatı nadlıle. ʒelnákuı ʒıłághe-u to ʒełth'ile náádhër nák'adhër de, benákuı-u to, benár náts'ede-u to, bet's beheba hunıla.

ʒereht'ıs xalı k'e xadı-u, dırı beghare nak'ats'ede taghe ts'én huh, dëne xél dáhálnı sı buts'elkër ghare yuwe Lac La Martre ts'én dëne nade sı ʒedenı t's, t'ą mitt.h'de náxáłdhër sı t'a seneyalı.

Dırı ʒıłághe ʒası hurélkër, t'atthe yunızı Łıchaghé háłrelʒa yegháre nák'áde xa yatı thela sı, t'at'u ʒereht'ıs k'e yatı nılya. ʒaxa Łıchaghé bet's ʒatthe yunızı t'at'u dëne yatı gháre nák'áde nı sı kızı nayeʒılchu xa de nañe ʒe dáʒıdhën-u nañe tth'i ʒıle dáʒıdhën.

ʒatthe yunızı ʒełthile náxadhër de t'at'u surıłdhën nı due xaʒa sı ʒedı . xaʒa t's, t'at'u ʒası surıłdhën du xa de ʒedı naı t'e. Xat'e hulı beghare nák'ats'edı yatı thela sı bet's xat'ı-u tth'i yatı gothe begharelya de huzu xa bunıłdhën. Dırı t'a ts'edı sı, sekuı ʒalnedhe súdı xa honeltá de bets'ı ʒané sekuı benadhère nezu xa, tth'i ʒalnedhe sekuı seródı xa. Xat'e hulı ʒalnedhe sekuı sudıle-u xadáyoneltën de tth'i sekuı ʒalnedhe dóreltth'ą xaile. ʒełth'ı-u sekuı hadónełtën nuʒıt'ą de, huzú xa bunıdhën.

Dırı néné k'e t'at'u sughá-u nák'ats'ede xa de, ʒelnızı huzú náts'ede-u, t'at'u ʒeghásozełnı-u, t'at'u ʒejëre t'aldhën, nı suzedı-u, ʒede ch'azé nádunet'én-u, ʒets'elná-u, tth'i dëne ch'aze ʒegháʒıtsénıle.

Dëne sułıne xárelya xél ʒeghádálna xa k'aide déłtth'ı sı dáyıdhën-u, Dëne sı hedenı xaré hedeba yet's nák'áde xa yalı beheba thela de, dırı. that'ıne beheyatı dı-u. Dırı la k'ónéłta sı ʒereht'ıs k'e bek'ereht'ıs ʒadı-u, dat'ú núhut'a xa ts'én bek'érlt'ıs role.

Xat'e hulı Lac La Martre ts'én ʒalnedhe-u, háyorıla xa k'aide déłtth'ı sı dáyıdhën-u ʒełek'éhorıłt'á xa hurél ʒıle. Denı gháre t'at'u sughá xa yehenıłdhën sı gháre yehıle xa. Dırı ʒełek'éhorıłt'á ná ts'én beneredıle. Xat'e de Dëne sułıne tha'tuné k'e narelya ʒanı de hulı, ʒedıje nade xaile. ʒedıje nalyá nıde hulı, Dëne sułıne t'at'u náxáłde-u tth'ı t'at'u dárelna sı ʒełth'ı bunıle xa sını.

Yunedhe xaʔa xa yuni ʔúʔá t'a bet'órjdhër ni si yunedhe bet's xat'i xa burenilile. Dırı ʔate begħa nánaxadhër xadé, háyorila ts'i dëne deni t'a begħaré t'at'u dëne xárelʔa dëne sułiné k'iz dána xa. Xat'e t'a xáheni huherélʔi de ʔedeni t'a yegháláhena xa. Dırı t'a ghá náyaltı sı, la xalı xa ʔereht'ıs k'e bek'érlt'ıs ʔat'e.

Dırı la xalı sı xa ʔereht'ıs selʔá ni bek'e mike ʔasie nedhe ts'ën ʔeghálade xa yatı xalı.

1) Lac La Martre ts'i dëne bedaregharé nák'ats'ede xa yatı níʔle hurélʔi de, ʔalnedhe hárelʔa tth'i ʔede ni xaré behets'in xalı xáʔa. Dırı t'á ts'edi sı kúntue dı ts'ena xa ts'edi. Kúntue t'a naka ts'ude ts'ën ʔeghálada xa harelyú dëne, sekui-u, dëne góth-u, ʔalnedh-u ʔeła nayaheftı xa ʔeła níʔdél dé, ʔełts'éheredi xa. Tth'i begħadhën ts'ékui xa-u, dëneyu xa-u, ʔeła nihidé xa, xáʔa lılu. Yunedhé de, sekui-u, ʔalnedh-u ʔełts'ën ʔeghálaheda xat'e.

Kúntue t'a daʔúʔa de dzı ʔált'u, dzı ʔát'ele-u ts'eda níde hılı, ʔedets'ën nuhut'aile ʔat'ı. Dırı xájá t} 'ághe de sekui tth'i bets'ën nuʔúʔ'aile ʔat'ı ts'ı ʔáne sekui heneltënile. T'á ts'ékui dëne xél dálnı sı dáhedı-u, t'ek'e dáhelı-u, ʔalnedhe dah ʔaja dlaghe hılı dëneyu t'a daráıʔa.

Tatthe yunızı dëne la t'a dëne ts'ën náxadhër ni. Dëne rádı-u, nádáts'edi sekui-u to, ts'édkui-u to bełdéné k'át'aile ʔánidé bet's hunıla.hunıdhën. Dahúcha ʔanıde dëne la t'á dëne dalʔa ni. Dú náts'ede sı xáʔútaıte, kúntue t'a xánáhudhé xat'e ʔat'e. T'atthe yunızı t'akeʔaze ʔełtthıle xa dı xat'u ts'ën behts'ën náxadhériıle ni, behedhıkuı hate yahelıni t'a. Dú xáʔa sı kúntue t'a ts'ékui barádıle.

Xat'e t'a dırı ʔıághe ʔası yatı xałe xa huts'élʔı sı, kúntue dada nedhe xa hultá xa huts'élʔ. Dırı t'at'u la xałe xa sı, ʔalnedhe ʔalnakui xél ʔeghálana-u naka ʔıle xa. Dırı dëne nakarálıya ʔanıde ʔedeghára nák'anahede xa ʔedets'ën k'ahelde xat'e.

Xat'e hılı dırı ʔıághe ʔası begħa nánaxadhër sı, dırı yatı xołe snı hılı yatı ʔedeʔú xane xa dú xaʔa sı ʔełtthıle xaı de kúntue-u t'a t'e. Eıchage hárelʔa dënesedáyal sı tth'i yuni t'at'u húʔa sı, séhele xa ts'ën yehegháláhena xa, dahúcha de, ʔaxa ʔełtthıle ʔúʔa m sı begħanádáyatı ʔane xa.

Diri begħa dhén t'a huts'ekér sí, diri háyurila Łicháge harelʔa náráde t'adáʔidhén sí gháre ʔedeba yedaregháre nak'ahede xa yatı nılʔle hurélʔı de t'at'u xalye xa sí ʔat'e net'i hı́đú xalye xa. ʔatthe xaıdı nı sí, ʔáľmedhe-u, dēne góth-u ʔełsúúdı xa de, behesuk'ēth dēne dáníye sí xél ʔeghálahena xa. Hayurıla xaʔa sí t'ą k'aide xa déłtth'ı sí xa ts'én tth'ı ʔeghálada xahuja de hedenı t'a bedaregháre t'a dēnesenayareltı xa ʔełtthıle nedhe hutó, hunıla nedhe ʔıle huh tth'ı.

Diri la xalé xat'e kúđene xa ts'edıle , tth'ı dēne xádónełtēn-u, tth'ı begħa náyatı ʔı́đú. ʔı́łághe dēne ʔereht'ıs surıđdhén-u, dēne xél dáyalı-u, tth'ı t'a yatı betóreʔa xa naltsı xa benerıłt'ıs de nezı xa hunıdhén. Nádēne Łichagé diri la ʔası k'onełta xa de diri t'a ts'én ʔeghálada xa sí ʔate bek'ónelta-u tth'ı háyurıla dēne t'a dáʔidhén sí gháre xa dúéle. Xáʔújá de dire Dēne xárelʔa hedegħa yatı yedagħar nak'ade xa de yunedhé náke xay núdhēr nadı de tth'ı nanet'ı xa.

Diri la ghā náyatı sí bek'onéłta dlághe begħa nayatı ʔı́le yuwé Lac La Martre-u, Rae Lake-u, Snare Lake-u, Bescho néné-u, Núlá-u, tth'ı T'éda. Diri náyatı gháre t'anıłt'e dēne t'adáʔidhén sí ʔé dáʔidhén. Harelyú háyurıla dáxála sí dayıdhén-u La Lac Martre ts'ı dēne diri la huzı belts'~ de bets'ı ʔáné ʔeyıle háyurıla ʔedını tth'ı xáyehıle xa dúéle.

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Translation by Ann Biscaye

በገንዘብ ልዩነት ስላለ ለሀገር ልማት ምርጫ ማድረግ ይቻላል። ይህም ስራ ለሀገር ልማት ተጠቃሚ ነው። ለሌሎች ግን ሌላ ስራ ሊቀረጸው ይችላል። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው። ለሌሎች ግን ሌላ ስራ ሊቀረጸው ይችላል። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው።

ደግሞ ሌሎች ስራዎች ለሀገር ልማት ተጠቃሚ ናቸው። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው። ለሌሎች ግን ሌላ ስራ ሊቀረጸው ይችላል። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው። ለሌሎች ግን ሌላ ስራ ሊቀረጸው ይችላል። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው።

ሌሎች ስራዎች ለሀገር ልማት ተጠቃሚ ናቸው። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው። ለሌሎች ግን ሌላ ስራ ሊቀረጸው ይችላል። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው። ለሌሎች ግን ሌላ ስራ ሊቀረጸው ይችላል። ለምሳሌ ለግብርና ስራ ለሀገር ልማት ተጠቃሚ ነው።

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In any major project there are many people who play important and vital roles. In naming people and agencies below, I hope I have not omitted others.

The Dene people in the **Dogrib** region have been very supportive and interested in this project since it began. People in the research community **itself** have been exceptional y helpful and always **supportive**. We have made friends, enjoyed invitations to special events and have been included in many family happenings. We **are** grateful to the people of **Lac La Martre** for their interest, support and friendship. Elders in the other **Dogrib** communities have **also welcomed** us, supported the project and sought to learn more.

Members of the Community Advisory Committee [**CAC**] has given their time and wisdom to make sure the project went well. This was not always easy. In some instances it meant disciplining relatives and in three cases, dismissing them. Nevertheless, **people** acted with integrity and responsibility and always in the best interests of the project. Special thanks go to **CAC** members Marie Adele Beaverho, Sophie **Williah**, Johnny Bishop, Alexis **Flunkie**, and the late Menton **Mantla** [elders], Albert **Nitsiza** [Hamlet], Joseph Moosenose [**Hamlet** alternate], Richard **Charlo** [youth], and **Georgie Mantla** [youth **alternate**]. We have learned much and shared many good hours with them.

As chairman, Chief **Isidore Zoe** has given considerable time and effort to the **project**. The Band Council have always supported the project and has hosted the Technical Advisory Committee [**TAC**] on two occasions.

The Hamlet Council helped us out considerably since we used their fax and **Zerox** before getting our own. Millie **Nitsiza** and Ted **Nitsiza** were also very generous in providing meeting **rooms** and rides to the airstrip. We appreciated their help.

The **Technical** Advisory Committee has continuously encouraged us and has helped to keep the project on **track**. They have been enthusiastic visitors to the project area and have **lent** considerable efforts to finding funds with which to do the work and to attend special **conferences**.⁵

⁵See Appendix 3 for list of Committee members.

The Deni Meni **Co-op** has held our petty cash **account**, provided special meals for our visitors, and been helpful in several ways.

Therese Jeremick'ca has been our fire tender when we have been away, a service which our **computers** appreciated **especiall y**.

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Doug Murray, past Principal, affectionately known as "Duck" to the children, provided us with quiet interviewing rooms when the project was in full swing. He also allowed us to store copies of tapes and **translations** in the school, thus relieving our anxieties about **their** loss in **the** event of a fire in our **house/office**.

RCMP Constable Les **Dell** and **his** wife Glenda, Nurse-in-Charge [1990-91] provided us with useful community information. **Les** provided **several** information sessions for staff on "the law" and the court process. He was also very helpful in defining **legal** codes for us when court dockets listed charges by code numbers only. While in the community, Les provided an excellent model of policing based on good communication and intervention, which resulted in few charges **being** laid against individuals.

The Arctic Institute of North **America** [**AINA**] and Dene Cultural Institute [**DCI**] provided core funding, financial administration, friendly advice, moral support and many other services throughout the **life** of the project. **DCI** staff Ernie **Abel and Wilma Schreder** ran errands, got supplies on planes, acquired office furniture for us and did innumerable other things. As joint partners with the LLM Band Council, the Institutes were always there to help out in both big and small matters. Many thanks to Joanne **Barnaby**, Executive Director, **DCI**, and Mike Robinson, Executive Director, **AINA**; they always had faith in **the** project and in the importance of our work.

MP **Ethel Blondin** always lent her support to the project and created **much** good **will** on - our behalf. Ethel chaired an all-day workshop in Montreal, hosted by the Canadian Anthropology Society, which was attended by staff from the Ft. Good Hope Traditional Environmental Knowledge Project, the **Gwich'in** Language and **Cultural** Project at Ft. McPherson and the Dene Traditional Justice Project at **Lac La Martre**. It was a great

success and it allowed the Dene researchers to realize how important and significant their work is.

Martha Johnson and Jean-Marie **Beaulieu** provided a home away from home for me whenever I was in **Yellowknife**. Jean-Marie loaned us his **truck** for trips to **Rae-Edzo** and for shopping for supplies and groceries. I appreciated their support and hospitality.

Al Patenaude of GNWT Justice, helped me obtain obscure references on justice issues and I gratefully acknowledge articles he **copied** for me. This saved me considerable **library** time. As **well**, he provided extensive editorial comments on the first draft that were very useful.

Crown Counsel Greg Francis also provided copies of some cases which related to our work. We appreciated his response to our requests.

Don Avison, Director of the Aboriginal Justice Directorate of Justice Canada, and former Chief Prosecutor in the NWT, has been a good friend to the **project**, a mentor in developing new ideas and directions both for the project and for northern justice, and has challenged me to come **to** grips with some of the more difficult aspects of the findings and to find the courage to analyse them. The report is the stronger for his constructive challenges and the feedback on the draft as **well** as the comments from his staff, whom I also thank for their time and thoughtfulness.

Rupert Ross, author of *Dancing With A Ghost*, initiated communication with me by phone. As a lawyer and a judge who has been involved with aboriginal people for many years, he has sought **,through** his own **practice**, to learn how things might be done with considerable more cultural sensitivity and appropriateness. He seeks to teach others through his writing. His book was very useful to me in formulating some of the ideas which appear in the report. However, his 16-page written commentary on the draft of this report has helped clarify my writing and thinking even more and has added very constructive challenges to some of the “fuzzy” areas. I am very grateful to him.

Father Jean **Pochat**, **omi.**, **willingly** gave me several hours of his time during which we discussed the 1950s versus the **1990s** and-the times to come, We talked of many changes, **old** friends and the **role** of the Church. I appreciated his time and insights. They helped

clarify mine. Father **Pochat** speaks fluent **Dogrib**. **He** has many friends among the Dogrib people and much respect. It was nice to reconnect.

The Northern Justice Society, whose Executive Director, **Margit Nance**, provided me with research space in their Simon Fraser University **Centre**, assisted me in finding research reports and the grey literature, and provided free **access** to the Zerox machine. I thank them for their collaboration.

No project of this sort can take place without major funding from various agencies. We appreciated the financial and moral support of all those agencies and individuals who contributed dollars and in-kind **services**. Contributors have already been mentioned in the Overview and the Acknowledgments and are listed in Appendix 2.

Suzanne **Zwarun helped** edit this report so it would be a tighter and more readable **document**. I thank her for her services. Cathy **Schissel** spent two days with **me** collating the final report and doing **all** the important last minute things, I thank her friendship and for my sanity on the last day before printing,

To all others who showed interest and **support**, we say mahsi cho!

Joan Ryan, PI

FOREWORD

This has been a difficult report to prepare for several reasons: the **Dogrib** people have high hopes that the implementation of the recommendations will make significant changes in their lives and help them reclaim responsibility for their own administration of **Dogrib** justice; the GNWT and Federal Departments of Justice have expectations that its recommendations will lead the way to “adaptations” in their system which then will allow them to serve aboriginal peoples in better ways; the funding agencies expect scholarly additions to theory and the ethnographic accounts. Only some of these expectations can be met!

Added to the above expectations is my own need to provide a report that meets both **scholarly and** useful applications of the findings--the latter being of great importance to me.

Finally, **there** are the problems associated with working with **translated** materials and the inherent risk of misinterpretation by the scribe. This **report** is based on the written word in translation; it cannot include all the things left unsaid because the elders felt no need to repeat them to **already** knowledgeable **Dogrib** interviewers.

We have tried to guard against misinterpretation of the translated materials by having the preliminary findings and the draft report verified by **all LLM** community **elders** and by those in other **Dogrib** communities. However, I hold only myself responsible for any errors which might have arisen in the writing process.

Another difficulty which I have tried to address is the need to write in a language which would be understood by Dene readers, the overview of which could be translated into all NWT Dene official languages. I have been assisted in this **process by Aggie Brockman**, the project director whose help in this, other administrative **matters**, and innumerable other chores has been superbly generous and effective.

- The biases which appear in the **report**, which **are** mine, are identified. For example, the nature of the participatory action **research** methodology [**PAR**], to which I am totally committed, assumes from the start that the community controls the research **process**, its issues and its results. Therefore, some alternatives which might appear in a more “objective” research approach are not to be found here. If one remains consistently at the

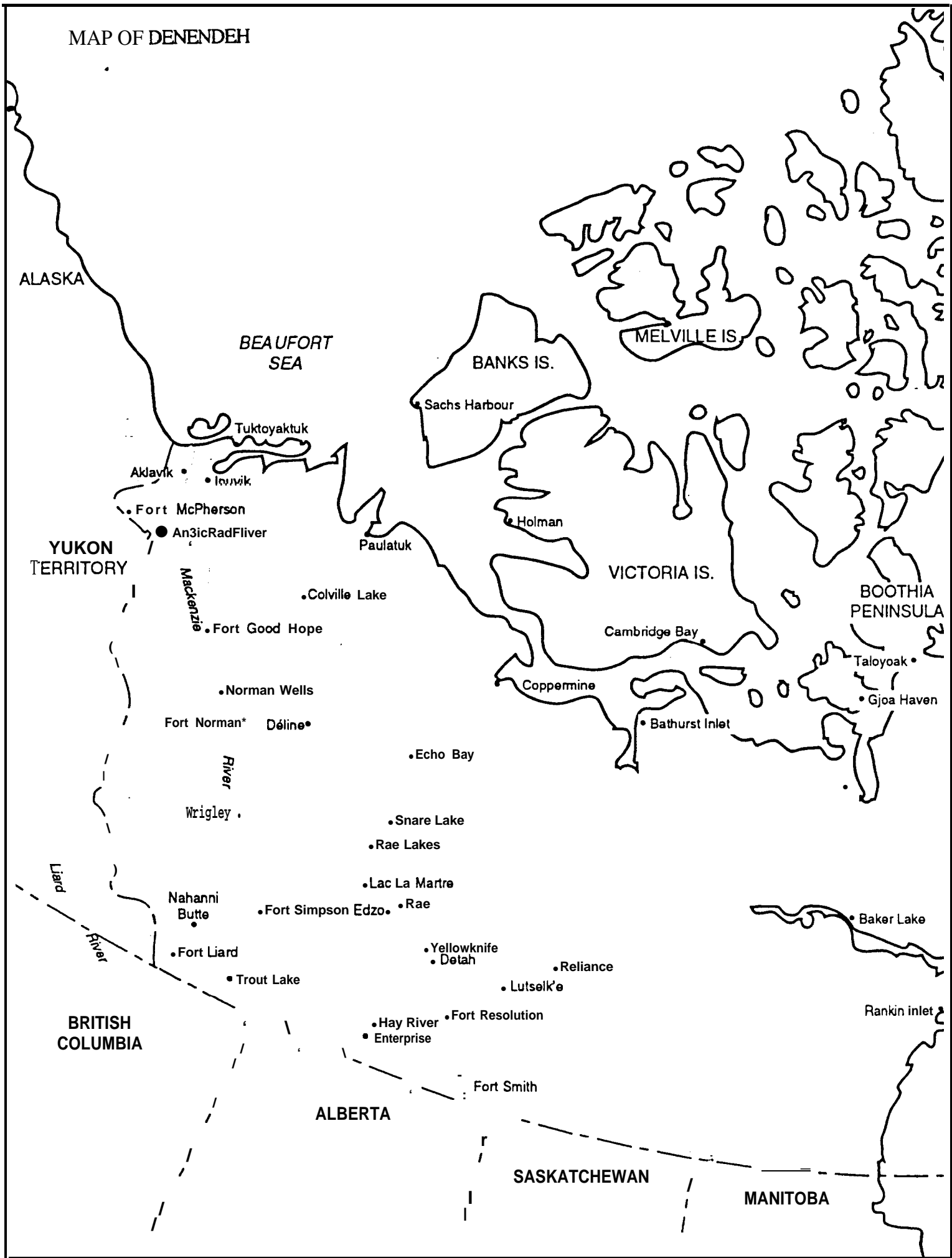
direction of the community, one cannot pursue directions on one's own. The bottom line is that a PAR methodology assumes that the **participants** support community mandates, arrived at by consensus, even when decisions may not be the most effective in the short **term**.

I have organized the report to try to meet the requirements of all the parties involved. I have written the report describing the process **of** setting the project up, collecting information, analyzing information and make recommendations based on that information. Finally, **I** have incorporated a **literature review** and an **analysis** linking it to the research findings, at the end of the report.

I hope I have done the **elders** and the other people, of Lac La Martin "justice" in the report. In **spite** of a few reservations about the **commitment of the various people and agencies** involved to move in the same directions [and at the same rate] to implement the suggested **recommendations**, I do have hope that there **will** be some significant changes made which will make life easier and better for all.

Joan Ryan, PI

MAP OF DENENDEH



INTRODUCTION

General Background:

The Dene people have lived in the territories they call **Denedeh** since time immemorial. Within the Dene Nation are included the tribal groups of Dogrib, **Chipewyan**, South and North **Slavey**, and the **Gwich'in**.⁶ This report deals primarily with the **Dogrib** people of **Lac La Martre** but the verification process allows us to generalize for the **Dogrib** region, which includes the communities of Rae Lakes, Snare Lake, **Detah**, **Ndilq**, and **Rae-Edzo**.

Traditionally, the **Dogrib** people lived out on the land following a seasonal round of activities which maintained them economically, spiritually, socially and politically. The land, its **animals**, plants and waters provided food, clothing and shelter. The people were organized in **small hunting/trapping** and fishing camps based on kinship. Their ties to each other, to the land and to the spiritual world were strong and **reciprocal**. The balance among the human, animal, plant and spiritual worlds allowed for **survival** and continuity of **Dogrib** culture. Many of these spiritual, **cultural** and political characteristics have persisted through generations and are evident today, albeit some are in differing forms.

The traditional **legal** system ensured that people understood what the rules were and that they were expected to follow them; that is, socialization ensured that the rules were the base for the normative way of behaving. These rules were based on social, physical and spiritual realities and were the **only** means of survival. They were enforced through the absolute authority of the leader and **through** consensus of the **adults** in the camps. The **rules** were passed down through oral traditions, that is, story telling and advice. They were also reinforced by medicine people.

The **Dogrib** maintained their society through **oral** traditions and the passing down of important belief systems and the teaching of "proper" ways to do things. It is only recently, in the late 1950s, that English became a second language for the **Dogrib** people. Today, almost **all children understand** Dogrib, although some do not speak it, and there are **still** many elders who do not speak or understand English at all. This strong language base has allowed some oral traditions to continue. However, at least two generations of children

⁶ See Map 1 for geographical distribution of the **Dogrib** people.

⁷ See Perry article for discussion of **matrilineal** versus **bilateral** preferences in both descent and residence, as well as marriage.

have been distanced from this **traditional** learning because of the take over of “educative” responsibilities by **non-Dene**.

All the Dene people are **Athapaskan** speakers and they **constitute** the majority of the population in the Western Arctic, which **spans** north-south from the **Alberta** border to the MacKenzie Delta, and east-west from the **Yukon/Alaska** border to the **Inuit** territories of **Nunavut**. The **Dene populations** were sparse and spread over many miles of land. Times were not always easy and both disease [smallpox, **influenza**, tuberculosis] and shortage of food took their toll over the **centuries**.⁸ The advent of the fur **trade encouraged** seasonal gatherings and eventually led to more permanent settlement in communities at the **trading** posts, and nearby. The arrival of missionaries, with schools and sometimes hospitals, and the imposition of the **administration** of the **Dene people** and their territories by the Canadian Government ‘in the late 1940s and 1950s led to further permanent settlement in - communities. As well, the 1921 Treaty imposed the Indian Act upon the Dene with the resulting changes in political organization and the growth of dependency on **non-Dene** institutions. Unlike other aboriginal **groups** throughout **Canada**, the Dene were not “wards” of the government nor were they assigned reserves.

The contact **period**, in the late 1700s, brought guns, the fur trade and other trade items through the posts. At this time, the Dogribs, led by **Edzo** and **Monfwi**, were defending their territories from the **Yellowknife** Indians, led by Akaitcho. They also were defending their southern border from the **Crees**.⁹

With the development of the fur trade in the NWT, the **Dogrib** economy changed to one of cash plus subsistence, and resulted in fundamental changes in the trapping customs and the productive tales of men and women. Men dominated the cash economy, while both men and women continued to **work** within the subsistence economies. The **disempowerment** of both women and men as a **result** of contact is discussed more fully in the text and in the literature supplement

⁸Hearne's reports indicate that in the **Chipewyan** area in the late 1700s, 90% of the population succumbed to smallpox. He attributes the success of the gun-bearing **Crees** in the fur trade to taking over some of the **Chipewyan** territories. [Halliday, W.E. *Canada Mines and Resources Bulletin* 89, 1937.

⁹See Helm and Gillespie [1981] for a full account of **Dogrib history**.

The **first missionaries** arrived in the Ft. Rae area about 1852. The **overlay** between Dene belief systems and Christian ones was extensive. Initially, in the early contact period, it seems that both became entwined and included many similar interpretations of the world and its Creator and spiritual events. However, with the eventual establishment of Catholic institutions, such as the church and the residential school, socialization by **non-Dene** created a conflict with Dene socialization and, in fact, removed the **children** from the continuity of generations and oral traditions.

At the time of **contact**, the **Dene** had a well functioning social and political system which included an understanding of how their world worked and how intertwined the human world was with the spiritual and physical ones. Balances **were** essential in **Dene** traditional times and were maintained through a rigid system of rites which **were** passed down **orally** through many generations. The rules taught the ways of behaving “properly” so that people could survive in what was essentially a very harsh environment. It would appear that the **rules centred** on the group’s harmony within itself and with the “other” worlds of plants, **animals** and spirits. Individual rights seem to have been **secondary**.

With settlement in communities, less mobility and the arrival of **non-Dene** into the **Dogrib** region, life became more complex. **Dogrib rules** were not followed by **non-Dene** traders, missionaries and **RCMP**. Rather, these **non-Dene** began to impose their laws on the **Dogrib**. This overlay sometimes “fit” within the **Dogrib** belief system, its rules for living properly and its political system. The **Dogrib** social, political, religious and economic systems began to **weaken** with the imposed **non-Dene** ways of doing things. Changes began to take place inevitably affecting the **Dogrib** ways of doing things. Adaptations took place all too quickly and soon many **Dogrib** ways **were** not being passed down to the next generation. Some were forgotten, although some were retained.

The importance of the collectivity, and the need for **all** individuals to contribute to the well-being of the group, to be governed by consensus and protected **through** harmonious balances, began to erode. The **ultimate** results are evident in contemporary **Dogrib** society in which the **balances** no longer **exist**, individual rights and needs come **before** collective ones, leadership is elected and consensus is no longer the process of governing. **Non-Dene** functionaries and institutions hold the balance of power and continue to erode **Dene** ways. One such major institution is the **non-Dene** justice system.

This report seeks to identify the traditional Dogrib justice system, which is still **remembered** in considerable part by the elders, in order to assess whether the ways of doing things in the past can be relevant and **practical** for the present. Its' **goal** is to see if the non-Dene **overlay** were removed, whether the Dogrib system might be revived and useful.

We turn now to the research process, findings and recommendations. ¹⁰

Starting up:

In 1988, the NWT Minister of Justice, Michael **Ballantyne**, asked **DCI** if they would like to participate in a **training** program for aboriginal Justices of Peace [**JP**]. After **consulting** with elders and the members of the Board, **DCI** declined to participate in the **JP training** but instead **proposed** that research be done on **traditional** justice systems so that any changes - now would be based on traditional knowledge and experience. The Minister agreed to **support** such research and later provided start-up funds for the project.

The proposed research was discussed at the Dene General Assembly in 1989. The Chief of **Lac La Martre** indicated his community would be interested in having the research take **place** there. **DCI** then contacted Joan Ryan of the Arctic Institute to determine whether she might be available to work with the **Lac La Martre** people on this project. She **agreed**, not only **because** of interest in the topic, but also because it would mean a return to the community after an absence of 32 years! ¹¹

Initial discussions with the **Lac La Martre** Chief and the Band and Hamlet Councils were held in the fall of 1990 attended by **DCI**, AINA and GNWT Justice representatives. After formal approval was obtained **from** the community leadership, discussions focused on the criteria for selecting the Community Advisory Committee and staff for the **project**, both of which were community responsibilities.

¹⁰ This brief history is discussed more fully in the literature supplement.

¹¹ Joan Ryan was in Lac La Martre in 1957 for 4 months and in 1958 for 6 months as a Community Development Teacher. She taught basic literacy, started the school program, helped people put in gardens and outhouses and hauled logs for the housing program. Dogs were tied up, a dump started and there was public health education to try to end the annual epidemic of dysentery. She also had an "outreach" HBC with basic supplies in her cabin. She went on to establish similar summer programs in other Dene communities and in the Eastern Arctic. She has fond memories of the Lac La Martre people of that time, her canoe trip to Ft Rae and the dog team trip to Yellowknife.

Looking for Funding:

Aggie Brockman, [DCI] and Joan Ryan, [AINA] then began to raise funds for **the** work. GNWT Justice had offered **start-up** funds and we approached Justice Canada to match those, asked CEIC for funding for the training portion of the project and approached various other agencies. A major funding request was submitted to the Social Science and Humanities Research Council [SSHRC]. At this time, we also invited people from relevant agencies and funding agencies to sit on a Technical Advisory Committee [TAC] which would keep the project relevant and on track.

We moved to the community in **January** 1991, having chosen to start the **training** program even though complete funding was not yet fully in place. The training program ran from - January until June which allowed our funding proposals to be reviewed by the various agencies to whom we had sent requests.

In May, we were informed that our SSHRC major funding **proposal** was successful. We were **also** told that “we had fallen through **all** the cracks” and they were happy we had survived the review process! This is an important point since we **were** doing **community-**based research, were not an academic unit, did not have graduate students involved and the research would not necessarily result in a scholarly publication. However, the relevance of the project and its participatory methodology appealed to the Council, who then saw fit to **grant** us funding. This flexibility is noteworthy and efforts should continue to **encourage** Council members to fund participatory action research. The fact that I was well known to the Council and had done credible and scholarly applied work in the past was helpful.

Other funding came in **slowly** from Federal Justice and GNWT Culture and Communications. We also used some core funds from DCI and AINA to cover expenses during the proposal writing and consultations processes. Once secure in the knowledge that the project would be funded over **three** years, we moved into **full operation**.

Selecting the CAC:

Criteria for selection of CAC members **were** arrived at by consensus; they required that the elders be a majority, that the Hamlet and Youth Group have some representation on it, and that the committee be chaired by the Chief. The importance of having a good CAC had

been established in the **Gwich'in** Project.¹² The work of the CAC is vital in maintaining community control of the project and making sure that all major decisions are made by consensus.

The work of the **CAC** includes selecting staff for training and research, monitoring the project, establishing **personnel** policies, meeting regularly with staff and the **PI** and **PD** to discuss concepts and terminology being used in interviews, reviewing difficulties arising during interviews, helping staff with unfamiliar terms, verifying results and, in general, just being supportive.

Our CAC did all **those** things and gave **110%** to the project. Any CAC **is** a tremendous source of **support** and energy when working well, which ours did. It was not always pleasant work for them.

selecting Research Staff.

The first task of the CAC was to review applications **from** local people wanting to work on the project. Criteria established for staff selection included: respect for the elders, willingness to work with elders, fluency in both **Dogrib** and English, ability to **read** and write English, reliability, and the willingness to commit to the project for the **two-year** training and **research** period.

We **also** asked that the CAC choose men and women for the team, based on the **PI's** premise that women could talk to women better about some things only women experience, such as pregnancy and childbirth. This premise turned out to be only partly true; regardless, it is still our experience that a combination of men and women make a better team than one composed of **only** men or **only** women.

These criteria turned out to be the first item of negotiation! While several people had submitted applications, it was clear when we arrived back in the community for the selection process that decisions had already been made. Although the **PI** and **PD** had no vote on these matters, we did expect that candidates would be interviewed and that we would be able to ask them some questions. Not so! The CAC had decided.

¹² The **Gwich'in** project included setting up a **Language and Cultural Centre** and the training program for a pilot project on **Dene** medicine which tested and established **PAR**.

However, as a courtesy to us, they asked the people they had chosen to come to meet with the CAC. They had chosen three men. We pointed out that we required women as well, a point which they had agreed to earlier. They then asked that we hire a fourth person who would be a woman! We did a quick budget run-through and decided we could manage. The CAC explained to us that they had chosen the "best" **people** for the job; not only did they meet the criteria but they also had more **schooling** than others who had applied. ¹³ We had some doubts about the men, given their patchwork records. It was the first challenge of PAR and we had to proceed in good faith and with good will.

Participatory Action Research Methodology:

PAR is a **process** whereby **all** members of the team share power, **responsibility, decision-making** and co-operate fully to make sure the goals of the project are realized. It is not an easy process and the group's interaction has to be negotiated so that there is true sharing of power in **all** matters. ¹⁴ PAR works by consensus.

In our case, problems began almost immediately. The **PI** and **PD** and one trainee were women. There were 3 men, none of whom initially wanted to work with the woman chosen by the CAC. Two of the men held very high opinions of themselves and their knowledge; one of the men was in a **position** of power on Hamlet Council. Two of the men had assault records and one was being sued for child support. All of the men were alcoholics. The woman was a highly respected member of the community and very active in church work. ¹⁵

On the positive side, all were fluent in **Dogrib** and one of the men had taught **Dogrib** language in the school and had some experience in reading and writing **Dogrib**. One man had been a radio announcer so he felt he knew how to do interviews.

¹³ The level of achievement in schooling is not a PAR concern provided basic English literacy is in place.. In fact, people with little schooling often know their traditions better than those who have been "out" to school; they also often have higher fluency in their own language and more respect for it.

¹⁴ See Ryan and Robinson, 1992.

¹⁵ These character sties are not unique to LLM; in small communities men often have similar backgrounds and fewer women have been involved with crime and alcohol. In the current project at Rae Lakes, elders refused to pick any men as researchers and in the Gwich 'in project, the CAC picked 5 women and 1 man.

PAR stresses that the facilitator **focuses** primarily on individual positives so that a group strength evolves. Through considerable opening up of communication in the beginning, it is possible to assist people to look at the positives, to arrive at consensus when decisions have to be made, and to reduce the need to be competitive or to assume authority and power, rather than to share **it**. This was our task!

Using the strength of the man who had taught in the school, we asked him to be our **Dogrib** literacy instructor. He agreed but wanted more money than **others were** receiving. The others **agreed** he could be paid more for the literacy training period but would then be cut back to the same salary as other trainees for the research work.

The man who was on Council wanted the project to pay him while he was at meetings, - often **several** mornings a week. We negotiated an agreement which allowed any member of the team to provide some community service, on project time and money, for a & y or two a month.

We were forced by a court order to withhold the wages of the man who was being sued for child support. This led to much discussion within the group about the traditional and current responsibilities that men have in family matters. It was a discussion that would arise many times in the context of other externally imposed sanctions on the men.

These problems created discussions within CAC as well. Did the project have a **responsibility** to the community to allow time off for community service, i.e. Council? How were we to handle imposed external legal requirements [the garnishee] when we were attempting to document and legitimate **traditional** ways of dealing with such matters? How much "action" is implied by PAR in **these** things? Did the community want to take any responsibility for negotiating a more culturally sensitive way of handling the child support issue?

There were also problems for the Pi and PD, already **strangers** in the community, but being well received and establishing friendships and acceptance. How could we balance our feminism and our advocacy in the context of working with the staff that the CAC had picked? Not unlike many women's experience, we were "silenced". We needed to **keep** the work on course even at the cost of some stress to ourselves. We tried to reduce the stress by writing personal notes for ourselves, by removing ourselves from the community when

abuse of women triggered by alcohol would be at its worse, for example, at New Year's and during the Winter Festival. ¹⁶ Eventually, we found comfort in our **Dogrib** friends who provided good food, good company and good will.

CAC established a policy, after **several** absences by the men that they forgave, that any future absences due to alcohol abuse would not be accepted. The first absence would be dealt with by the PI or PD with a warning letter which would be put on file. The second absence would be reported to the CAC, some of whom would talk with the individual, and a **second** written warning would be given. The third absence would be dealt with by the CAC, and result in dismissal from the project. We did have some "excused" absences such as time to take children to the doctor or **dentist**, community holidays, special events and, of **course**, in the case of deaths.

A few months short of the first year and well into the **research**, the men **unraveled**. One went to jail in June after being convicted on an assault charge and was fired by the **CAC**. The second man was fired in October and the third was **fired** by the CAC in November. All had **received** warnings. None had been able to make the commitment required. ¹⁷

Quite apart from our personal sadness about the self-abuse, the termination decisions were devastating to the project even though they were long overdue. We each felt a great sense of loss because in spite of the many difficulties, we had established a semblance of group action, acceptance and loyalty. Further, we now were left with one staff person and needed to start training others again, knowing that we had neither the time nor the money to provide the comprehensive training we had provided the others.

Once again notices were posted and applicants made **applications**. And once again, we learned before the interview meeting whom people **favoured!** We **were** given one young woman, Diane **Romie** ¹⁸ and a young man, Lawrence **Nitsiza**, thus reversing the ratio of women to men by one to two. Diane had been reared by grandparents and spoke **Dogrib**

¹⁶The PD had a home and spouse in **Yellowknife** and she was able to get home regularly. The PI lived in LLM for 10 months in year one and for nine months in year two and considered LLM home for that time.

¹⁷ Names omitted at the request of CAC.

¹⁸An interesting action of the CAC was that they decided to interview Mike **Romie**, Diane's husband, to ensure he understood what would be involved if she took the job and to assure themselves that he would not be jealous of the fact that she was earning money.

well. Lawrence understood **Dogrib** and could speak it but without the fluency of the older people. The CAC had selected him because **he** had expressed interest in going to college and they thought he should have a stronger background in his own culture before leaving the community. He did go to college with more **confidence** and pride than he might have had otherwise.

The above commentary should make it clear that PAR is a commitment to a way of doing things that is decided in the community and that reasons for choices aren't always made clear in the beginning. In later conversations about the **first** three men, CAC members told us that the men had the skills and interest and that they had hoped the project would help them avoid the pitfalls of alcoholism. This belief that people can just make a decision to end **their** abuse of alcohol and "shape up", which we had from time to frustrating time, reminds us **that we** have to shift ideas and accept the fact that alcoholism is a disease **out** of control of the individual until he or she **makes** themselves available to treatment.

In **fact**, we did bring in an alcohol treatment team for staff to meet with, we helped them establish a support group, and vacated the house one night a week so they could meet there. We also **encouraged** them **to** bring their families to work to see what they were doing and to get a feel for its importance. The men were offered the opportunity to go to a treatment **centre** and were assured by **CAC** that they would continue to receive their salaries for their month away. One made application but then did not go.

Apart from the obvious lessons learned about the need for staff to be "reliable", it is **clear** that the **personal costs** to others in the project and the financial costs in terms of time **lost**, additional CAC meetings to deal with the problems, and additional time costs for training new staff must **all** be included when considering who is the "best" person **to** participate in PAR projects. Sobriety thus becomes an additional and critical criteria for PAR staff selection.

We include the record of above difficulties in our discussions because PAR tends to be highly successful in most cases and its pitfalls and demands are seldom documented. Indeed, at the end of this project it remains the research method of choice because it transfers marketable skills, increases individual confidence, enhances self-image and allows people to define who they are from a position of **strength**. At this **moment**, the two women **trained** on our DJP project are translating and doing computer entry at the same time. They **are** now the researched for the Dene Medicine **Project** and working quite

confidently on their own, with minimal assistance from the PI and PD for that project. **Elders** continue to be interviewed with enthusiasm and **are** looking **forward to** a final collections trip. Meanwhile, **Lawrence** left college but continued to do some translations of tapes for us. He will attend a recreation directors course in the fall.

PAR takes time, energy, money and commitment. In order for the process to work, the PI and PD have to commit to at least three years on the project. If we **were** to **add report** writing to the process, it would extend project time to four years and **would** be the weakest component of the process since most community people have little interest in preparing [scholarly] **reports** for funding **agencies**. **PIs** and **PDs** already have great difficulty meeting funding agencies' criteria and deadlines.

However, we do encourage staff to write quarterly reports and they are required to report in **Dogrib** to the CAC at its regular meetings. They are also required to translate for the PI and PD when needed. Much of the discussion is "theirs" and we request only summaries at the end of extended discussions. This process creates a neat system for returning **local** language discussions to the CAC and community, and most elders are delighted to have young people talk **Dogrib** to them. It **takes** time for the younger **people to** accept the fact that the elders appreciate their efforts and will not **laugh** at errors or when they find they don't know the "old" words. Once this trust is established, conversation starts and by year two of **the project**, we usually do not have an extra interpreter available since our own staff feel competent and comfortable doing the **translation** on most occasions. These are the "pay-offs" of PAR.

While this may seem along explanation of PAR in the context of the Dene Justice project, it is important for those **receiving** this report to understand why these projects take so much time and money. PAR involves the whole community, provides training which leaves expertise in the community and obtains rich **data**, which is verified on a regional basis and therefore is more reliable. The data is obtained in the language of the community and therefore we get more information, and more **people** get a bit of money. Finally, the report summary appears in all the **Dene** languages and the main **report** has wider **circulation** than most research **reports**. PAR also tends to create requests in other communities for similar research and therefore increases local knowledge, expertise, income and interest.

The Training Program:

The comprehensive training program ran from mid-January, 1991, to June, 1991; further on-the-job training continued throughout the life of the project. It consisted of:

i] The **Dogrib literacy** program which enabled people to learn to read and write the standardized Dene alphabet. This portion of the training was done by Francis **Zoe** who had been the **Dogrib** language teacher at the Deni Mezi school in LLM. As well, we ran three workshops, one of which was provided by the Dene linguist trainee from the GNWT Language Bureau, Ron **Cleary**; the second was done by Lucy Lafferty from the Dogrib Divisional Board Learning Center. A further workshop was done by Betty Harnum, then - manager of the legal interpreter **training** program. All were opened to the community and approximately six additional community people attended. **All were** enjoyed by the **trainees** - who were very excited about learning to read and write in their own language.

As well, we sent tape translations and transcriptions to the Language Bureau, to Lucy Lafferty, and **to** two independent language consultants in order to assess the staff's accuracy and the level of language skills being acquired. The feedback was very useful and allowed people to correct persistent errors.

Language development continued **throughout** the project. Unfortunately, the two people **taken** on at project mid-point were not able to have the same kind of training but they did **get** some and they do know how to use the Dene font on the computer. Both Marie Adele and Diane **will continue** to upgrade their **language** skills as workshops in the region become available.

Initially, **literacy training** took the full morning. Later, it was reduced to individual work for about an hour a day and attendance at the occasional workshop.

Given the difficulties spelled out earlier, **Dogrib** transcription was abandoned and staff **concentrated** on **Dogrib** to **English** translation.

2] Translation skills were developed throughout the project and provided an **opportunity** for people to **upgrade** their English writing skills. This was done by some general teaching time in which common **errors** were noted and **worked** on, for example verb tense and

plurals. As well, individual consultations took place daily in order to help staff improve their written translations.

Finally, in **order** to ensure **accuracy** of translation, **each** translation was reviewed by another staff person.. Staff also reviewed external **translators'** work. If "old" terms were used by elders, sometimes staff did not understand them and they kept a file, as well as posting them on the bulletin board. Unsuspecting elders dropping in for **tea** were asked to help explain and translate the terms. This process helped increase vocabulary and the number of unknown terms became fewer as time went on.

3] English upgrading was accomplished, as mentioned above, by reviewing translations with individuals. This helped identify their specific errors. As well, staff were **asked to** read one hour a day and to write a summary of major articles they had read. We were not - successful in getting **people** to read **books**, although some started. They **did** read **local** papers, such as the Native Press, News North, etc.. Additionally, people **were** asked to prepare work summaries for the CAC and TAC, which they themselves presented in both languages. Two written school presentations **were** done on the **project**, one to the Dogrib Divisional Board of Education. As well, staff were **asked** to take notes while attending court and present them in writing for **review** by the **PI** or **PD**. English skills have **improved** immensely but still need some **work**. Both Marie Adele and Diane are thinking of taking the adult education upgrading courses to achieve high school equivalency and may go into the teacher education **program**.

4] Technical **training** included handling of equipment and learning to work on the computer. Aggie did all the technical training because of her considerable past experience as a reporter for CBC. Tape recorders were professional quality and she was able to help people **learn** how to use them and the lapel **microphones**, and to keep batteries charged and equipment in good shape. **Aggie** spent considerable time with staff showing them how to get quality tape recordings of **elders**, doing practice interviews, etc..

After an initial computer orientation workshop done by Tony **Clements** of Arctic College, - Aggie taught most of the computer data entry, showing people how to set up files, use the Dene font and **spellcheck**. Now staff are able to translate directly on the computer, a skill that was a long time coming but which has been achieved with competency and pride.

Also, **Aggie** set up a system for filing and managing the master tapes. Two copies were dubbed; one went to the school storage room for safekeeping and the other went to external **translators**. Translations were also **Zeroxed** with one copy accompanying the tape to the school and one going on file after review. It took an inordinate amount of time to keep the tapes going in and out for translation but all were completed by **January, 1993**. This system is continued by staff for the Dene Medicine Project.

5] Research methodology for using open-ended interview guidelines was handled primarily by Jean. **Practice** interviews were done with people who were not elders **before** any "red" ones were done. **Interview** guides were developed with the **CAC** and some other elders from time to time. Initially, each staff person discussed their interview on return to the office, **problems** were identified and the group arrived at solutions and helped each other with difficult terms, etc.. The main problem, at **first**, was to get staff to ask one question - instead of three at one time and to help them think it through **before** they went for the interview so that they could explore topics fully. Researchers had most difficulty creating follow-up questions after the elders' response and tended to move to a new topic. This eventually was corrected but not as fully as desirable. The whole group would discuss outcomes of interviews in the initial stages to make sure we were using the right terms and concepts. Part way through the first set of interviews on natural **resources**, we had to change a key term because researchers determined that they were not getting relevant responses using one specific term. When they changed the **term**, on the advice of the **CAC**, they got more information and **more** relevant answers. This made us realize how important it is to have precise and correct terminology.

Developing the Interview Guidelines:

Developing the guidelines for each **set** of rules was a complex process and took many meetings with the **CAC**. The process was:

1] Staff discussed ideas, concepts and content which should be asked about in the specific unit, i.e. rules for maintaining relationships between the natural **environment, animals, plants, and humans**. Key **Dogrib** terms were **agreed** upon. Specific terms and concepts about which to ask elders were identified. Any points of **disagreement** or uncertainty **awaited** the next **CAC** meeting for resolution.

2] **Much** discussion took place about the culturally appropriate ways of asking for information. As well, we discussed whether some matters should be discussed **only** with men and others dealt with **only** by women. We tried to **identify** which items might be sensitive and which might be asked of anyone without offense. We **also discussed which** items **Aggie** or I had raised should be dropped and which of those we suggested **could** be included appropriately.

3] The next step was to draw up the list of **Dogrib** terms and topics in **Dogrib** and English. I asked for literal translations of the **Dogrib**, so I could be assured that the concept was correct, as well as the term. Going back and forth between languages took considerable time and effort. However, this was the most important part of evolving the interview guide and the **Dogrib** researched learned a lot from **the** elders while the PI and **PD** learned the many differences in conceptual thinking and phrasing. It is an exciting process.

4] We then met with the CAC elders and talked in general about the type "of information we thought we should have, the concepts and terms we had come up with. Elders discussed each of the terms, changing some and adding **others**. They then approved the list and agreed that we could proceed with the interviews. Although **the** issue of **male/female** sensitivities was raised with **each unit**, elders [both male and female] did not feel that there were things only men or only women could discuss and urged us to ask for that information from **all** elders.

5] **Elders** helped us to draw up a list of the most knowledgeable people on the particular topic to interview. Staff took turns selecting people with whom they most wanted to work. Selection was not **based** on the sex of the interviewer or interviewee, but rather on relationship and friendship. And then the work began.

6] Each researcher did five interviews and then we **re-evaluated** the guidelines. We met with CAC to review difficulties in terms or content. Following this process, things went fairly smoothly except in a few cases. In one case, the elder chose to talk **scripture rather** than to respond to the request for specific information. She **was dropped** from the **next** round of interviews. Some people were too deaf or ill to take part. Only one man refused to be interviewed because he felt it was not worthwhile to talk about what used to be.¹⁹ In

¹⁹ Interesting y, this man and his wife volunteered to be part of the Medicine Project.

a few cases, researchers decided to switch people on their list, that is exchange them with each other, and this **usual**ly solved any interpersonal problems which arose.

Probably one of the most evident problems was when interviewers and elders touched on **topics** that the elder thought the researcher should know. This created some gaps in the information because researchers felt foolish asking obvious things and/or got answers like, "you know that, why are you asking?"

At one **point**, researchers felt they weren't getting any information **about** family **violence** and they didn't want to **pursue** it because they were uncomfortable both about the topic and the inappropriateness of asking people to talk about things they didn't want to talk about-. We held a meeting of **all** the elders involved in the project and simply asked them what the **problems were** in talking about these matters, whether they would respond, and whether we were asking inappropriate questions. After a lengthy discussion, most of which we were not privy to, there was agreement among the elders that the researchers **could** come and talk to them again about these matters. Later, in discussions with staff, they **reported** that people were uncomfortable because they did not want to discuss such personal matters until they were more confident about confidentiality. There may also have been an age factor here too which made the elders feel somewhat hesitant to discuss such problems with younger people.

Observing at Court:

The purpose of attending court was to see how things were handled, how different judges approached the same matters, what types of charges were being laid, how those charged acted and responded, what types of judgments were made and how they were followed, and what, if any, participation there was by the Chief and Council, parents and the community. It also permitted trainees to take notes, and to see where they perceived or missed things. Court attendance also provided a useful cross cultural assessment because Aggie and I noted things differently than the **Dogrib** researchers. For example, we tended to react more to the lack of translation whereas the **Dogrib** people tended to feel that if **translation** was provided properly, it was a bonus--not an expectation. As well, we **were outraged** by the treatment of a young woman by one lawyer in the **sexual** assault case, whereas the **Dogrib** women seemed to **feel** that she had put herself in that position, i.e. exposed **herself** to public scrutiny and attack by men and deserved no support from

women. This certainly was a major difference in our views and one which arose in the context of the research on many occasions.

As things turned out, there were significant differences between judges and between the Territorial and Federal Court processes, especially in the interaction with community members, the court set-up and the nature of the judgments. This was also true of the legal aid lawyers and the Crown attorney. Occasionally, the Crown counsel came in a day **before** the **court** rather than on the court **officers'** plane. During the time of the **project**, a decision was made by the Chief **Prosecutor** to have the same Crown counsel attend each Territorial **court** in the community. This helped community members get to know him and people felt **free** to ask questions and call on him for advice.

The legal aid lawyers changed regularly and they and the **native court** worker came with the court party on the plane. This meant clients had very little time with their lawyers since the **rest** of the court party waited while they met. This put people under tremendous pressure. Often the native court worker did not come at all. On one occasion, we observed the legal aid worker as she stood in the doorway of Council Chambers and shouted across 20 people to the defendant, "Are you pleading guilty?". In southern courts, such procedures would **result** in a delay, if not dismissal. The quality of legal aid services in LLM can be described at **best** as minimal, and often as dismal.

These issues raise questions about the inequities of providing quality legal service to aboriginal peoples. No one doubts the integrity and commitment of legal aid and native court workers. However, it is clear that the time allowed with clients is far too minimal to **provide adequate** counseling services or to obtain adequate legal advice. On most occasions, these **people** spent about five to ten minutes with each client while the court party waited to begin the day's **work**. When the Crown counsel was able to come in the day before court, discussions were much more productive and the complexity of some cases became apparent.

During the **project**, the Chief asked the Territorial Court to allow the **community** to deal with a major theft, he also asked the Federal Court to deal with a custody case. These cases will be discussed later in full detail. **For** the moment, it is sufficient to say these requests **were** out of line with **project** timing, well ahead of the community **organization needed** to determine which cases to deal with and well ahead of the establishment of a group of responsible people to follow through.

These “unanticipated” consequences of participatory action **research** projects often occur because people can begin to see where they want to go and even if things **aren't** in place, they move on an “ad hoc” basis--often to the detriment of community negotiations. **Usual**ly, they move before things are in place, and too **fast**. The result is they then have to backtrack.²⁰ Because some **people** move **ahead** without being **properly prepared** to act on the basis of consensus, others follow, and then the level of miscommunication, confusion and irritation **becomes** extensive.

For example, one **Territorial** judge said all juvenile **cases** could be turned over to the community, assuming that the Dene Justice Project would take this responsibility because he misunderstood our mandate and assumed the CAC was the “justice **committee**”.²¹ The next judge who came in wouldn't allow any community participation, not even the moving of chairs so elders could bar. He also made derogatory remarks about the community not having a justice committee and commented that the previous judgments [**by another judge**] for youth community service were worth nothing in that no one was supervising the youth.

On several occasions one judge referred to the Dene Justice Project as the “**justice committee**” and on one occasion **ordered** us to attend a community meeting, document it, list names of participants, **record** the decision, and report to him in writing at the next court. We did this because it was an “order” but we were not happy to be put in this position by the **court**, which did not even ask if such an action would be within our mandate. We usually take our orders from the community only and those are based on consensus.

Attending court was useful for note taking and **also** because it **led** to many discussions about how things might have been done differently had the **Dogrib** people handled those cases themselves. In some cases, people **would** not have wanted the responsibility for the case, especially those involving alcohol.

²⁰ As in the Bishop case, when Marie Adele had to rewrite her affidavit, with the advice of the CAC, discussed fully later in this report.

²¹ Some communities have established “justice committees” to advise the Court about the accused and his/her disposition; they also oversee community service sentences in some communities. LLM does not have a justice committee of any type in place at this time.

Great bitterness and hostility was expressed by the CAC members, and some community people, about what they perceived to be continuous unfair judgments to jail people for non-payment of fines.²²

We also **heard** from several people that testifying against a community member was very hurtful to the person required to testify because it was so **culturally** inappropriate to publicly denounce someone when they **were** present. And, of course, there **arose** many discussions about the [strange] concept of “not guilty”.

From my own perspective, I found the **court** process to be uneven ranging from **heavy-handed** and arrogant to concerned and sensitive. I am **particularly concerned about the** community service judgments since in the absence of a Dogrib justice committee and /or a youth **supervisor** they make a mockery of the system. I am also **concerned about the** - shifting attitudes of judges, with one bringing an interpreter and earphones, seating elders where they **could** see and hear, adjourning for community consultation etc. while another won't even allow chairs to be set in a circle and court **tables** placed so **people** can hear.

The lack of a regular and trained **interpreter** and the use of local **people** who often misinterpret according to our staff, is also alarming. Finally, like **some of the LLM** people, I find it incredible someone can go to jail for non-payment of a fine while a man who sexually assaulted a 15 year-old woman received a sentence of one day in jail [not **served**] and a \$35 **fine**.

However, this “unevenness” also **occurs** in the community. While many LLM **people** were united in their determination to keep a female **baby** in **Lac La Martre** and argued loudly [and effectively] that they wanted to participate in the Supreme **Court** custody decision, the same people have done nothing although they know about a 16 year-old who has allegedly been sexually abused since she was 11 ye-am-old. Further, the stepfather's lawyer actually screamed at her in the **pre-trial** hearing, **loudly announcing all** her sexual involvements of the **past**, her pregnancies with different **partners** and accusing her of soliciting her stepfather's sexual attentions. At the pretrial hearing, she was 15 years old.

Contradictions of this type have serious implications for working out a Dogrib **community** justice system or even for “adaptations” of the **non-Dene** system that would make justice

²² There was no fine option program in LLM during the term of the DJP. As of July 1993, one is being put in place.

more culturally appropriate. Clearly, there must be considerable education done on both sides.

Attending Conferences:

It is an important function of our PAR projects to expose staff to a broader audience and to help them prepare presentations. This serves several purposes it provides information about what we are doing and why, how and to what purpose; it provides staff with an opportunity to present their work and to get to know others who may be doing similar work; it enhances the **confidence** of staff once they know how well regarded their research is. Their presentations are generally well received.

Staff attended and presented at several conferences:

1] The Aboriginal Language Conference, organized by DCI in **Yellowknife**, was the first attended by the DJP staff. They were there to learn and did not make a presentation.

2] The Western Judicial Education Workshop, also held in **Yellowknife**, invited the CAC and project staff to attend and **participate**. **Presentations** were done by the elders and **research** staff participated as **resource** people in small group discussions with judges. **Reaction** from the judges was positive, although there were some questions raised about the **relevancy** of traditional knowledge to **contemporary** legal process. Some judges felt that **traditional** knowledge would not be useful because it had not been codified and because times have changed so much for **aboriginal** people. **Others** felt that the **non-aboriginal** system is far superior to anything else that could possibly be "adapted". These **concerns** will be addressed in the analysis of the Dogrib data.

3] The Northern Justice **Conference** was held in Sitka, Alaska. The Chief and Marie Adele were to attend with Joan. However, the **tragic** accidental death of Marie Adele's son just hours before **departure** dictated the return of the Chief to **Lac La Martin**. The Chief asked Joan to go to Sitka anyway and to do the presentation that had been prepared jointly. She did and it was well received.

4] The Aboriginal Conference on Justice **in** Whitehorse was attended by the Chief, **Aggie** and **Francis Zoe**. The Dene Justice Project presentation was **well received** but had serious

competition for attendance due to the tabling of the Manitoba Justice Enquiry at the same time,

5] The Canadian Anthropology Society meetings in Montreal were **attended by Aggie**, Joan, Marie Adele and Diane from the **DJP**, by **Rosie Firth** and **Effie Blake** from the Gwich'in Project and by Martha Johnson and Bells **T'selie** from the Ft. Good Hope **Traditional** Environmental Knowledge Project. Jane Henson **reported** for the land use planning group **from** the MacKenzie Delta and **from** the Oji-Cree of Northern **Ontario**. The day-long workshop on **traditional** knowledge and PAR, which was attended by 65 people, was chaired by Ethel **Blondin**. It was a great success.

6] Judge Douglas Campbell, director of the Western Judicial Education Center, visited **Lac La Martre** **with** his family for **three** days and met with the **CAC** and staff, as did Norma - **Wikkler**, a sociologist involved in judicial education.

7] Joan and Marie Adele attended a Deh Cho regional conference on justice in Ft. Simpson and **were** honored by the hosts with the gift of a beautiful book about Nahanni country.

All of these experiences contributed to the experience of staff, increased knowledge about the project and made staff **feel** they were making an important contribution to knowledge and to the **people** of Denendeh. It also led to an increase in self-confidence and **to** more comfortable public presentations for staff.

We turn now to the presentation of our research findings.

DANI HOGHA GÒTQ WOGHA EKW'IEGHALÀTS'EDA:

“DOING THINGS THE RIGHT WAY--THE WAY YOU WERE TAUGHT”

Rules²³ For Stewardship and Maintaining Relationships Among People, Animals, Plants and the Spirits

The Traditional Setting:

In traditional times people lived out in their hunting/trapping territories most of the year. The **camp groups** were small, consisting of two to four families. They gathered in summer for fishing **and** for Treaty payments; and later they gathered for **Christmas**.

The usual camp groups were made up of relatives--often a man and his **son[s]** and their spouses **and** children. Or two brothers or first cousins might form **partnerships** and take their families out to the same-p.

Men hunted away from camp, leaving women and young **children** to their own tasks while they awaited the return of “the hunters with food and hides. **Absences** ranged from one week to several. Sometimes when game was scarce, hunters would walk great distances in search of moose, caribou and bear.

Elders reported that sometimes life was “poor”; there was little food, especially if the men had gone a long distance. **Some** families had dogs to move them from camp to camp **but** the teams were seldom taken when men were tracking game. They would, however, return to-p for the dogs if they **had** cached meat some distance from camp.

In these small groups, children learned by observation and by being **carefully** taught. They had **little** opportunity to misbehave because adults **were** always there. Similarly, it would have been very difficult for adults to do wrong things because everyone would have known

²³ The term “rule” is being used rather than “laws” in order to avoid the confusion between **non-Dene** laws and **Dene** ones. However, it should be understood that “ekw ‘i eghalàts ‘eda” were taught carefully and were designed to keep life orderly and in balance, that is, the rules contain both the function and spirit of **non-Dene** laws. They left people little room for **deviation**.

immediately. Therefore, little breaking of the rules in traditional times is reported by LLM people.

Social control was maintained both by consensus and by threat of serious punishment or consequences, such as shunning or banishment, if rules were broken. If these “balances” **are** understood, then it becomes clear that, in the case of a wrongdoing, **there** was **considerable** pressure to restore harmony as soon as possible between individuals **and/or** groups because survival depended on **co-operation**.

People shared beliefs and views about their natural world. They understood the **interdependent** relationships between themselves and animals. They understood that **different** species relied on the availability of others for food. They understood that **balance** had to be maintained in the interest of survival and **therefore** no imbalance created by over- - harvesting was acceptable. They understood that humans, animals -- all physical things in the environment -- had a life force and that **all** had to be respected. They **understood** that appropriate rituals had to be done if animals were to **allow** themselves to be “taken”. And, they understood that if the rules were broken there was an inevitable and certain outcome: the group would suffer.

What, then, were the rules and what were the consequences if they were broken? The **Dogrib** researchers interviewed 30 elders [of whom 26 **remained** with the **project**] for a total of 47 interviews on **hunting/trapping/fishing/gathering**. As well, the CAC provided information in meetings and **verified** findings at the end of the resource unit interviews.

What did we ask?

The guidelines for interviews **were** designed for open-ended and flexible discussions. Elders were encouraged to tell stories about living in the bush, their **seasonal** activities, gatherings, happy and unhappy experiences. Specific terminology was provided by the CAC and **Dogrib** researchers. The **general** categories for the interviews were:

- Hunting:

- 1] What preparations and rituals were done prior to the hunt;
- 2] How partnerships were formed and ended;
- 3] How territories **were** defined and shared;
- 4] How work was shared between men and women;

- 5] How game/fish/furs were shared;
- 6] How knowledge **was** passed down;
- 7] How meat was handled and how it was shared;
- 8] How special parts were handled, e.g. moose bell or fetus;
- 9] What were the **rules were** for hunting “properly”;
- 10] What happened if rules were broken;
- 11] Who enforced the rules and who dealt with people who broke them;
- 12] How resources were kept in a viable state.

Trapping

The same questions were asked, as above, but **there** were **additional questions about** - partners sharing income and what happened if furs were stolen **from** a trap line.

Fishing:

Approximately the same questions were asked, with one additional question about sharing income from sales to traders and others.

Gathering

Additional questions were added and addressed issues of responsibility for collecting and using plants for curing.

The Data:

General findings fall into several categories: stewardship, rules for handling game, special rules for women, partnership rules, sharing rules, food distribution **rules**, rules for sharing” knowledge, **rules** for use of special animal parts and plants for healing. ¹⁸

Stewardship:

“Our grandparents had a great deal of respect for the animals. That is why they lived well off the land and the wildlife. That is how it **used** to be.” [AF, Aug. 10/91]

The notion of “stewardship” comes through clearly in **all** the interviews. A series of preparations, both spiritual and physical, took place prior to moving out to hunt and trap. Both women and men had **responsibilities** with regard to the hunt.

Men consulted with each other about where to **hunt**, where animals might be found and how they might be approached. Sometimes, a person with special spiritual power would be asked to advise hunters about where game might be.

Women had the **responsibility** to make sure men were properly clothed and had food for the journey. When women accompanied men and stayed out on the land all winter, women also hunted, trapped and worked on meat. An added responsibility for women was to make sure they did not affect the trails of animals or hunters by walking on them when they **were menstruating** or bleeding immediately after childbirth. The belief was that woman's blood had strong power which **could** affect others adversely.

“A woman's **blood could** draw strength away from a hunter”. [MMN May 22/91]

Both men and women had responsibilities to make **sure** that young children did not disturb the hunt by being noisy and “that they learned the skills for survival out on the land well.

“Look at how I'm working with the [wood, fur, meat] this way. Watch so in the future, for you to live, you'll know how to do this. Pay attention and watch the details on how I work.” [I-III, Mar, 10/91]

Stewardship, that is the responsibility to maintain the balance of land use, hunting and trapping with the availability of resources so as to ensure a viable environment for the future, was the key factor in the **hunting/trapping** economy. The basic rule was to **take** only what was needed, in a respectful way.

- **Long** before game wardens **appeared**, the Dene maintained their **traditional territories** well because they **understood** the fragile balance between the life cycle and the availability of **food**. The animals were not only game to be taken for food, fur and hides; they also had a life force.

The spiritual connection between the life force of animals and humans was an important one. The hunter depended on this connection to lead him to the game and the animal **reciprocated** by “allowing” itself to be taken.

There were rules to be followed in the hunt and if they **were** broken, the animals would not allow themselves to be taken and the **lives** of individuals would be at risk because they would have no food. Every individual had a responsibility to behave “the right way” with regard to **animals** and their spirits.

What were the rules for hunting big game [moose, caribou and bear]?

Men and young boys stalked big game. They had to approach quietly and even removed clothing **that might** rustle or catch on dry twigs. Snowshoes were covered in **rabbit** fur - once fresh tracks were found so no sound could be heard. The hunters understood that moose had a keen sense of smell and hearing. Younger men and **small** children were left behind by the senior men once fresh **tracks** appeared They might not know yet how to walk quietly enough. [JZF, Dec.5/91].

Once **shot**, the animal was left alone for a short period of time. There were **two** explanations for **this**: 1] so the spirit could find its way back to its own **place** with other game and, 2] so the meat could “rest” and it would taste better. [PN, Oct.3/91].

“Good” hunters used only one shell and had to be skilled **marksmen**. This was not only because shells were scarce but because it was important not to wound an animal, thus making it suffer. Neither was it acceptable to “club” animals who were wounded.

Women could not step over meat, blood or hunting gear. Menstruating women could not handle blood. Pubescent girls could not handle meat or blood. Women’s blood could dtaw strength away from a hunter even when he was on the trail and she was in camp. The animals also knew when a woman stepped over game or gear and would be affected enough not to allow themselves to be taken. [MMN, Oct .2/91].²⁴

²⁴ The concept of “contamination” of trails and gear by women’s blood is popular in the ethnographic literature on **hunting/trapping** societies. Indeed, I used the term in the first draft of this report and was challenged. Further verification with elders in LLM done by myself, staff and Martha Johnson, indicates the incorrectness of the English term, which I have removed. A more accurate term might be “endanger” and is **attached** to the

When moose were killed, the bell was hung in a tree so other game would know that it had been handled "properly" and taken with thanks. Moose would then return to that area to be taken again.

After a kill, butchering proceeded. No **parts** could be left on the ground. If camp was set up and dry meat made, bones could not be **fed** to dogs or put in the fire; they had to be covered by **rocks** or put in trees so the **moose** or caribou might reclaim them for its next life. If these rules were not followed, the **animal** would be offended and would not return to the area. [JZF, Oct. 3/91] .25

Blood was handled **carefully** since it **represented** the life force of the animal. It could be used for soup that only **elderly** men and women **could eat**.

Meat had to be shared if others had none. It was up to the hunter who made the kill to decide to whom he would give meat. Relatives and widows came first, then those who were considered "poor". If there was not enough meat to distribute, a feast was held for everyone. If **several** animals were shot both distribution and a feast were **expected**.

If a bear had been **shot**, the head was put on a stump, with a stick holding its mouth open, facing the winter sun. **This** ritual showed respect for the bear which is credited with holding considerable power over hunters. If the ritual was done properly, the hunter would continue to be successful. [AF, May 24/91].

On **return** to camp, all meat was handed into the tent from the rear and **placed** on the man's side to avoid any possible contact with menstruating women.

concept of the strength of women's power, and of that power being able to draw power away from men which would affect their ability to hunt, and thus endanger the survival of the group. Therefore, women had to learn to control their power. The concept of animals being "offended" relates to the need for women to control their power through disciplined **behaviour** so the balance between animals, humans and the spiritual world is maintained.

²⁵ Some of these practices continue today and there is an effort in the community to teach young hunters how to treat caribou with respect. For example, the chief hired two young men to clear the ice of caribou remains this year and there has been some discussion of teaching younger people to hunt "properly" in the coming years. This year the caribou came right into the community before leaving and the leaders and chief asked people not to shoot them as the caribou were just reaffirming their relationship with people and would return next year.

Trapping:

As with hunting, men chose **partners** with whom to go out on the trap lines. Occasionally, a man and his wife might be “partners” by themselves out on the land. Some women also had partnerships with their fathers and **reported** they worked “just like a man”. This was usually the case when a man had older daughters but no sons old enough to go out with him. [RZF, May 8/91]

Most of the **rules** for hunting also apply to trapping. However, one senses a **less** intimate relationship between **trappers** and their small game since **there are** fewer rules reported for handling **small** game.

The beaver is the exception. If a beaver lodge were opened in order to get the beaver then it had to be **repaired** properly in order to protect the young ones left inside.

There was a rule that small animals like lynx and muskrat still had to be treated “properly”, that is humanely and with respect, or they could “break your luck”. [BE, Sept. 19/91]

There was also a rule that territories had to be shared. **There** were no rigid **hunting/trapping** boundaries, so one could meet other hunters and trappers on the trail from as far south as Ft. Providence and as far north as Ft. Good Hope. However, there was a **concept** of **Dogrib** “territory” that made it important for the **Dogribs** to “host” people from other **Dene** groups. This meant that the **traveller** was **welcome** to one’s food and tent and if he had dogs, they too were fed. There was a courtesy among trappers to **let** others know when they were crossing **each** other’s lines.

As in hunting, if a **trapper** was not having good luck, **he/she** could seek spiritual assistance from a “gifted” person. [AF, Aug. 14/91]

Like other **meat**, game meat was shared among family but there was no **requirement** to **hold** a feast or to distribute meat if one succeeded at trapping.

The senior men were the “boss of the **furs**” taken in their territories. Younger men or women trappers had to turn over their **furs** to the senior man with whom they **were**

camping. If sons went out to **trap** alone on their father's trap line, they also gave him the furs on their return. [AF, Aug. 14/91].

Fishing:

Most dry fish for **families** was put up in the spring while stick fish for dogs was done in the **fall**.

A **person** could take as much fish as they could **process**. Unlike the big and small game conservation, **there** was no concept of needing to conserve fish stocks, since they were so **abundant**.²⁶

Both men and women, **and** some youths, checked nets and worked with **fish**.

In traditional times, **there** were no sales of fish. **Sales** began with the **arrival** of the traders, **RCMP** and the missionaries. They needed fish for their dogs. Fish continues to be **sold** now whereas the sale of game, until recently, was prohibited by both **Dogrib** and **non-Dene** rules.²⁷

There were rules for the handling of fish scales and guts had to be piled in one **place**, away from scavengers.

Gathering:

Everyone had the right to gather berries in any area. However, this was most often the job of women and children.

The senior men and women also collected plants for healing. Gifts were left in appreciation of the earth's willingness to provide medicine. The **gifts** usually consisted of tobacco, matches, **shells** and sometimes **bannock**. Most men and women knew how to use medicinal plants for everyday **illnesses**. However, if they didn't work, a **person** with a "gift" was called to help cure the **person** who was ill.

²⁶ There is not consensus on this. Some people said fish stocks were conserved in the same way as game. However, the greater number of people said that they could take **all** the fish they needed for their families and dogs.

²⁷ There is now a **legal** provision for selling some game.

What happened to the **person** who broke the rules?

Some **people** did not follow the rules and were dealt with in a variety of ways. Some offenses were minor and some major. Minor offenses **were** dealt with by the senior males within the small **camps**. Major ones **required** a gathering and a **public** admission of guilt, restitution and a process of reconciliation.

A minor **offense** might be a small theft. For example, elders reported that when youths stole some **bannock**, they were ridiculed and shamed. The person from whom they stole would pin the **bannock** on their jacket and everyone in camp would know they had stolen it and would laugh at them. This was considered to be a “deterrent”; it was unlikely the youth would repeat **his/her** theft because they would not want to face **ridicule** again.

A more serious offense, but not a major one, would **be** the theft of an animal from a trap. This offense would be reported to the head man [k’awQ] in camp and he would then speak “harsh words” to the person who **had** stolen the fur. The thief would be asked to acknowledge his theft and to return the fur [or another of equal value] to the person from whom it had been stolen.

If the offender refused to do this, the senior people gathered and **confronted** him. He was **placed** in the **centre** of a circle and people gave him “harsh words” about his inappropriate actions. They demanded he acknowledge his guilt and promise to **return** the fur. This stressed **the** importance of restoring harmony within the community, **reconciliation** with the **person he** had offended and compensation through replacement of the fur. Once that **was** done, no further action was taken and no further mention of the offense was made.

Failure to behave properly, **while** on a hunt or while trapping, had serious **consequences** and was considered a serious offense. If a person mistreated an animal, for example by breaking its bones, no one would hunt or trap with him again, Nor would they provide him with **meat**. Such actions put the group at risk, a risk people were not willing to take. The offender would be shunned. This made life very difficult for him because it is **extremel** y bard to hunt or trap without a partner. It is **unclear** from the accounts whether the individual was forgiven at some point. The discussions **seem** to indicate **that** the offender would have to move to another area in order to find a partner.

Similar consequences befell the individual who did not share his game in “**poor**” times. He also was shunned and could not find another hunting partner.

Summary:

It is important to note the importance accorded relationships between people and game and the many rules which maintained that important **interaction**.

The dependency of the **Dogrib** people on game for their **survival** underlies their world view and the rules for **relating** to the environment and game.

The rules were taught carefully and enforced by senior men and women. Offenses required immediate **action** designed to make sure the offense was not repeated. The **action was** - public and required an admission of **guilt**. There was no concept of “not guilty” as there **is** in the **non-Dene** system. **People** knew when something wrong had been done and they knew who had done it. In the small camp, it would have been difficult not to know. Still, guilt had to be admitted to the group.

Further, concepts of accepting personal responsibility for one’s wrong action was central to the process of “**judgement**”. However, the consequences **were** not designed to be punitive. Presumably, the public admission of guilt was in itself enough punishment.

Emphasis was then placed on **restoration** of harmony since in small-scale societies it is important people be able to live and work together without major **conflict, especially** when survival depends on **co-operation**, sharing, and viable partnerships for hunting and trapping.

Reconciliation was also part of the process, since harmony could not be restored until the **wrong** had been made right. This was **usually straightforward** since one had **only** to return what one had stolen, if it had been a theft.

In the case of offenses against animals, it is not clear whether rituals could be performed to **restore** harmony between the **human** and animals. Since **most** accounts provided by the elders indicate that the person was shunned and may have moved out of the small group, it may be that no resolution of **these** cases was possible.

Reconciliation was a key factor. Once harmony was restored by public **acknowledgment** of guilt and by returning the stolen article, reconciliation was achieved by ending the incident. That is, no further mention of the matter was made. Perhaps this could **be construed** as “forgiveness”.

Conclusions:

We see that the **Dogrib** had quite a **clear** system of justice in traditional **hunting/trapping** times. The component parts were

- 1] There was a clear set of rules which were designed to maintain harmony within the society and between the natural, animal and human world.
- 2] The rules were carefully taught **by** one generation to the next and enforced by daily instruction, observation and expectations of proper **behaviour**.
- 3] Offenses **ranged** from slight to major, the most serious being mistreatment of game.
- 4] The senior members of the group **dealt** with offenses; they judged the offense and determined what remedial **actions** had to be taken.
- 5] In serious offenses, there had to be **public** admission of guilt. The collective group was involved in speaking “harsh words” to the offender who had to explain his actions to the community.
- 6] **Once** guilt was admitted and appropriate **remedial** actions were defined by the group, the individual had to restore harmony and **reconcile** with the **person[s]** he or she had offended.
- 7] Failure to comply resulted in shunning and, on occasion, banishment.
- 8] Once the offender had met **all** the instructions for restoration of harmony, restitution and reconciliation, he was forgiven. That is, the incident was not mentioned again.
- 9] There was no concept of “not guilty”, nor was there any way of “appealing” the judgment of the community.

10] While senior men and women took part in speaking **harsh** words, and in making decisions about remedial actions, **all** people in the **community** were present as **observers** and all **adults** could **speak**.

We turn now to the findings on “**rules for living together**”, **that** is “**family law**” which addresses how children learned the rules [socialization], rules for marriage, rules for relationships between men and women, special rules for women, and how offenses **were** dealt with.

LEHOT'Ī GENÀWÒ²⁸: FAMILY RULES

RULES FOR LIVING TOGETHER: EĻ EXE NATS'IDE NÀWÒ

The Traditional Setting:

Extended families lived in bush camps most of the year. Traditionally, this **would** include a senior man and his adult sons and daughters with their spouses and children.

People spent the winter hunting and trapping and gathered at the mouths of rivers for summer **fishing**.²⁹ Later, with the arrival of the missionaries, they gathered for Christmas and Easter feasts. **With** the arrival of the fur traders, mainly Hudson's Bay Company factors, **people** made an annual trip to trade furs and to pick up supplies. About the same time, the RCMP established **posts** and people gathered in the largest **centres** for Treaty payments in **July** or August.

In the **Dogrib area**, Ft. Rae was the **centre** for the **HBC**, RCMP and the RC Mission and Hospital. Until the late 1950s, the **Lac La Martre** people took their furs by canoe to Ft. Rae and were paid Treaty there. The **priest** made journeys into **LLM** and some families went with dogs for winter gatherings in Ft. Rae.

Most activities were carried out under the guidance of a senior man who had expert skills in hunting and trapping, wisdom, and sometimes a "gift", that is, **spiritual** power. He **was** the "**yabahti**" which is sometimes translated as "big **chief**" but should not be confused with the elected chief [**kw'ati**] after Treaty under the terms of the Indian Act. The **yabahti** had an "assistant **called** a "k'awQ" who was referred to as the "**head** man" or the "chief's assistant". Each camp had a **k'awQ** and if he **could** not deal with issues arising from offensive **behaviour**, then he would take it to the larger gathering at which the **yabahti** would call the senior people together to **deal** with the matter.

People respected their **k'awQ** and followed his instructions since he was the most knowledgeable among the people in the camp, Not **only** did he have wisdom, but it was his responsibility to make sure life was as orderly and good as **possible**. He also was

²⁸ This term means "extended" family, which includes in-laws.

²⁹ See seasonal round chart, appendix 9

responsible when times were tough; people relied on him to advise them when game was scarce **because** of his skilled experience as a hunter and trapper.

What did we ask?

The guidelines for interviews **were** developed with the CAC and designed for **open-ended** discussions. There were **98** family interviews done with **26 elders** who were asked to tell stories about how life was when they were growing up, where they lived, what they did during the day, and where they **travelled**. As well, **elders were** asked to comment on aspects of life which made them **happy** or sad. They were also **asked** to talk about marriage, work, childbirth, living as adults and death.

The Life -Cycle:

While life cycles begin at birth and end with death, I wish to start with marriage which was **the** start of the family and therefore a reasonable place to begin discussing family "laws", that is, the rules for living together.

Living Together:

There were **several** ways in which people could live together in traditional times and several ways in which such **arrangements** were made.

In some cases, women were promised to men at the time of their birth. After pubescence, they went to live with the man. These arrangements were made **by** the parents of the woman and the man and the young people had no choice in the decisions. They were bound **by** their parents' decision.

If a young man made a young woman pregnant, he was required to marry her. This was rare because people lived in such small groups and women were protected by their parents. Men were always **held** responsible if women **became** pregnant prior to marriage, that is, **it** was he who had **to** "stand in the circle" in front of the **elders** and it was he who was forced to **marry** her. He could refuse but then he had to support her and the child. If he refused, he was banished which was a very **harsh** action.

Young people seldom chose their own spouses but women could refuse to marry a man who had been chosen for them. In general, both young men and women married the partners their parents had chosen. The marriage was acknowledged by the **yahbati**, the **elders** and all community members.

After the **arrival** of the priest, the community acknowledgment continued **but** the priest **also** performed a Catholic **marriage** ceremony whenever he came to the **community**.³⁰ Eventually, young men and women **began** to live together without any **ceremony** being performed nor any acknowledgement of the community.

There are also reports of some marriage “kidnappings”. This happened when a **man came** - into the community and took away a young woman without the consent of the **yabahti** or her parents, maybe even without her consent. It is not **clear** from the reports how this was - allowed to happen since **there are** accounts of **fathers and/or k’awq** tracking down young males who had impregnated women and bringing them back to the community to face the elders, Such “kidnappings” may have taken place in time of **raids** or wars. People **recall** hearing about them but don’t **recall** the details.

Men asked men for women, that is, a man wishing to marry a certain woman would ask her father for her. The father **would** reply it was up to the woman’s mother. Parents had **first** right of refusal if they did not want their daughter to marry the man asking for her. They did not have to consult with her. Women were not permitted to initiate **marriage arrangements**.

When women were requested, they did not always want to marry the particular man. If the woman was the “last” in the family, her **parents** might pressure her into accepting since it meant she would be supported by another man, thus relieving the parents of that burden. Sometimes grandparents **were** also **involved** in the decision and urged the young woman to do as her elders told her.

If there was male competition over the same woman, then the two men worked hard for her father and whoever worked the hardest, “**won**” the woman.³¹

³⁰ When the priest visited small communities it was not unusual for him to baptize children, marry people, do first communions, say prayers for those already buried, etc..

³¹ One elder indicated this was how he “won” his wife.

Apart from the traditionally arranged marriage, mentioned above, there was also another type of arrangement. Young men sometimes lived with older couples and worked **for/with** the man. If the wife became pregnant and gave birth to a boy, the young man would leave the household. However if the woman gave birth to a girl, then she was “promised” to the young man and he continued to live with them and married her when she became thirteen or fourteen years old.³²

The preference was for people **to** marry within the **Dogrib** regional **group** but first cousins **could** not marry. People believed such unions were dangerous and would cause death or serious illness. Since people were so transient, many marriages took place between members of the Dene Nation but of different tribes. In the **Dogrib-Dogrib** marriages, men **normal**ly moved into their wives’ community but in a few instances, **women** moved to their husbands’ camps. In the case of inter-tribal **marriages**, women usually went to the husbands’ communities. Only a few people **are** reported to have married outside the **Dene** group, for example, to **Inuit**.

Such marriage **rules** ensured the gene pool was varied enough to prevent **significant** rates of mental or physical abnormalities. Most importantly these marriage alliances among the Dene Nation kept the hunting/trapping territories within their own boundaries and ensured tribal alliances in the event of raids and wars.

Marriages were confirmed by the **yabanti** who offered the young **people** words of advice after which the **couple** went through the camp, shaking the hands of the elders who gave them “good” words.

The advice given focused on the rules for “proper behavior”. The young man was **told** to love his wife, care for her, work hard for her, not **to** give her harsh words **unless** she had done something really wrong. Young women were told to sew well, cook well, to keep a clean and **comfortable** camp, to obey their husbands and to be extremely careful about menstrual **blood**. That evening, there was a feast.

Once a woman agreed to marry, there was joy in the community. Shouts of “**mahsi**” from the man’s family indicated happiness with the arrangement. Once acceptance **was**

³² The purpose of this **arrangement** is not clear. Perhaps they were guaranteeing themselves a son to carry on.

confirmed, the man began to work for the woman's father, helping with wood and trapping and hunting. When they started to live together, it was usually in her parents' camp.

The young couple stayed in their own parents' camps until seven days after the feast, at which time they set up their own tent or moved into the house of her parents.³³ The young couple was advised not to sleep together for a **year--or** until they wanted children. Women **reported** that they often did not sleep with their men for a year after the birth of a **child**.³⁴

Fathers handed over their daughters with "harsh" words that gave the husband permission to beat his wife "if she does not do her work properly" [PB, Dec. 13/91].

The interviews are **full** of accounts by women of how **harshly** they were treated by men, both fathers and husbands. The accounts also show how vulnerable and abandoned - women felt because if they ran home to their parents, they were "chased back" by one or both parents to their husbands. Given that some of the women married as young as fourteen, it is understandable that they **felt** abandoned and hurt. In any **event**, it made clear that "men were the boss of women". [JB, Jan. 9/92].

It also makes clear that **spousal** assault is not new within **Dogrib** culture. Although men were "allowed" to beat their wives and children, they were expected to use this right reasonably and the k'awo would speak to men who were considered to be too **abusive**.³⁵

Separation:

There does not seem to have been any **culturally** acceptable cause for separation in **traditional** times and the **long-term** marriages of current **elders** speak to this.

³³ The reason for this seven-day separation was not made clear in the interviews.

³⁴ This is not borne out statistically; many women seem to have had children each year for many of their **fertile** years.

³⁵ The abuse **should** be kept in the context of the times; our **culture** had similar practices then. Men were the "bosses"; men hit women who didn't do their exact bidding; men and women hit children--and so did nuns, priests and teachers. The old rule of "spare the rod and spoil the child" has barely been left behind in **non-Dene** cultures. It was not clear from the interviews what was **considered** to be "excessive" hitting.

If couples were having difficulty “thinking alike” [MMN, Dec. 18/93], they could seek advice from senior male and female relatives. If this didn't help, the **k'awQ** might counsel them. If this didn't resolve matters, then both **were** called before the elders and the **yahbati** and put in the **circle** and given advice by the **elders**. Normally, this helped them resolve the issues.

Some separations were allowed if a male was too abusive. In this case, each returned to his/her own family. Each took what little “gear” they had brought to the household. Young children always went with the **mother**; older male children **could** go with their fathers if they wanted to.

Couples could **separate** if the man committed adultery. As in the case of pregnancy prior to marriage, men **were considered** to blame if adultery took place. The punishment for adultery was banishment. The **reasons** for this are not clear unless all adulteries were with unmarried women. In any event, they **were** rare.

The **yahbati** and **k'awQ** were permitted two or more wives -- that is, however many they could support. In such cases, the women often were sisters. Women were not permitted to have **more** than one husband. **Monfwi**, the legendary chief, was reported to have had 12 wives.

Men who raped were banished This was a **rare** event. The idea of rape within **marriage** was not known ; the CAC and other **interviewees** indicated that part of a woman's responsibility as a wife was to be sexually available to her husband at any time.

A few men abandoned their families and they were not permitted to return to their communities.

Having Children:

Children **were** always welcome, boys **more** so than girls. If a **newborn** baby was male, a cry went up in the camp and fathers delivered one stick of wood to each household. If it was a girl, fathers did nothing but in a few cases, **grandmothers** reported they delivered spruce boughs to some female elders. [EM; Mar. 16/92].

If birth took **place** in the camp, women who had had children helped with the delivery and tended to the woman and her baby. **People** believed if women who had no **children** were present at the **birth**, the birth would take longer. Men were not usually **present in the** birthing tent in the main camp because women were considered more knowledgeable in such matters.

Preparations for birth included setting up a bed of **clean** boughs with **lots** of **moss** on top for the woman to sit on. As well, a frame of logs was made for her to hang onto while she knelt to deliver. Women would also help her hang on so she could push with the contractions. One woman sat behind the birthing woman to catch the baby. This was usually a senior woman and the baby “was born on her hands”. [RZF, Jan. 14/92].

Once the baby arrived and the umbilical cord was **cut**, the baby was passed to one of the - women to wipe and wrap and then she or he was put in the moss bag. Meanwhile, the placenta was delivered and the mother could rest.

Women who had just borne children had their own set of dishes and utensils and stayed on one side of the tent. They went out the side of the tent to a place of their own to void and they were not permitted to walk around in the camp **until** their bleeding stopped.

The cord was kept by the maternal grandmother until the next child was born or until the child was one year **old**, when the grandmother put it high in a tree. **People** believed the animal or bird who ate the cord became the guardian spirit of the child. Fine ash was used to **heal** the baby’s belly button and was **applied** each time the moss diaper was changed. .

Procedures for birthing differed for women out on the **trail**. When the woman started **labour**, the man would set up camp, including a separate place for her to give birth, He **would** attend to her. **If** they were a short distance **from** their camp, or that of another family, the man would **help** with the delivery and then would take the woman and baby on the sled to the camp. If they had no dogs, the man would walk ahead to camp and leave the woman and baby to follow, making her own **trail**, when she had rested. If she got **cold**, she made her own fire.

Obviously, birthing in camp was more comfortable for the mother and safer for the baby. **Elders discouraged** pregnant women near term from going out to hunt and **trap** with their

husbands. However in cases where families were out all winter on the trap lines, some women **would** be on their own when giving birth.

Sometimes women died **trying** to give birth or for other reasons prior to birth of the baby. In **these** cases, people report that the baby was “cut out” and kept alive if it **was big** enough. A female relative of the mother usually raised the baby as though he or she were her own. [MAM, Jan. 7/91].

If a baby was stillborn, or born with any abnormalities, it was considered a bad omen and usually the mother was blamed for doing something **wrong**. **Elders** could not recall what these wrongs might have **been**.³⁶

Given the preference for male **children**, one might expect accounts of female infanticides. **People** acknowledged they had heard such stories but no one had any personal knowledge of infanticide. There is one account of a mother killing an older child by breaking her neck while shaking her in a rage but nothing was done because it was considered to be an accident. [EZN, Feb. 26/92].

Raising Children:

Babies **were** cared for well by mothers and older female siblings. Men were not much involved in infant care but began to do things with their children when they began to **walk**.

Nothing was **expected** of children until they “began to get smart” which was considered to be about four to five years of age. Prior to **that**, they **were** protected **from** danger by **being** tied with moose hide strings to keep them away from stoves and **fires**, out of the water and away from tethered dogs.

By age four, **children** were expected to walk on the trail so they could “grow strong” [BP, Mar. 6/92]. They also had their own chore such as carrying one piece of wood into the tent.

³⁶ **Pregnancy taboos** are well known for the **Dene** and usually include such things as not looking at people with **spiritual** power, not eating **bear** meat, etc. However, none of the elders could remember the specifics. They did know that the pregnant woman had to have breached some rule if she delivered an abnormal child.

Between four and **eight**, children learned who **their** relatives were, took part in camp life, were tended by older **brothers** and sisters, and, generally, observed the activities of adults.

From eight years of age, children were expected to be functioning members of **families**. They had to bring in **kindling**, **haul** water and help with **fish**. Boys went out trapping and hunting with their fathers and learned how to be quiet on the trail, to walk long distances and not complain about cold or hunger. Girls stayed with their mothers in camp and learned how to sew, do fish, split wood, set nets, work on hides, and other such chores. They **also** tended small children.

By ten to **twelve** years of age, boys were expected to know how to set traps and snares, chop wood **and** make fires. **Girls** went on the trap **lines** with their fathers if the family didn't **have boys** old enough to go. However by the time of their first menses, they were - considered too **high** a risk to take because they might not know how to handle blood "properly" yet. **Once** they had learned how to be "women", they usually married and went out with their husbands, not their fathers.

Both boys and **girls were** expected to help their elders. They **hailed** water and did wood for them, helped them walk if they were frail and took food to them. Children were taught they would live long lives if they respected and cared for their elders.

All **children** were expected to obey and respect their parents and every other **adult**. Children who failed to move quickly when told to do something were hit on their feet or bottoms with a willow stick. **If** they were truly disobedient or disrespectful, they **were** not **allowed** to eat for a day. Although such discipline was harsh, it was considered necessary for **survival** that the child **learn** to do things the right way. They **had** to learn the rules so they would not endanger the group's survival **through ignorance** or disobedience.

The difference between discipline and abuse was determined by love and by the goal of teaching children to do things the right way. If parents loved their children, they would discipline them **so** they **could learn well** and have sufficient **skills** to live in a harsh environment. Abuse occurred when people did not care about the child and did not love him, when the action was done only to **hurt**, rather than to teach the child.

Elders prevented children from disobeying their parents by telling them stories designed to frighten them. For example, stories about the Bush Man taught children to stay near camp because they would be kidnapped if they went out of sight into the bush.

Stories also centered on tales of what the animals' responses would be if children disobeyed the **rules**. For example, if a menstruating woman walked over a hunter's **trail**, the animal would not allow itself to be taken and everyone would be hungry. Such stories registered with young people, reinforcing other instruction which had the main goal of enforcing the **rules** for survival.

Pubescence:

Young **women** were isolated at the time of their first menses. They stayed in spruce **tipis** - made by themselves **and/or** their **senior** female relatives. This tipi might be close enough to the camp for **sisters**, mothers and **grandmothers** to visit but far enough removed that it would not be near any hunters' trails. Some **were** much farther away, and then visiting was infrequent. Sometimes when the main camp **moved**, the young woman would follow a day later making her own camp until the adults settled and she could build another **tipi**. One women reported not being allowed to fallow and being left alone at the original camp for as long as a year. [MAM, Jan. 7/91].

One of the goals of **isolation** was to m*^e sure men were safe **from** the effects of female power, considered to be very strong and symbolized by blood. A women's blood could move game away **from** the area if she walked on their **trails** or on the hunters' trails. Even if blood were not handled **properly** when the woman was in camp and the man on the trap line, the **hunter/trapper** could be affected negatively and **would** not get any game. This in turn could affect survival. So, it was important that young women learn how to behave appropriately and follow the **rules** when they were bleeding so they would not harm the well-being of the group.

Another **goal** was to make the person "strong" by having her tend to **all** her own needs without help. She had to get her own water, wood, boughs and keep her own fire going; she had to set nets and snares for food. If she were close to camp, she was expected to do wood for **others** and leave it outside Where-they **could** take it and she was expected to sew for herself and others.

As well, young women were meant to use this time to “connect” with their spiritual side and to come to grips with their “power”. No women reported a female equivalent of the vision quest **experienced** by young men. However in the cases of those young women visited regularly by grandmothers, they were exposed to stories and teachings about the spiritual **world**, the role of women and the expectations of their society.

The decision as to when a young woman could leave the menstrual tipi was made by her senior women relatives and depended on where the main group was earping. Some women reported being on their own for **three** months **while** several others were left for a year. Some women expressed strong feelings of abandonment and only one said she was sad to leave her comfortable tipi to move back into the group. Prior to leaving her tipi, the young woman was given a new set of clothes, moccasins and gloves and was told to burn her old ones. **Parents** had to reset their tent prior to their daughter’s return.

Once back in her parents’ tent, the young woman was instructed to avoid men’s eyes including those of her father and brothers. She was not allowed to face men and *was* told to sit on her legs in the **presence** of men, i.e. she **could** not stretch her legs out if men **were** in the tent. In some cases, women were **told** not to speak to men and none was permitted to “walk **around**” if they were Needing. Women were considered marriageable on their return to the full Camp.

When boys’ voices began to change and they assumed the role of men, they usually went off for awhile to the trap line with their fathers, uncles and brothers. While discipline might have been **strict**, and they had to **learn** how to do things “**properly**”, they had warm tents, food and **company** provided. They were not isolated except when they went alone on a spiritual quest for several nights.

The kill of a young man’s first big game was **celebrated** and feasted. Eventually, when they left their fathers’ tents for their own, or for those of their fathers-in-law, they essentially became “the boss of themselves” and of “their” women.

Both young men and women were “**tied**” by their grandmothers at the time of puberty. This meant they had moose hide strips tied to their ankles, **waist**, wrists and neck. This was to give them strength, **courage**, wisdom and **to** protect them from evil spirits.

Adulthood:

People lived out their lives in a seasonal **rhythm**,³⁷ working hard to survive and suffering during times of scarce game. The impression one receives from the stories is that life was well regulated by the senior members of the society under the direction of the **yahbati** and his **k'awQ**.

People grew up under harsh rules, but **rational** ones, enforced by parents and **grandparents** who knew **the hardships** which **could** be expected if the rules **were** not followed. By the time young people married, they knew both the rules and the reasons for them; in **general**, they followed them.

As adults, men made partnerships with other males and hunted and trapped with them and their families. Women supported each other in work and in spirit as well.

There were few serious wrongdoings **reported** in the interviews. Murder **was** virtually unknown [except for killing during raids **and inter-tribal** wars], **rape** was rare, and abandonment of families by men was also **rare**.

Death was well known. **There** are several reports of stillborn babies and some of babies dying shortly after birth. There are many more stories of **people** dying of injuries, disease and hunger. When **people** died, it affected the whole community because relationships were close. **There** were no wills and little property. Spouses kept the property of the deceased and passed appropriate items to adult children who took on the roles of the departed family member. Sons and **daughters** received their father's **and/or** mother's tools, equipment for hunting, canoes, etc. Personal clothing was burned; occasionally a man's rifle was buried with him. The burning took place on the day of the burial and it is **reported** the smoke enabled the deceased person's soul to **travel** to a comfortable resting place.

There was some fun in adulthood as well. People talk about the enjoyment of summer fish and berry camps, of festivities after the missionaries came **and** after Treaty. They spoke of jokes **they** played on each other and of the yearly spring shaman's games. And some report the excitement of maybe seeing a Bush Man or of experiencing other happenings that were "extraordinary".

³⁷ See appendix 9 for the seasonal round chart.

As people began to age, the **elders** were treated with respect and **caring**. No longer able to goon the **trap** lines or to walk long distances, elders began to enjoy the benefits of having raised many children who now brought them meat and fish, fresh boughs and wood.

There was a balance - not always ideal because the death rate was high -- but a **balance** nevertheless between people, the **land**, the animals and the spirits. As long as the **balance** was maintained, **life** went on and people were relatively safe, healthy and active.

The disruption of this **balanced** life cycle and **seasonal** round came from outside. With the arrival of **non-Dene** in **Denendeh**, life changed drastically and many imbalances came into play which will be discussed in a later section.

Adoptions:

Upon the death of a parent, or in a case where a woman could not raise her child, the adoption process was clear. The mother's female relatives had the responsibility and privilege of raising **babies** and **small** children. **If** a mother with children **old** enough to help their father died, a child 10, and older **might** stay with the father while the younger ones went to the mother's relatives, **usually** to sisters, occasionally to her paints.

Agreements were **verbal** and binding. Once a child had been given to a **relative**, it became that person's child and was treated no differently than **natural** children. Since the community was **small, everyone** knew a **child's** family history and relationships between children and their birth parents **were** encouraged. For example, a man whose wife died might leave their children with her sister for **several** years, then later he would take his male children on the trap line with him.

Such arrangements gave children an extended **family** and a sense of security. No **limits** were placed on relationships. so even if mother's sister had raised her children, their natural fathers knew them, related to them and some reclaimed them when they **became** youths. Children raised by **relatives expressed** no sense of being abandoned or unwanted by natural parents.

Summary:

We see that the rules for marriage and raising **children** do not vary much from other societies, including our own, in traditional times. The fact these **rules** existed made it very easy for the RC missionaries to overlay Canon laws on **Dene** ones and for the Canadian government to put theirs in place too. In many cases, they were amazingly similar in content, if not in practice.

The rules for living together as family were straightforward

- 1] Wages had to be **arranged**. They required the consent of parents and elders. Acknowledgement of the union had to be public.
- 2] Women **belonged** to their parents and had to be released by their fathers to other men, although husbands deferred to their wives' decisions when daughters were asked for.
- 3] Close relations, e.g., first cousins, were not permitted to marry..
- 4] **Marriages** consolidated political ties and **reinforced** territorial boundaries.
- 5] Men were the "bosses" of women; women had to obey men.
- 6] Children belonged to women but sons were accountable to **their fathers, even when they became adults.**
- 7] Men were accountable to the **yabahti** and elders for pregnancies prior to marriage, for rape and/or **abandonment**.
- 8] Women's roles **were** mainly productive and **productive**; they **bore** children, made camp, **dried** meat and fish, tanned hides, sewed them and cooked.
- 9] Men were allowed to assault women if there were "just" cause. A "just" cause was determined by community standards and related mainly to a woman's **failure** to equip and provide sufficiently for her husband's **hunting/trapping** trips. This was seen to affect the whale community in the same way **failure** to follow the rules **relating** to blood **could** affect the availability and taking of game.

10] Children could be physically punished by either parent in the interests of survival of the group. The emphasis was on teaching the right ways of doing things, as opposed **to** being simply punishment.

11] Puberty rituals isolated young women more than men but provided bonding groups for men and women.

12] Women were responsible for the safety of men, trails and game, through their strong power symbolized by blood.. There were many rules and rituals they had to follow to make sure their blood did not negatively affect the survival of the group.

13] Separation of **married** partners was not **culturally** acceptable and was **allowed** only - under rare circumstances. The decision was made by the **yahbati** in consultation with elders

14] Orphaned children **were** adopted by their mother's relatives. **Adoptions** were **accepted** by community consensus once the child went to live in another **household**.

15] Children were taught by both parents and grandparents. **It** was important all the rules be passed down.

16] **Children** were expected to follow the rules, especially as young adults, so no one **would** suffer.

17] Young people respected **elders** and cared for them.

18] The emphasis of the **rules** was on maintaining a "balance" between the human, natural, animal, plant and spirit worlds.

In sum, there were "right ways" of doing things, rules for living together which regulated marriage, **separation**, reproduction, adoption, limits for discipline, rituals for safety and socialization to **ensure** the continuity of the **society**.

DQNE ASH GELI S11 GENÀWÒ K'E TS'EDA

LIVING POLITICALLY ACCORDING TO THE DENE WAYS

This unit is centered on the **traditional** political organization of the **Lac La Martre** people in order to understand how Dene rules were made, who enforced them, and how they worked.

Methodology and Guide:

The methodology was changed for this unit because we were so far behind **in translation** of the other units and funding was running out. The CAC **agreed** to the proposed change and elders **co-operated** fully. Rather than **interview** individuals, we had two groups of men elders and two groups of women elders meet regularly to discuss issues already identified - by the CAC as **being** appropriate for this section.

There were five members in each group. Each member had participated in earlier interviews on resources and the family. The sessions were facilitated by **Aggie Brockman** and researchers Marie Adele **Rabesca** and Diane **Romie**. The nine sessions were taped and staff provided **translation**. The interviews took place in the summer of 1992.

Topics for discussion were selected and the terminology was developed with the staff and the CAC, as they were for the other units. The guide included the following **items**:

- 1] Who made the rules?
- 2] Could they be changed? If so, how and by whom?
- 3] **Were** new rules made as things changed?
- 4] How were rules taught?
- 5] Who had the authority to make decisions when rules were broken?
- 6] How was the **yabahti** chosen? What was his job?
- 7] How was the **k'awQ** chosen? What was his job?
- 8] What was the job of the medicine person? How did one prepare for this position?
- 9] What was the job of the prophet? How did one become one?
- 10] What was the job of the **spiritual jester**?
- 11] What was the job of the diviner? How did one become one?
- 12] Were **all** these roles **hereditary**?

- 13] What was the role of women in leadership and social control?
- 14] How did conflicts/ wrongs get resolved among people?
- 15] What was done about threats to do wrong things?
- 16] What was the effect of medicine power in keeping **people** from doing things the wrong way?
- 17] Who participated in “judgments” of people in the circle?
- 18] What happened to people who did things wrong because they didn’t have much intelligence or **were** mentally ill?
- 19] When did the rules begin to change due to outside influence?
- 20] Why did **people** continue to use **traditional** ways in some cases but turn **offenders** over to **RCMP** in other cases?
- 21] Why did the chiefs allow the **RCMP** and priests to take over their roles and **power**?
- 22] When offenders were told what they had to do to make things right again, who made **sure** they did what they had been **told**?

There were no significant differences in the information provided by the men’s groups and the women’s groups. Therefore, the general **responses are** provided and exceptions will be noted. It should be clear the above questions were not asked in a question-answer situation. Rather, elders were encouraged to tell stories, discuss the points and arrive at a consensus on who had power and authority, how it was used, how control was maintained and who was responsible for making sure that things happened in the right ways.

Learning the Rules:

It is clear the **rules** were not written down but were passed down orally. The senior men and women in each camp were responsible for making sure people knew the rules and followed them. As mentioned earlier, minor offenses **were** dealt with by the **k’awQ** who was **usuall**y the most elderly male in the small camps. If the **k’awa** could not handle the issue, resolution awaited the next major gathering when the offender would be put in the circle. That person would have to acknowledge his or her wrongdoing and would have to listen to harsh words from the **yabahu** and all the elders, male and female.

New rules were created as the need arose.

“New rules were for when new things happened. People would make a decision and work on it”. [July 2/92; men]

Leadership meant responsibility, power and authority:

The traditional leader [**yabahti**] had the most authority and power. We were told,

“**Monfwi** was a great chief. He was like the government for the people. In those days people really listened he was the head boss and the leader. **Our** ancestors were poor but they **had** good ways of living, of talking to people and giving **advice** and direction.” [July 16/92; women).

“**Ewagha**, the **k’awQ** had really strong words. Before people would leave camp, he would give them advice to take **care** of each other. He would - say that he doesn’t want any bad news to come to him from their camps.” [July 16/92; women]

The **k’awQ** was the chief’s helper. Each camp had a **k’awQ**. He would tell people what had to be done each day. People respected him and followed his instructions. Because of his **leadership**, people **lived** well off the land. He was responsible for making sure people had wood and game. The young people would work with him.

“People **used** to meet often, at the **yabahti**’s house or the **k’awQ**’s house. They would talk about how to live their lives.” [July 21/92; women]

Apparently, these daily discussions kept people on the right path and brought the best wisdom to problem-solving. **People** felt **secure** in the knowledge that their leaders would make life as good **as** possible for them. In return, the leaders were given respect and loyalty and **people** did the work that had to be done.

Leadership positions were hereditary, in general. If the son of the **yabahti** and/or **k’awQ** had the **necessary** knowledge and skills to continue his father’s **work**, he was asked to do so. It was not an automatic decision, however. **People** discussed it at length and if the young man was not suitable, another person would be chosen by the elders. In other words, the best person got the **job**.³⁸

³⁸ I recall when an elder called “Johnny One Foot In Heaven” died in 1957, the people gathered and renamed his son “Johnny One Foot in Hell”, This was done to ensure he did not claim, or achieve, the status his father had.

Women were never **yabahti** or **k'awQ** although senior women were in charge of the camps when men were away. They did get respect. They were **in** charge of their **children** when young, **in** charge of their daughters for life. Men **respected** women's decisions in these areas. Women also had a say, if they chose to say something, when a person was in the **circle** because he or she had done something wrong.

The characteristics required of leaders were demanding. **They needed to** have **excellent** leadership skills and be good **providers** to deserve the respect of the people. The yabahti was perceived as having a "special gift" which did not make him a medicine man but meant he did have spiritual power. That meant he had greater abilities to do the work well because he had greater knowledge and experience. The **k'awQ followed the yabahti's instructions** and did not need a special gift in order to lead in the smaller **hunting/trapping** camps.

Leaders had other special helpers:

The men and women who had **medicine** power **were** able to help out in times of severe illness and when game was scarce. Such a **person could** find lost **people** and **he/she** dealt with mental and physical illnesses. They **were** not considered "**leaders**" but rather were "specialists" within the group to deal with extraordinary events and problems.

Most people with medicine power **were** men but a few women **also** had this power. Power was acquired through dreaming and fasting alone in the bush. However, specific skills **were** passed down from the older medicine **people** to younger ones who experienced the dreams.

If power was misused, it was usually employed against an individual. Most elders indicated power was mainly used in positive ways but **there** were a few stories about "bad" medicine, that is, hurting someone with one's power. We also heard stories about some "bad" medicine actually causing deaths. Medicine "fighting" was rare but was certainly known. It is understandable that people with power were not only respected but feared.

Medicine men and women also are reported to have used their power to obtain highly desired spouses [**love** medicine]. People with power and "special gifts" are still known in the community today. [July 15/92; men]

The spiritual jester³⁹ was another specialist in the community. He, too, **could** cure people's illnesses but he used his special gift only in spring. It would **seem** this **was** a ritual event when people **gathered** for the summer to fish. The jester would dress in caribou hides and mask [or head] and would dance **through** the camp seeking people to cure. He **also** could tell people how long they would live. Young women were **not** allowed to watch the jester **because** they might disturb him, or their power might affect him, and then people would get sick. [July 15/92; men and July 16/92; women]

The "prophet" was another specialist who **could** tell people what would happen in the future. **Like** the "diviner", he could see where the game were and could communicate with them and **call** them into the hunting territories where they would **allow** themselves to be taken. **Likewise**, he **could call** back the soul of a person who was lost so the person could find his way back to the group.

Both the prophet and the diviner **acquired** their special gifts through dreaming and through an animal helper. The prophet seems to have had broader power and knowledge than the "diviner" whose main job was to find the animals when **they were** scarce. No mention was made of women in these roles, which isn't surprising because the activities **centered** around hunting activities.

All of these specialist roles were based on beliefs and **behaviours** which **fit** into the general understanding of how the natural and human worlds interacted, and how those relationships had to be maintained in harmony for the benefit of the community.

Therefore, the "powers" of the specialists supported the power of the leaders and provided authority for the enforcement of the rules and the responsibility of elders to make sure the next **generation** learned how to behave in the "right" ways. **These** checks and **balances** kept the community stable and therefore viable.

³⁹This may be a poor translation of the term "dze kw 'i"; people talked about the jester but described his work as "playing games to get rid of sickness, or when a person was not doing well". The "games" played were ones which healed, e.g. putting a **stick** into a father's chest- if the son was ill with a bad cough. It would be useful to know more about this seasonal ritual compared to the curing done by the more regular activities of the medicine man. The roles did not overlap: the medicine man did not **become** the spring "jester". I suspect the term is not really translatable and that "jester" is an **accommodation**.

What happened when the rules were broken?

As mentioned earlier, there was a process in place to deal with people who broke the rules. Minor offenses **were** dealt with in the small camps by the **k'awo**. **Minor offenses might** include small thefts, a person's failure to return borrowed equipment, theft of furs from a trap line or food from a cache, Family **conflicts were sometimes** included in minor offenses.

Minor offenses often were **dealt** with by ridicule, that is by laughing and making fun of the individuals **behaviour**. Or people might shun a **person** for awhile, that is no one would speak to him or her to get the message across that they had behaved in an offensive way.

All offenses were considered within a specific context. For example, it was not theft if a person "took" someone's axe without asking provided he needed **it**, and as **long** as it was returned within a reasonable time and in good condition. Nor was it theft to take food from a trapper's cache if one were on the trail and hungry. **Again**, the food had to **be** replaced by the borrower, then the matter was settled. Some issues required more ingenious solutions.

snoweu uns:

"Two men claimed the same dog **as** their own. The **k'awQ** talked at length with the men, each of whom continued to claim **ownership**. Finally, the **k'awQ** said he could not decide who the owner was, so he would shoot the dog. One man then said, "**No!** Don't shoot the dog. **It** is a good dog". The **k'awQ then declared** him the owner of the dog since he clearly cared about it and didn't want it shot. That is, he would give up ownership of the dog rather than see it dead." [FZ, fall 1991]

When the **k'awQ** felt an offense was too serious to deal with himself, he would **raise** it at the next gathering and the **yabanti** and senior men and women would put the offender in the circle. This process included the whole community. The offender was kept there until he or she admitted guilt at which point the senior people and **leadership** would give the person "harsh **wokis**." These words usually restated the rules and how the person should have behaved. They also made reference to the harm done to individuals **and/or** the **group**.

Once the harsh words were spoken, the gathering shifted to discussing how the individual might make things better. People arrived at consensus about what **he/she** might do to restore harmony, compensate the victim and end the matter.

When a solution was proposed, the offender agreed to do what the elders had indicated would make things right. If **he/she** did not agree, then the gathering had to decide what **the** outcome of the refusal would be. For example, if a man had impregnated a woman, he was ordered to marry her and to do work for her father. If he **refused**, the gathering might decide that she could stay with her parents and he with his, but he still had to work for her father in order to provide for the woman and their child. If he agreed, then the matter was settled.

If he refused, the general decision was that he must leave the community since he would not follow the **rules**. Banishment was **rare** because few young **people** had the **courage**, or **lack** of respect, to “break the words” of the elders.

The most serious offenses were ones which endangered the survival of the group by breaking the **rules** about the right way to relate to and handle animals, especially big game. The next most serious offenses seemed to be **adultery** and impregnating an unmarried woman because these actions caused serious disruptions in the camps. If these could not be **resolved**, then banishment was a death sentence essentially. A man who **could** not find a hunting partner because he had abused the **rules** for dealing with animals could not survive out on the land on his own for long. The man who committed sexual crimes against women would be in a similar position.

There were no accounts dealing with **murders and**, in **fact**, most “murders” mentioned in the **stories** seemed not to have been dealt with, such as the death of the child due to the mother’s rage and abuse. One explanation for this failure to deal with murder may lie in the **extraordinary** and spiritually dangerous contexts in which they **occurred**. For example, deaths caused by medicine fighting were not considered to be the responsibility of any individual but were blamed on supernatural actions out of the control of ordinary humans.

One effective way of keeping people from committing offenses is to **create** fear of the outcome if one is caught. In all our accounts, people said they **feared** the discipline of their parents, they feared the power of the **yabantis**, they feared “harsh words” and they feared being put in the **circle**. When one balances this fear with respect for animals and leaders and the accepted importance of doing things in the right ways for the survival of the group, then one understands that only a few people dared not to follow the rules. As well, the

reality of being shamed by all those gathered if one ended up in the circle, caused many people to think seriously before committing an offense.

Summary:

All rules **were** made by the elders who made their decisions by consensus; their decisions were based on experience and knowledge of the world in which they lived.

Rules were passed down **from** generation to generation by grandparents and parents. These oral traditions included stories about the supernatural world and how it worked, stories **about** how the animal world worked, stories about the disastrous outcomes when rules were broken.

There was direct teaching by one or both parents on specific rules for doing things the right way in daily life and in special times such as pubescence. Children **also observed** their parents' **behaviour** and learned to do things the same way. Children were punished for not doing things the right way and learned from their mistakes.

Rules were enforced by all adults and some adults had more power, authority and special gifts to make that enforcement very strong. **Leaders** and specialists had the final authority and responsibility to make sure everything worked well, that the group survived and that things between the **natural**, spiritual and human worlds **were** kept in balance.

New rules were created when circumstances changed and there was a need for a change in rules or for totally new ones. These new rules **were** made by the **yabahti** and **k'awQ** in consultation with **all** the elders. They were discussed at **length** and then explained to the people. They worked hard at making them appropriate and enforceable.

Rules had a logic and consistency that made them a part of daily life and special events. The need to **break** the rules was infrequent and the **motivation** not to **break** them for fear of the outcome was very high.

People who had mental or physical handicaps which **led** them to **break** the rules because they didn't understand them were not put in the circle. Parents and relatives were responsible for making sure these few people were protected from the dangers of their own behaviour. They were under constant supervision.

People who dared to break the **rules** were dealt with by the **k'awQ** as soon as a complaint arose. If the matter was more serious or couldn't be resolved by the **k'awQ**, the offender was dealt with by the **yabahti** and all senior members of the group at a larger gathering.

Mechanisms put in place to help people not to break the rules included early teaching, story telling, direct action, discipline, ridicule, shaming, shunning, harsh words and banishment.

Change and Transition: What caused the changes in the traditional political ways of “doing things the right way”?

As long as people lived in small groups **spread** out over vast territories they **controlled** their own lives. Once **non-Dene** began coming into the traditional **Dogrib** territories, things **began** to change. These changes came slowly at first; some were barely **noticed**. Many - changes were countered by strong **yabahtis**. As time went on, however, the changes took **place** more quickly and the leaders **were** unable to stop the process. It is not possible here to go into the **history** of cultural, economic, social and **religious** changes. However, we need to consider the main initial changes

1] The missionaries arrived around the turn of the century; they were **Oblates** of Mary Immaculate, members of the Roman Catholic Church. Most were from Belgium and were French-speaking.

2] The fur traders arrived.

3] The **RCMP**, representing **non-Dene** government and Canadian law, arrived.

4] The Treaty was signed in 1921 and brought with it **non-Dene people** with their own law, education, economics, settlement and health institutions.

The arrival of the priests did not create an immediate problem for the **Dogrib** people. These men learned the language, **travelled** with dogs and by boat to the various camps and lived off the land with the people. They **respected** the authority and power of the **yabahtis** and **k'awQs** even as they sought to change religious beliefs and practices.

The priests were welcomed by the **Dogrib** people; their religious teachings **were** not regarded to be in any major conflict with **Dogrib** traditional teachings. In **fact**, it was the

compatibility of the teachings which enabled the priests to make their conversions so readily.

The changes were subtle. The **Dogrib yahahtis'** own acceptance of new practices allowed priests to take over some of their previous responsibilities. For example, after the recognition of a marriage by family heads, the elders and the **leaders**, young couples headed over to the priest for his blessing to complete the recognition of their marriage. This was no conflict, only an additional **ritual**. The messages from the priests had already been heard from the **Dogrib** leaders and **elders**: love your spouse, take good care of each other, have **children**, raise them well, stay together forever.

And, like the **yabahti**, the priest claimed to have a “special gift” from God and, therefore, claimed **spiritual** power and authority.

It was understandable that in the absence of the **Dogrib yabahti** in the small camps, the **priest** could fulfill somewhat the same role when he visited by providing advice and direction, resolving some disputes and condemning certain acts and **behaviour**. Eventually, as the **stronger Dogrib yabahtis died**, and were replaced, over time, by elected chiefs [**k'wati**], the position of the priests became stronger. People, used to following **the** instructions of the **great** yabahtis, now followed the instructions of the priest and **trusted** him to lead them in safe and reasonable directions.

And so over a short period of time, Catholic roles began to **replace Dogrib** rules and church rituals replaced **Dogrib** ones. While these replacements had some logic because of the overlap of their content, it also meant some **Dogrib rules** and actions were displaced

The **Dogrib** holistic view of the world as a balance between the natural, human, spiritual and animal **worlds** changed to one in which humans were at the **mercy** of the supernatural world as **portrayed** in **Catholic** beliefs. As a result, the Dogrib world became **unbalanced**.

Further imbalances were created as the mission schools removed children from the teaching of parents and **grandparents**. Later, community schools forced families to become sedentary, so children **could** attend **school**. This meant hunters and **trappers** could not take **their** families with them to the bush. As a **result**, family relationships and the style of life **changed**; for example, male bonding between hunting/trapping **partners** sometimes became a more important relationship than **spousal** ones.

The arrival of the traders, mainly Hudson's Bay factors, meant a shift in **economic** activities from subsistence to cash for furs. This shift caused women's roles to change. Women still **worked** but no longer received recognition for their **work**, nor did they receive cash for it. For example, women **still** tanned furs and hides but men received cash or credit at the trading **posts** for "**their**" furs. This eventually led to a change from the relative traditional economic sexual equality between men and women to male economic and social dominance.

The RCMP **arrived** about the same time as the traders. They came to assert Canadian sovereignty of northern **territories**. They, as well as the Canadian **government**, failed to recognize that Dene sovereignty was **already** in place. They brought ideas from a different culture about the right ways of doing things.

The **Dogrib yabahtis** **recognized** them as people with authority and power. Even today, the term for **RCMP** officers; "**mola kw'ati**", means "white man's chief". Again, since the **Dogrib yabahtis** could not be in all camps at once, visiting **RCMP** were asked for advice on conflicts and offenses which the **k'awQ** couldn't resolve immediately.

The RCMP **imposed** their own ways of doing things, that is, they applied the only thing they knew: white laws. Similarly to the priests' process of taking over religion, education and health, the RCMP began to take over the management of conflicts and the breaking of their laws. They assumed the **Dogribs** had no laws.

In 1921, the **Dogrib leaders** signed Treaty 11. Almost **all** the stories we **recorded** indicate the leaders who signed **believed** they were signing a peace treaty, agreeing to share responsibility for the stewardship of the land, animals and the people. And it is clear that Monfwi, for one, understood he would remain in charge of his people and territories. He spent the **rest** of his life fighting the priests, the RCMP and other **non-Dene** for control of decisions which affected the lives of his people.

The main outcome of the Treaty on the lives of people was in the change and manner of **leadership**. Under Treaty and the Indian **Act**, chiefs **were** to be elected. At **first**, **people** **continued** to follow their own ways and to pick their own leaders, chosen by **consensus** when they had large **gatherings**. However the rules had changed and, as a result, **non-Dene** **functionaries** took control over decisions, **rules**, breaches of rules and socialization of

children. They were challenged by the **Dogrib** leaders but these challenges **were** not successful in the end.

We asked the elders to tell us why this was allowed to happen. How did their own leaders' power and **authority** slip away and why **were** their **rules** replaced with **non-Dene** ones? People said:

“The **yabahtis** had strong wordsthey taught the **people** how to live. After they [**yabahtis**] **all** died, we had to have elections. These elected chiefs had no strong words. That is why the police **could** take over. When there were strong **words**, the people would listen to each other.” [July 22/92; women]

And further:

“The **change** [to elected leadership], people did not like it. When [name] **accepted** money for being chief, it affected a lot of things. Our land, our culture, our way of life changed. Before, when we had leaders who didn't get money, they had strong words and actions... ..**they** did a marvelous job for the people.” [July 23/92; women]

“Those who came from down south, I don't know why they took over. They didn't count [rely] **on the** chiefs; they ignored them. They did just what they wanted.” [July 23/92; women]

“We have had elections only recently They [the **elders**] are not satisfied since the young people are running things because it is not in our waysWe haven't followed the traditional laws, maybe that is why it is hard to follow the **Dene** way [now]”. [August 5/92; men]

“ Since the RCMP have come, we have let everything go. Everything in our hands, we have let go. We have **let** the priest and the RCMP take over.” [July 15/92; **men**]

“ Who are we **afraid** of today? Not even the chief because he doesn't put his words into action.” [July 15/92; men]

While people are not always clear about how power and authority were taken away by **non-Dene**, they do feel it started with the arrival of **non-Dene** in the **area**, especially after Treaty, and they blame the imposition of the election of chiefs for major negative changes.

They also recognize that the transfer of power came with the deaths of some of the more powerful **yabahtis**, such as **Monfwi** and, later, of younger **yabahtis** such as Jimmy **Bruneau** and Louis **Beaulieu**, both men who were very experienced and knowledgeable about their own culture and who had special “gifts”.

These men **were** succeeded by younger elected ones, who were not fully experienced or knowledgeable in their own **culture because** they had been removed from the community to attend residential school. The schooling process, especially in residential schools, broke the educative and socialization processes of the elders. Also, residential schools almost always devalued the Dene **culture** and staff attempted to erase the **cultural** practices and spiritual beliefs of the young people, as well as forbidding the use of their own languages. This devaluation of **all things Dene** was probably the single most devastating aspect of the **Dene-non-Dene** contact period. It ruptured the **continuity** between generations, ripped the social fabric of the **local** cultures and destroyed the vital balance between the human, animal, **natural** and spiritual worlds.

Finally, the elders saw payment to chiefs as the final straw in the loss of the Dogrib ways of doing things. It should be noted also that the **non-Dene** government officials preferred to deal with male leaders who had some schooling. “Schooling” should never be equated with education, and does not equal or replace training in one’s own culture. Nor was residential schooling a valuable or effective replacement for the **Dene** ways of doing things “the right way”.

Summary:

We can see that the Dene had a system of **local** government which provided strong leadership based on the rules for doing things the right way. These **rules** were **arrived** at by consensus and were passed down to the next **generation** in a variety of ways.

The definition of government usually **includes** a recognition of continuous leadership, a set of rules with which to govern and a territory bounded by recognition that other groups also

have territories. it also includes an identity, based on common ancestry and descent, and which is recognized by those outside the group as well as the group members.

We suggest that the data provided in the above sections on rules for living together on the land, and the rules for stewardship of those lands, prove clearly that the **Dogrib** people had government and "laws" which they enforced for the common good.

The intrusion of **non-Dene** into **Dene** traditional territories and their challenges to local authority and institutions is **well** documented. As the elderly **yabatis** passed away, and the younger, elected, **partially-schooled** chiefs took over, the **non-Dene** were able to assert more and more power and control over the **Dene**. At **the** present time, that **power** and control can only be **described** as **totally** paralyzing the exercise of any remaining **Dene** traditions, power and control. It is appropriate, therefore, to turn to a discussion of **how** . the **Dogrib** people might take back control of their lives, institutions and **cultural** systems.

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USING THE PAST TO BUILD A BETTER FUTURE

How can traditional knowledge return the society to the Dene ways of
doing things right?

The goal of the project research was to find out if **traditional** knowledge about **Dene justice** could suggest ways of dealing with social problems now. This **section** flows from **my** reflections, which have been discussed with **Dogrib** regional elders, and also are based on the **information** we collected. Throughout **the** time of the research, elders and others in the community have said clearly they wish to do things in traditional ways and that they wish to “take **back**” **control** of their own lives and institutions.

These wishes tend to cluster around problems of social control in the community, land, educational and health issues. I will only address the issues of social control here but it is important to think of “**Dene Justice**” in the context of **non-Dene** dominance in so many other areas of Dene life. Not to do so would result in a lack of understanding of how deeply people feel the need to take back control of their own lives and institutions, While **these** issues are **dealt** with from another perspective in the attached literature supplement, the concerns of people are not academic. People want a change; they think if they took back control, life would turn around for the better.

Just as the **non-Dene** “justice” system is often far removed from any truly just action because of the legal manipulations of information, a **Dogrib** system will likely not be seen to be just until **all** community members can understand how traditional values **could** provide a sound basis on which to rebuild their system. It is not the purpose here to see what adaptations could make the **non-Dene** system more acceptable to the **Dene**.⁴⁰

Rather, our goal is to explore what traditional values people can take **forward** upon which to build a current **rational** way of dealing with problems of social and personal **control** so the quality of life becomes better for everyone in the community. Needless to say, the practices will have to be **culturally** appropriate and acceptable **to** men and women, elders

⁴⁰No doubt this difference in approach will be argued during the review of the report and it will be discussed, of course, in the concluding section.

and youth. Negotiations will take time and will require good will, an educative process, and the reaching of **consensus**.⁴¹

What are the traditional values which we can identify from our research?

1] Respect:

In the past, one of the most important aspects of good relationships, good partnerships and a good life was respect. Adults respected each other, younger people respected elders, children respected parents. Everyone respected the animal spirits, the yabahtis and k'awQs, the medicine people, and other spiritual specialists. Respect was taught early and became **expected** behaviour. In fact, respect is probably the primary value from which all others flowed because, without respect, the balance between **people, the land, plants, - animals and spirits could** not have been maintained.

Currently, people **recognize** there is little **respect** in this community. **Elders** are respected by a few, but **certainly** not by all, younger people. Chief and Council complain people do not **respect** them while others complain Chief and Council do not behave in ways which demand respect. Children respect their parents in some cases, but not all. Some children and youth respect each other, but many do not. Some **spouses** have reasonable lives, but many do not have the mutual respect that would make life a little more peaceful.

The question then becomes, how can respect be regained? A few possible answers will appear in the section on recommendations. **For** the moment, let's look at other values from traditional times.

2] Moral and spiritual beliefs:

In traditional times, there was a deep sense of morality based on spiritual connections with the animal world and an understanding of how human and animal worlds met at a spiritual level to ensure the survival of both. There was a major **tradition** of "**connectedness**" with **spiritual forces** which helped maintain human **life**. It was a partnership in which **people** respected and **appreciated** their animal guardians and in return, animals allowed themselves

⁴¹ Options will be discussed at length in the section on recommendations. I just wish to look at the values upon which to build in this section.

to be taken. As in most partnerships, this only continued if both partners acted “properly”-thus the many rules on how to treat game.

Roman Catholic beliefs and teachings altered these partnerships and, in many cases, replaced the connection to Dogrib spirits with **those** of Christian spirits. It is not useful here to ask whether this exchange was beneficial. For some, it has **been** but the shift took many people into a spiritual no man’s land. Had the exchange been left at the **spiritual** level, that might have been okay. But with the added attacks on Dene culture through mission education and devaluation of **all** things Dene, the cultural connection broke and people were set adrift from their own **cultural** base and identity.

I **am** not suggesting that **people** now abandon Catholicism and return to little remembered native **spirituality**. I am tempted to suggest that such an action might **be** helpful for many to whom Catholic practice has become a hollow **shell** of what was originally an important belief system. As we noted earlier, the adoption of Catholicism was relatively easy because many of the Dogrib beliefs were so similar to Catholic ones. It is that **Dogrib** core of beliefs that people may want to retrieve and reinstate now.

At the **moment**, neither **Dogrib** spirituality nor Catholic beliefs are being taught to young people in **effective** ways. **Few** young people attend church at **all** except on important feast days, such as Christmas and Easter. Fewer still are familiar with **Dogrib** beliefs and rituals.

At the **moment**, few young hunters have any holistic understanding of the environment and about the ways animals should be treated. Many old **hunter/trappers** have said that it hurts them to see caribou **hunted** by **skidoo** and carcasses dropped in the back of trucks without even having been gutted or having the hides removed.

It would seem, then, that people could retrieve some of the values of respect and moral values by giving back elders their roles as story tellers, teachers and advisors. Youths **could** be retrained to hunt well and to treat **animals** and people properly.

What has this to do with returning to Dene “justice”? We believe people who are rooted in their own culture by understanding and knowledge, who are connected spiritually to the land and who have some deep sense of a cultural self, will assume more responsibility for their actions. Thus, problems of social control should decrease measurably.

3] **Self-discipline:**

The accounts by elders show that, in traditional times, roles and responsibilities were clear and that the **majority** of individuals **were** expected to behave properly. This required **self-discipline**. The harsh treatment of women who didn't do things "right" indicates they were expected to learn their jobs and do them properly. In the same way, **children** had their tasks and were expected to do them properly. The underlying belief for these expectations was that if everyone did their own jobs properly, the group would survive and prosper. Otherwise, everyone was in danger.

It is clear few people wish to return to such harsh ways, or times. However, the underlying **value** of **self-discipline**, rather than discipline by others, could be taught now. - One of the characteristics of life in the community now is the **overwhelming** lack of **self-discipline** and responsibility for self. Some children don't go to school, or if they do, they go late **because** parents aren't up. Adults don't show up for work. Young adults bully elderly parents. **Spousal** assault is common. No one takes responsibility for each other. **People** break their own laws by bringing in liquor, drunken fights are **common** and most contemporary "crime" takes place under the influence of alcohol. The list could go on.

The point here is not to make a long list of depressing **behaviour** but to ask how it might be turned **around** so some pride and self-discipline could be reclaimed. One way would be for people to take back **responsibility** for themselves--to sober up in a serious way, not just off and on. A program might be put in place to teach children how to take responsibility for their own lives regardless of what adults are doing. **Everyone** could **learn to** respect themselves and the elders.

4] **Self-reliance:**

In traditional times, people took pride in their skills. They had the security of knowing they could **cope** alone in the bush, if need be. Both men and women understood they had strength and competency. They made great efforts to pass these skills and knowledge to their children.

Self-reliance is not so noteworthy in current times. **People** have become so demoralized, and so colonized, they rely heavily on **non-Dene** for things they themselves could do. This

dependency could be turned around if people **decided** to take back both power and responsibility for their own lives and for those of their children. For example, leaders could insist that the **school** have **Dogrib** language **immersion** from Kindergarten to Grade Three and **Dogrib literacy** throughout the rest of the grades. It is an official language **and one** which is still strong in the community. We know that people who retain their mother tongue have more cultural pride and a better sense of their own identity.

The Community Education Committee could also insist that every child have at least one week out on the land with competent **hunter/trappers**, including some elders. They **could reconnect** with the spiritual and animal parts of their culture and learn how to **treat** animals **properly**. They could listen to the elders stories and learn more about themselves. They **could** enhance their **Dogrib** language **skills**. They **could** gain confidence and learn they can depend upon **themselves** and their own skills.

Similarly, leadership could insist any **non-Dene** people or agencies coming into the community use interpreters rather than always having the **Dogrib** people speak English. Many times English is used when **Dogrib** might be. Different perspectives might be acquired when **non-Dene** have to speak through **interpreters**; as **well**, such a single act shifts the balance of power to the **Dogrib** people.

5] Sharing:

In traditional times, people shared. They shared “things” like meat and fish, but they also shad knowledge, feelings, perceptions, expertise. They shad thoughts about important matters as they met to discuss when to move **camp**, where to go, how to find the animals.

This sharing was disrupted when the elective system was superimposed on **people**, leaving responsibility and power to a few men, rather than to the **Dogrib community** collective. People began to talk less about important things and, with settlement in communities, families moved into permanent housing and there was less **interaction** among people.

Exchanging goods **became** less frequent as a cash economy grew. Another outcome of shifting from a subsistence economy to a cash one was that reciprocities could not be kept in balance. Game meat was once distributed to **all** but groceries bought for cash at the store were not shared. “Things” began to acquire a cash **value** and those who had **more** buying power did not want to, or could not afford, to **share** things they bought with cash.

So instead of everyone sharing whether things were plentiful or scarce, people began to accumulate. This also became the case with **services**. People asked for cash for services that in the past they got [or did] for free, based on their values of mutual sharing and caring. For example, younger **people** out getting wood used to bring some for the elders. Now, elders, or social services, pay for their wood while most young people do nothing.

Sharing, respect, caring were all linked together in the past. Now they are not. People **could** return to reciprocal giving and taking, if they chose to do so. For example, instead of elders paying for their wood, they **could** trade dry meat for wood. Or, young hunters **could** give elders meat and get some back dried. There are lots of ways that sharing could be reintroduced.

6] **Knowledge and understanding:**

In the **past**, the society worked well because people had a shared understanding of how the world worked. Young **people** were taught those beliefs by parents and grandparents and important knowledge was passed down from generation to **generation**. By the time young people reached puberty, they understood their **place** in the group, their responsibilities and their importance. They also clearly understood what might happen if they did not follow the **rules** and continue to respect the environment, the leaders and themselves.

Life now is not so **clear**. The **dismal lack** of social **control**, often expressed by alcohol abuse and assaults, provides clear signs that people are not anchored in many functional ways in their own culture. The many impositions of non-Dene ideas and ways of doing things are not understood by many **Dogrib** people, even now. Schooling in the **non-Dene** system, with little reference to **Dogrib** customs and knowledge, has failed to educate children in ways which would allow them to take their place in either the **Dene** or the **non-Dene** society. Catholicism has broken the ties with Dene spirituality yet not replaced it with the holistic view of the world which would make religion an important part of every day life. This list **could** go on.

The point here is that people do not see a role for themselves in either society. Jobs are scarce, skills even more so. Pride is hard to achieve, as is satisfaction with one's own **place** in the universe. Anger dominates many situations and is let loose by alcohol and followed by abuse of self and others.

How can **people** reclaim themselves, and control over their lives, in ways which would allow them to move forward with pride and dignity?

A **circle** process could be put in place for “healing” and understanding. Knowledge of the **Dogrib** world view could be taught by elders. “Bonding” among men and among women, and between them, could be facilitated so a new sense of caring is developed that would cut into the isolation and despair expressed so often now. Youth and elders could sit together once again to **learn** about **each** other, to develop pride and a sense of purpose in Dogrib traditions. Life could be reinterpreted from a **Dogrib perspective** that would make it more meaningful.

7] **Caring. for each other:**

It is clear that in traditional times, people cared for each other’s well-being. The **yabahti** and **k’awQ** were responsible for “their” people. This caring was expressed by making sure people knew how **to** behave **properly**, that their hunts **were** successful and that they could turn to either of the **leaders** for help at any time.

It seems such caring is not quite in place now. People feel isolated from each other, often expressing feelings which indicate they don’t **feel** cared for by spouses, parents, children, nor by leadership.

There are **complaints** Chief and Council only act on their own behalf and are **not** accountable to the community. **Leaders** are often seen as acting inappropriately, especially when drinking.

People sense a lack of strength and self-discipline in the leadership and in themselves. They tear themselves apart with gossip and sometimes, jealousy. Nor do people feel “cared for” by the **non-Dene** people; they feel criticized and put down by the teachers, nurses, social workers, judges and **police**.

How can people **return** to caring for themselves and for others? A healing process could be put in place to help people **redevelop** a strong sense of their own self-worth that would not **be** so vulnerable to attack by **non-Dene** evaluations. A program could be **put** in place to

stop self-abuse by alcohol and abuse of others when using alcohol. Anger management **could** be learned.

Chief and Council could have some working sessions which would help them **improve** communication skills and administrative skills.

Community meetings, held on a regular basis, could return a sense of control to all **adults** because of their real participation in decision-making.

Adults **could care** for youth by taking on responsibility to become **partners** with them in addressing problem **behaviour** and by teaching them traditional knowledge and skills. -
Adults could **look** at partnerships again as a means of making **sure** that at **least** one other family is **doing** all right.

The circle **could** be put back in place so the community reclaims its role to take responsibility for the actions of people who have behaved improperly. "Harsh words" could be given once again to make sure people understand that doing things the wrong way is not acceptable, but harsh words **could** be tempered by offers of help to learn to do things in the right ways. Such a circle would work only if youth and elders developed respect for each other and if leaders are seen to be sober, responsible, and accountable to the community.

While some of the thoughts expressed above have merit and seem relatively simple to put in place, we should not be misled into believing the processes to accomplish **all these** goals **are** simple--or painless. They require a lot of personal thought, commitment and consensus. The community will have to commit to changes as a group because it will not work if some people participate and others do not.

Proposals for starting this process on **several** levels at the same time will be made in the last section of the report. Meanwhile, let us turn to an examination of how the community started to reclaim some responsibility in three legal cases:

1] a major theft to which Marie Rose Moosenose pleaded guilty;

2] a **child** custody case involving two young adults, **Dolphus** Apples from Rae Lakes and Tina Bishop from LLM;

3] a case involving the theft of marten pelts from the school,

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ATTEMPTING TO TAKE BACK CONTROL: THREE CASE EXAMPLES

Two major cases, and one minor, for which the community decided to take responsibility during the life of the DJP. Both major **cases** were marked by conflict and both led to some anguish. Both involved the DPJ in spite of our **clear** indications that the cases, and **local** action, were not within our mandate at the time.

The major cases were taken on before LLM people were really ready to **deal** with them and **before** they had reached consensus about them. Both cases stand as good examples of how the Dogrib people and the officers of the courts see things **very** differently. However, in the long run, **people** on all sides learned **something** from these experiences.

Case 1: Admitted theft of \$27,000

In the spring of 1991, the Canada Post Corporation and Sears Canada Inc. realized something was very wrong with the LLM cash-on-delivery [COD] parcel orders. **People** were receiving their **orders**, but Sears was not receiving its money. Sears sent notices to customers because the **company** thought they had not paid their bills. Some people paid twice; others insisted they had already paid the post office.

An **official** RCMP **investigation** began at the request of Canada Post, which had **been** informed that **parcels** had never arrived, and at the request of Sears which was not receiving the money people claimed to have paid. Within a few weeks, RCMP Constable Les Dell charged **Mary** Rose Moosenose [**MRM**], the post mistress, with “theft over”; specifically, she was charged with theft of \$27,000 from Canada **Post**.

As soon as the charges were laid, many of the elders indicated they did not want a young woman with small **children** to go to jail. They felt this **would be** too **hard** on the children. They asked what they had to do to deal with the case themselves. Younger people in the community immediately began to say that if MRM did not go to jail, they too would steal and ask not to go to **jail**. Calmer middle-aged people debated whether it made sense for W to go to jail. Most felt that if she did not, a “wrong” message would be sent to young people. Some young people who had gone to jail for minor offenses, such as **non-**payment of fines, felt it would not be “fair” if she did not serve time.

To its credit, the Crown, [through the decisions of Chief Prosecutor Don Avison, and later Crown Counsel Greg **Francis**] decided that if MRM chose to **plead** guilty, they would work with Defense Counsel and the community for an outcome satisfactory to the **court** and to the community.

After **many** delays, MRM entered a plea of guilty. Greg Francis then started a series of meetings with MRM, her family, elders, and others. The first Defense Counsel [who changed twice during the process] was not enthusiastic about the **community** involvement and decision-making. **He felt** the case **should** be dealt with as usual and that MRM **probably** would get a lenient sentence **in the non-Dene** system.

Meanwhile, **the** elders and Chief waited for MRM to acknowledge to them that she 1] **had** done it and 2] wanted community help. As time went on, the **elders** and Chief began to get irritated about **MRM's** inability **and/or** refusal to talk to them. Crown Counsel also awaited a decision. Her relatives and friends urged her to decide whether she **would** go the elders' **route** or let the court decide her **fate**.^{4 2}

Eventually, word came that MRM wanted to do things the elders' way. When Greg Francis came to **LLM** before the next scheduled **court**, the Chief asked if he and the elders **could** have a meeting following a **DJP** meeting with the elders on other matters. They agreed.

After our meeting with about 30 elders was finished, Greg Francis **arrived** and was introduced to **people** by the Chief. Joseph Moosenose left and I assumed he did not wish to be present during the discussions about his wife. However, he returned shortly with MRM who was given a **seat** in the front of the circle. There was dead silence and much tension,

Eventually, MRM began to speak. She said the things people were saying about her were true. She had taken the money. There was an audible sigh of relief, people **looked** up again and some wiped away tears, including MRM.

^{4 2} **MRM's** hesitation seemed to arise from two sources: 1] she was not sure about the implications of dealing with the elders rather than the court; nor was anyone else. 2] She was afraid to appear before the elders because she knew they would be very harsh with her.

MRM went on to say she was sorry for her theft and that she did not want to go to jail. She asked the elders to help her and told them she would do what they said.

The women elders then spoke. They gave her “**harsh** words” which were later summarized for us by our staff. **Essentiall**y they said what she had done was wrong, that it brought shame to her family and to the community and that she now had to face the community. They said they would help her and that they supported the idea she not go to jail. She was instructed not to gamble, drink or play bingo. She was told she should visit the elders and listen to their words [about how to behave **properly**, how to **care** for her family, **etc**]. She was also told she should start trying to pay the **money** back immediately.

There was some discussion among all present whether the Hamlet **should** give her a job - and send her salary **directly** to the **Post** Office to **repay** her theft.⁴³

Greg **Francis explained** that the community **would** have to come up with a plan that would meet the court’s **standards** for “punishment”, “compensation” and “detergence”. Later, we [**DJP staff**] took issue with him about this because we felt that if the court was going to leave the case in the hands of the community then they should use their own ways and criteria for handling the case.

This **difference in ideas** about who should control the outcome of the case is a good example of how difficult it is for non-Dene authorities to give up power. Terms used by Counsel and judges, such as we’ll “allow them” to do X or Y or “they must” meet the demands of the **court**, indicated all too clearly who was in charge. In the end, the outcome was a compromise: the community met with the **court’s** requests and the court agreed, in major **part**, with the **community’s** recommendation.

It was **informative** to watch the the **elders** and MRM at the end of the first meeting. After the harsh words, and the Crown counsel’s statements, **people** began to file out past MRM. Every woman gave her a hug and a handshake. The process of reconciliation had begun.

While the process seemed to be **straightforward** and simple, it was not. MRM did not visit the elders, start to pay her debt back, stop playing cards or bingo. She was seen “walking

⁴³This was not done since the Hamlet insurance had paid the Post Office and Sears long before the court decided the case.

around” at night and when people tried to talk to her, she took off in her truck to avoid them. Criticism began, adding to the feelings of many that the case should be left with the courts and she should go to jail. We encouraged people to keep meeting and talking.

Judge Davis, who was on the bench for this case, agreed to three court adjournments because **people** had not yet decided what to do and **MRM** was not “cooperating”. Finally, **MRM** talked to the Chief and **some** of the elders again, and agreed to talk to the community at a public meeting. The Chief placed total **responsibility** for organizing the meeting on **MRM**. Notices of the community meeting were posted and **people** came to talk with her, and at her.

The Judge, getting weary of adjournments, agreed to the last but imposed the **condition** of no further **adjournments**. He also ordered DJP staff to attend the meeting, count the people, list their names, record the meeting and report back to the court on what was decided, on who would take charge if probation were granted and what the conditions of “probation” would be.

This order placed the DJP in an awkward position that **could** have **jeopardized** our work in the community. It was not our role, nor our mandate, to force court requirements on the community. It was not our way of working either. We had always shared power with people and followed their instructions. Now we had been placed in a position of following the **court’s** instructions and, by virtue of the Judge’s **order** to **report back** on specific items, forcing the court’s criteria on the Dogrib process.

People met and discussed the options. One was to let the **court** decide, which meant at least a **two-to-four-year jail** sentence for **MRM**, with **probable** release after she served one third of the time. Another court possibility was a suspended sentence and/or probation, since it was a **first** offense. Few **people** had confidence **MRM would** get probation unless the community **really** argued for it and Council was **prepared** to take some responsibility for supervision. There was considerable discussion as to what **MRM** should be **asked** to do if the community took responsibility. **Also**, they discussed who should be involved in her **day-to-day** supervision.

After considerable discussion, the community **decided** to support her request to stay in the community; Chief and Council **agreed** to provide her with community service work and to supervise her. A committee was set up to define the conditions of probation which would

be recommended to the court. That committee consisted of Chief **Isidore Zoe** and four Band **Councilors**. A very knowledgeable individual, **Alexie Flunkie** from CAC., RCMP Constable Torn Roy and **Aggie Brockman**, DJP, were asked to assist the Committee. **Mary Rose Moosenose** was also present at the meeting.

Mary Rose was asked to accept the following conditions of probation for a period of two years:

- 1] a **curfew** from 10 p.m. to 6 a-m.;
- 2] restriction to the community except for medical reasons **and/or** compassionate ones, such as a funeral;
- 3] one day a week of community service supervised by the Band council.

Restitution was discussed by the Committee but they **decided** not to set any amount to be repaid because that would be punishing family members. Gambling restrictions were also discussed but people felt a curfew was easier to enforce; they did not wish to **set** conditions which they themselves did not think they **could** enforce. In addition, the committee discussed asking the court not to have any record in place for MRM. This request was never presented to the court.

The Chief and Council were to be responsible for supervision and for assigning the community service work. If MRM did not follow the rules, then any community member could report her to the Band Council or the RCMP. The RCMP **could** then charge her on a **breach** of probation and her case would return to the court.

The DJP provided Judge Davis with the documentation of the community and committee meetings as requested. The recommendation was to leave MRM in the community under the above terms of probation.

However, the court couldn't just accept the community recommendation. After debate between Counsels and further **examination** of MRM as to her ability to pay a fine, the Judge added a prohibition against any gambling and demanded that \$5000 compensation be **paid** by MRM. These two additions were in direct opposition of the committee's and elders' decisions; no opportunity was **provided** the elders or the Chief to speak against them.

Some community members, elders, and DJP staff felt these additions were unfair and that they also clearly undermined the authority of the community. Although there have been a few glitches and considerable community mumbling⁴⁴, MRM has stuck with the conditions of her probation and in fact, has given more than the required number of days for community service. The payment of \$5000 has not been addressed, to my knowledge. The only time MRM has been out of the community was to go to hospital for minor surgery .45,4⁶

The process of reconciliation has continued and while people watched MRM unremittingly in the beginning, most are more relaxed now. The conflict between younger people and the elders over the issue of jail, or no jail, was resolved by the imposition of the strict conditions of probation. As one woman put it, "I'd rather go to jail than not be allowed to play bingo or cards."

Marty youth thought jail would have been easier to accept than the public criticism, gossip and watching. Some have begun to consider whether their own cases might be resolved in similar ways.

One young man, accused of breaking into and entering the Band Council office and being in possession of liquor, asked the Chief if the community could deal with his case. The Chief said "no" without consulting Council or elders. His explanation was that Council

⁴⁴ One complaint was that MRM was seen walking around the streets of Yellowknife when she went to town for her surgery. Another person reported MRM was gambling and the RCMP went down and peeked through the window to see what was going on. He observed MRM sitting at the table drinking coffee alone while others were playing cards on the floor. Had the RCMP been acting officially on a complaint, it might have been wiser, and more courteous, for him to have knocked on the door and said so. Then the complaint could have been recorded and dismissed.

⁴⁵ This was the case at the time of initial writing. During the March verification meetings, we were informed MRM had been allowed by the Chief to attend the New Year's dance where there was drinking, that she was spending five days a week in the office instead of one, thus not being at home with her children, that she was seen walking around at night, and, finally, that she had gone to Yellowknife with the Chief's permission to pick up her income tax cheque and to shop. She was allegedly seen at that time in the Gold Range bar. Some people complained to Crown Counsel and he was to meet the RCMP to discuss breach charges sometime in April.

⁴⁶ At final writing, the Crown and RCMP decided not to charge MRM with breach of probation because she had had permission from the Chief to go to the dance and to town.

was not going **to deal with any cases** involving alcohol. That certainly limits the number of cases they will deal with since most offenses include alcohol.

Summary:

If we return to the section on the Dene **process** of dealing with problems, we **see the** elders and community followed their own traditional rules in dealing with **MRM**:

- 1] A complaint was made.
- 2] It was too serious for the Chief and Council to deal with.
- 3] The **elders** gathered and put MRM in the circle; she acknowledged her guilt.
- 4] Harsh words were said and some demands were made.
- 5] Reconciliation began almost immediately.
- 6] **MRM** did not follow the demands made on her so more gatherings took place . and more harsh words were said.⁴⁷
- 7] MRM agreed to follow instructions and the matter was settled

In future cases, it would be useful to have the court turn over the full power of **decision-making** to the community. For the court to **agree** to accept **community** conditions and then change them is not acceptable. Either the courts should proceed under their own **rules** and **authority** or they should turn the entire matter over to the community.

A combination of systems is not workable; this case shows **clearly** the **real** power remained in the hands of the court **rather** than being **transferred** to the community even when the court had **agreed** that the community could deal with the case.

The MRM case also shows the community does not accept theft as appropriate **behaviour**, that the elders are prepared to provide guidance and harsh words and that there are culturally appropriate ways of balancing things so reconciliation, restitution and restoration of harmony is possible--even in modern times.

⁴⁷Although the traditional process was followed, there was some uncertainty about how to proceed when instructions were not followed. I think this was the result of the elders waiting for the Chief to do something and vice versa. The court's demand for precise conditions and identification of those responsible for making sure they were followed helped clarify roles and responsibilities.

Case 2: The custody case

A young woman, **Tina** Bishop, pregnant with her second child, did not wish to **marry** the father of the child, **Dolphus** Apples. Tina's father, **Narcisse** Bishop, is raising her first child. Tina lived with her **uncle**, Johnny Simpson and his non-Dene spouse Heather MacKenzie during her pregnancy. During this time, people were talking to her about what she planned to do with the baby since she seemed not to want to keep it. A few relatives asked to adopt the baby. No decision **was** made before the birth.

When the baby **girl, Sharlene**, was born, Tina decided to keep her and returned to live with **Johnny** Simpson and Heather **MacKenzie**. The care of the baby was primarily left in their hands and soon they were telling people they were "raising the child for Tina", that is following the-rules for custom adoption.

However the father wanted the baby to be raised by his parents in his community of Rae Lakes, if Tim did not wish to keep her.

Shortly after her **return** to LLM, Tina decided she did not want to keep the **baby** and **Dolphus came to Lac La Martre to get Sharlene. He took her back to** Rae Lakes to his parents' home. When the baby was about two months old, **Dolphus'** parents asked the **social** worker, **Gertie** Brown, for custom adoption forms. They wished to adopt and raise the baby. The interpreter was Johnny Simpson.

Word arrived in LLM that the Apples wanted to keep the baby. Tina did not want the Apples to adopt **Sharlene** so her father, **Narcisse**, went to Rae **Lakes** to bring her **back**. Meanwhile, **a** few families in the community again asked if **they** could adopt her.

However, Heather and Johnny wished to keep the baby and she was left in their home, where Tina **still** lived while doing her upgrading in adult education.

Dolphus was advised by the social worker that if **he** wanted the baby, he **would** have to get a lawyer and go to court since Tina did not wish him to take the baby because Johnny and Heather were going to raise Marlene for her. **Dolphus** then began a custody action against Tina.

By the time the **Supreme Court** arrived in Lac La **Martre** to hear the case, the extended family and related **elders** had decided **Sharlene** should stay with Johnny and Heather or be raised by her **grandfather**, Narcisse, who was **raising** Tim's other child. **Tina** had indicated to her family that she wished to continue to have some involvement with the baby and that she wished **Sharlene** to stay **where** she was. Tina's plans were to go **to school** in **Rae-Edzo**.

The arrival of the Supreme Court in Lac La **Martre** amused **considerable** anger for **several** reasons, some **of** which were unrelated to the case. Judge Noonan was sitting and declared the hearings closed, as is the practice with custody cases. Members of the community did not understand this to be normal procedure and some were offended by not being able to attend.

The counsel for Tina, **Glennis Monroe**, had asked the RCMP to serve subpoenas on 19 witnesses in Lac La **Martre** and another nine in Rae Lakes. The LLM ones were served by the **RCMP** but the Rae Lakes ones were not. Therefore, a major problem arose which made **people** very angry.

An elder had died in **Rae-Edzo** and it is expected that **elders** and relatives from **other** communities will attend funerals. The Rae Lakes elders **were** able to go to the funeral but the LLM elders apparently were told they **would** be arrested if they got on the charter because they had to appear in **court** as witnesses. They stayed.*

The elders were very upset, because they missed the funeral and, secondly, because they were never **called** to **testify**.⁴⁹ However, what angered them most of **all** was that the Court had come in to **deal** with a custody case which the extended family considered they had **already** settled.

Judge Noonan responded positively to the Chief's request that the Court not meet until the elders had a chance to meet with the young people involved. She adjourned for several

⁴⁸ The RCMP officer denied telling people he would arrest them if they got on the **plane**. However, several elders said they understood *him* to say they **could** not board the charter because they **had** been subpoenaed and one of our staff people reported the term "arrest" was used.

⁴⁹ It seemed unfortunate that **only** four LLM witnesses were **called-two non-Dene**, Heather MacKenzie and **Gertie** Brown; Johnny Simpson also testified on Tina's **behalf**. On] y Dolphus' father, Alphonse, testified on his son's **behalf**.

hours. The community meeting was carried out almost totally in **Dogrib** and the DJP staff **summarized** comments from time to time for me.

The Apples family had no elders with them and felt quite threatened by the circle process; the elders from **LLM** chastised them for claiming a female child. **Female** children are considered to be the property of their mother and her extended family.

The LLM elders expressed their concern for the child because people were “fighting” over her and she might come to some harm. The Chief informed the Apples the community had already decided the baby would stay in the community where she was.

The **Apples** countered with an attack on Johnny Simpson saying he had “thrown away” his own children from his previous marriage and was with a non-Dene woman whom they did not wish to have raise their grandchild.

Some of the LLM elders agreed with this and also gave Johnny “harsh words”. Johnny’s response was that he was over his alcohol problems and now had a different **life**. **Several** elders indicated they had “warned” Johnny about living with a **non-Dene** woman and several said they did not wish her to raise the baby.

The **Apples** said this was not the way things got **settled** in Rae Lakes and they were going to continue with the **court** case. They wanted to raise **Sharlene** since her mother did not want to care for her. The paternal grandfather also made a **reference** to the father’s **constitutional** right to have the baby.

The young people, Tina and **Dolphus**, **were** asked by the Chief if they had anything to say. **Dolphus**, referring to comments made about his responsibility to marry Tina since he **admitted** impregnating her, said he would gladly marry **Tina**. Tim responded that she would not marry him. The meeting ended with no consensus achieved.

The Court reassembled. The Chief had asked that **I** be permitted **to** observe the **proceedings** on **behalf** of the Band and the **Dene** Justice Project. Both Counsels and their clients agreed and the Judge allowed me in provided I kept **all** proceedings confidential. The case was outlined for the Judge and **court** was concluded by 10 p.m..

The court resumed session in the morning and the Judge was informed by the Chief that the elders had met through the night and that the two sets of **grandparents** had met separately to talk with each other. She **adjourned** again, asking the grandparents and **Sharlene's** parents to meet with her. While the judge was meeting, the Counsels were talking with their clients' extended families, the social worker and **others**.

The Judge's session with the grandparents did not **result** in an agreement and the court resumed in the afternoon. Some witnesses appeared. Prior to court beginning, Tina's Counsel asked the Judge if I could appear as an expert witness. I had earlier declined to do so since the elders were all available and they had the expert information she needed, not me. The Judge declined to have me appear. ⁵⁰

During the **afternoon** testimony, the elders had continued meeting among themselves with members of the extended family and the young people. They sent a message to the Judge that they thought they had some suggestions. Court was adjourned again so the Counsels **could** meet with the families and **elders**. It opened again for a short evening session and reached agreement that Counsels would bring recommendations in the morning.

In the morning, the **court** was told the LLM elders and the Apples had come to an agreement. The Judge made their agreement the basis of her written **decision**.⁵¹ Baby **Sharlene** would remain in the custody of her mother, **Tina**, and was to move to her grandfather's [**Narcisse**] home, with or without **Tina**, within a month. **Dolphus** was to provide country food and/or **cash** for the baby's diapers, **milk, etc** on a regular basis. **Dolphus could** visit his daughter on 48 hours notice to **Narcisse** and Tins. **He could** take her to Rae Lakes one week in **each** six-month period. This decision would be reviewed within the year.

Most people in LLM seemed satisfied with the decision. However, the baby did not move to **Narcisse's** house but remained with Johnny and Heather. Tina left to go to school in **Rae-Edzo**. **Dolphus** filed for custody of the child because she was not being cared for by either her mother **or** her grandfather but by third parties.. And so it **all** began again.

⁵⁰ Later, the same Counsel asked to **have me removed from observing the Court because she had seen me talking to the applicant's Counsel after lunch.** The Judge declined.

⁵¹ I am free to say what these decisions were since the Final Order was sent to me by the Court Clerk and is in the public domain.

By this time, the baby had bonded to Heather and Johnny who also had adopted a newborn boy from **Rae-Edzo**. Tina is **rumoured** to have told **Dolphus** he **could** have **Sharlene** because she was in school and would not **raise** the child. **Dolphus** then sent word to **LLM** that **he** was coming to get the baby. Heather and Johnny contacted a lawyer and the RCMP told **Dolphus** to stay out of **LLM** until he had a court order in his hand saying he could take **Sharlene**.⁵² **Dolphus** did not come to **LLM** and Heather and Johnny now joined in the custody action.

This new action reactivated the case and created a round of written affidavits on behalf of Tins. Affidavits were filed by Johnny, Heather, Tina and Marie Adele **Rabesca** [Tina's aunt and DJP staff member], in the cause of the baby staying where she is. The Chief **also** sent a **letter** to the judge suggesting in no uncertain terms that the baby **be** left where she was and that the decision of the extended family and **elders** be respected.

Marie Adele's affidavit was very long and not **too** accurate. Counsel for the defendant Tina had written it and faxed it to her. **MAR** did not read it in full and it was not gone over with her by Counsel or the RCMP officer when **he notarized** it. She advised Counsel, by phone, that some facts were not correct. For example, she is not an elder. Counsel told her it was too late to change anything and asked **MAR** to sign it, as is, and get it notarized. We received a copy and asked **MAR** what she planned to do to correct the contents. We were concerned **about** her being held in contempt, if she were called to testify and if she were cross-examined.

Marie Adele then asked the **CAC** for advice and they told her to change it so it would be "accurate. We were **asked** to help. A new affidavit was **filed**. The affidavits of the others also included some inaccurate statements but they were not changed.

The Court met twice on the case and adjourned. Counsel for the **defendant**, Tim withdrew from the case. The baby stayed with Johnny and Heather.

⁵² I am not clear on what authority the RCMP did this since **Dolphus** had, at the very least, court consent to see the baby. Constable Roy explained to me that he had told **Dolphus** not to come **because he** knew there would be big trouble if **Dolphus** tried to take the baby away from Johnny and Heather.

Shortly after New Year's, people **reported there** was much drinking in town, including parties at Heather and Johnny's. A fight broke out and Heather and the children found themselves out in the snow. Heather soon realized their baby boy seemed ill. When the nursing station could not find anything wrong with him, Heather took him to **Yellowknife where** he **was** examined and found to have **a** broken leg, and two broken fingers. The doctor called Social Services which took the baby into custody. Heather returned to **LLM** alone.

People became worried about **Sharlene's** safety. The elders met again. Tina was **called** but no one called **Dolphus** then. There was concern that **Sharlene** may also have been **battered**; she was checked **out** by the **nurses** and pronounced fine.

The **DJP** got **involved** in discussions about the **baby** because of her relationship to Marie - **Adele** and because everyone thought "something" **should** be done. We pointed out the **family** was already breaking the **court** order since **Sharlene** had been meant to go live with **Narcisse** more than six months before. The Chief and elders decided that **Sharlene** should go to **Narcisse**; Tina and **Narcisse** agreed. **Johnny** and Heather refused. There was no **court order** to remove **Sharlene**.

The **RCMP** and Social **Service** investigation was very slow to start. **Sharlene** **remains** with Johnny and Heather, their baby boy has been **placed** with his relatives in **Rae-Edzo**. Meanwhile, **Dolphus** continues to pursue custody and another court hearing is scheduled for **July**.⁵³

Summary:

If we turn to Dene traditional ways of **dealing** with things as outlined in the section on family, we see that there are **several** traditions in play in this **case**:

- 1] The circle process to deal with issues between families was held. It did not result in consensus because one family decided to stay with the **non-Dene** court.
- 2] There was consensus among the **LLM elders** that female babies belong to the mother and should be **raised** by her or her close **relatives**.

⁵³ In July, **Dolphus Apple** did not appear, nor did his Counsel. **Johnny** and **Heather** received custody of **Sharlene**.

3] Relatives were available and wanted to adopt the baby.

4] The baby was taken in by her great uncle and his non-Dene spouse. Elders do not appear to be totally satisfied with this arrangement due to the history of alcohol abuse by both people, the fact the man already has a family he does not support and because he has a history of physical violence and past convictions for assault. Some people said they did not want a non-Dene woman raising **Dene' babies.**⁵⁴

5] People agreed the grandfather should have the baby.

6] **People** wanted the matter settled because they feared that some harm **would** come - to the baby if adults continued to fight over her.

7] People felt the court should not have intervened in this matter **since** the care of children is a **Dogrib** responsibility and one which they are willing to accept.

If we analyze the **conflict** between the families we see the court intervention has **far-**reaching implications. Had the court not come, it is likely elders from both communities could have sat together. The court timing was poor because of the **funeral**, which no one **could** have anticipated. The fact that some of the subpoenas were served and others not meant some elders **were** prevented from going **to** a funeral which made them feel badly and made them angry.

The conflict that arose between the two families, and their communities, was not so much one of disagreement about where the baby should stay but **focussed** on the issue of how the decision should be made and by whom. The Rae Lakes people **objected** to their elders not being a part of the discussions while the LLM people felt the decision should be theirs alone, based on the tradition of keeping babies in their mothers' communities.

There was also some miscommunication between the court and the elders, likely because information was filtered through a poor interpreter when the Judge met with the

⁵⁴ A contradiction **must** be noted here because the Dells, former RCMP officer and nurse, have adopted two babies from the community. Everyone was pleased and happy about those adoptions.

grandparents and parents of the **child**, and secondly, because the elders' decisions were presented by lawyers not very **familiar** with **local** customs.

No one seemed to understand that giving **custody** to the grandfather meant he had to care for the child himself. **Indeed**, it deem't make much sense **to** give a man the charge of a baby when he has neither a wife nor an older female in the house willing to care for another child. People hoped the mother would be helped to care for her baby by leaving her where she was. The grandfather, as head of the extended family, would be the [senior] person responsible for making sure the child was **well** raised and cared for.

This **misunderstanding** led to further complications: 1] the mother and grandfather [and - community] **are** in breach of a court **order**; 2] the father renewed his fight for custody of his **daughter**. We-are not sure what the court **will** do, if anything, about the breach.

However, if the court decides with the father that he has a prior right to the child over third parties, then it is conceivable **Sharlene** will be given to her father. Such a decision [due in July, 19%] would totally disregard Judge Noonan's attempt to accommodate **Dogrib rules** and precedents in her decision. It likely also means a renewal of conflict between the **families** and maybe even the two communities.

Given new developments in the **relationship** of Heather and Johnny, the possibility of assault charges being laid against one or both and their return to drinking and fighting, any decision by the court is **likely** to be difficult for all. One **wonders** what **will** happen to **Sharlene** who is now more than one year old and well established in her current home.

What if the **Dogrib** decisions prevail? The decision of the **LLM** elders and Chief in January 1993 was that the grandfather, **Narcisse**, take **Sharlene** to his home which would satisfy the original court **order** and **Dogrib** traditions. This has not happened and the issue of the enforcement of **Dogrib rules** arises. Who will take **responsibility** for removing the child? Who in the community has the **strength** and courage to face the anger and violence which could arise by removing **Sharlene**? **Will** the matter of the assault be dealt with by the community, and if so, how? **55**

55 At this point , **no** investigation has taken place, either by the **RCMP** or **Social Services**, despite the **battering** and **removal** of the baby boy. The **RCMP** has informed us there is not sufficient evidence for charges. One has to wonder what "sufficient" means.

There **are** those reading this case who will be quick to say **Dogrib** rules and ways can't work. They will say: look at the mess this case is in; the **elders** made a mistake leaving **Sharlene** in that home. But people should not be so quick to judge because decisions have been made by the courts, by **non-Dene** social workers and by **police** that have not worked any better.

Again, I **stress** that it is the interaction of the **Dogrib** and non-Dene systems which is the problem, **not** either system in itself. It is impossible to mix the systems and keep things uncomplicated and **straightforward**. If- the **Dogrib** elders had been left to their own decisions, they **would** have made sure the **child** was **left** with a relative and well-cared for. **The** mother would have been responsible for the child but this **responsibility** would have **been shared** by female relatives and the senior **male** head of the family, **Narcisse**.

The issues of physical and alcohol abuse cast a dark shadow on the **Dogrib** ways of doing things. That shadow has to be removed **but**, in the meantime, who can say whether the **non-Dene** courts or the **Dogrib** people themselves should be making these major **decisions**? I suggest it should be one or the other---not both.

Case 3: **The marten pelts disappear**

This case is included because it is an example of how **Dogrib** rules **can** work very **well** on their own.

The school gym is open to the community in the late afternoons and evenings. A group of young men play basketball regularly. One night they arrived to find themselves locked out until the marten pelts had been returned.

The two tanned marten pelts belong on the wall of the gym. Someone had stolen them. The Community Education Committee [CEC] decided to resolve the issue using **Dogrib** rules. They closed the gym to all **users**, including the regular school classes, until the marten pelts were **returned** or **replaced** with ones of equal value.

The gym remained closed for more than two weeks and then the young men got annoyed because they could not play their game. They knew who had stolen the marten pelts, met at his house and told him he had to give them back. He admitted he sold them for a **good** price.

The group made a **decision**: they would collect enough **money** to buy other **martens** and the thief would not be allowed to come to the gym, or participate in any other activity with them, until he had paid them back for the new marten pelts.

One of the men bought two marten pelts and was allowed into the gym to hang them up. The elders' wisdom was that the martens were not of the same value but the **CEC** was prepared **to** accept them anyway. The young men were back to playing basketball; the school children got back to classes. The matter had been closed.

No **charges** were laid by the **RCMP** because Constable **Les Dell** accepted that the local people would take responsibility for settling the matter. No one wanted charges laid; the **CEC** wanted to try their hand at **Dogrib** ways of dealing with things. It worked.

Summary:

This situation follows the tradition

- 1] A complaint arose.
- 2] The **CEC** was prepared to deal with it.
- 3] An offense affected the collectivity; no one got to **use** the gym.
- 4] The offender was confronted by his peers--the ones most affected.
- 5] He acknowledged his offense and said he would make restitution.
- 6] He does not have **all** the money to buy the furs back so his peers help **him out**.
Reconciliation begins.
- 7] The gym reopens; the offender is not allowed in [shunned] until he repays the full **amount**. [responsibility]
- 8] Harmony is restored between the basketball group and the **CEC**. The matter is closed.
[**There** is no court record of the theft].

CONFLICTS BETWEEN THE DOGRIB AND NON-DENE JUSTICE SYSTEMS: AN ATTEMPT AT CONSTRUCTIVE ANALYSIS

Issues and Questions:

Has the research proved the existence of traditional ‘laws’?

The information provided by the elders about how things worked in the past, how **people** maintained order and **restored** it when it was out of balance, indicates **clearly** that there was a set of rules which **had** to be followed, **that** they were enforceable and that the offenses were dealt with by the group in serious **cases** and by the **k’awQ** in less serious ones.

It would be impossible to imagine the survival of a human society without laws. The **Dogrib** people have survived; the environment and animals are still here. What is not present is stability in the human **population**, and therefore the balance among human, **animal** and **natural** worlds is not in place.

Were these Dogrib rules “laws” by non-Dene criteria? Or, were they “traditions” or “customs”?

Non-Dene criteria **should** not be applied to **Dogrib** “rules for doing things right”. However, **in** order to anticipate criticism of **Dogrib** rules as not being quite “laws”, especially since they weren’t written down.

if one were to assign a **rank** order to **Dogrib** rules, traditions and customs it would look the same as **non-Dene** laws, traditions and customs. Rules and laws would come first as being critical to the maintenance of the society. Traditions and customs would follow.

If one looks at how **non-Dogrib** laws are made, taught, enforced and adapted, we see a very similar process to that in place for the **Dogrib** society.

Our laws are made by **Parliament**, by majority vote, tested in the **courts**, and then **applied** to **all** citizens. The roles for appropriate **behaviour** are taught by **parents**, teachers, **lawyers**, police and other “**functionaries**”. They are passed down from generation to generation; they change over time and they adapt to changes in society. They cover a broad range of **behaviour** and possible misbehavior.

When laws are breached, there are established ways of dealing with the offender. These ways vary from mild reprimands, official warnings and police charges. More **serious** charges **are** dealt within court by one judge, or by the judge and a jury, or by a number of judges.

The offender has the option of pleading guilty or not guilty; the court then decides whether the “not guilty” plea can be upheld. If judged to be guilty, the person is punished by a fine, loss of freedom, or **required** to do community service, or let go to live “**properly**”, that is, given a “chance”. Punishment is meant to deter further offenses. The individual can **appeal the court’s** decision **and** may get a different decision at a higher **court**.

If we look at the **Dogrib** system in the same way, we see that “rules” were made by the elders in the region at annual gatherings. The decisions were made by consensus, however, not majority vote. This implies a greater uniformity and therefore, a **greater** strength in making sure the rules are known and followed.

Consensus cannot be challenged so **there** is no “test” of the rules. They were, however, **applied to all Dogrib** people in the region, and probably more uniformly than **non-Dene** laws.

The rules **were** passed down from **generation** to generation through the oral teaching of elders and by example of their own **behaviour**. They **were** also taught **by parents** and medicine people. They also were adapted over time to meet the needs of a changing **society**.

When rules were breached, there were established ways of dealing with the offender. These ways varied **from** mild ridicule, harsh words and warnings, or by being placed in the circle. The offender is dealt with by one person, the k’awQ, if the offense is serious but not severe; **he/she** is dealt with by the **yabati** and all the senior people in the group if it is very serious.

This is **almost** the same as judge and jury, the difference being that the jury is not a group of peers for the offender, but a **jury** of senior men and women.

The Dogrib offender does not have the option of pleading “not guilty”. There **is** no such concept in the Dene ways of doing things. However, no action is taken against an individual unless people are **sure** that something wrong has been done by the individual which **affects the safety and well-being of the collective**.

Once the decision is made, the offender is not punished. Rather, the group demands that he/she **face** the victim, that restitution be made, that reconciliation start. These processes restore harmony, a **process** not included in the non-Dene system. If the offender does not do as bid in serious matters, then he has to leave the **group**. There **can be** no **appeal** to any higher **authority** since the **Yabahti** and elders are the highest authorities in Dene **society**.⁵⁶

It seems to me we can argue that the processes are very similar with a few exceptions which we may want to discuss more at **length**:

Traditional Dogrib rules are not written down while non-Dene ones are.

That doesn't seem to be a valid reason for rejecting Dogrib **rules** because they were not written down. They were passed down orally and were as potentially effective as anything which might have been written down. **Perhaps** they were even more effective because they were built on consensus and well **understood** by **all** members of the society.

The rules **could** be updated now, negotiated by the [regional] elders, decided by consensus and written down **in Dogrib** and English. They need not **be** as complicated as **non-Dene** laws. Many irrelevant statutes and codes **could** be eliminated in the interests of efficient **delivery** of justice in **small** communities.

⁵⁶The lack of a **non-guilty** plea and the lack of an appeal system may be viewed by some as non-democratic in 1993. One might **also** argue that the size of the society determines whether the Dene system might work. I agree that the size of the group must be small enough for people to “know” who did the wrongful act. Most Dene communities are this size; the exceptions **are** the multicultural centres such as **Yellowknife, Inuvik, Ft. Smith, Hay River, etc.**

I **also** draw to your attention the fact that victim compensation is **relatively** new in the **non-Dene** system, as is the recent trend to have those accused found guilty of certain crimes, such as rape, face their victim. Might we have other things to **learn** from the Dene system?

Dogrib rules do not have the force of non-Dene laws.

Why not? They certainly seem to have worked in the past to keep the society functioning in a smooth way. Offenders were dealt with and life went on. They were **forceful** enough that the **Dogribs** have survived as distinct groups who **still** maintain their language, culture and many traditions.

Traditional Dogrib rules cannot deal with today's offenses.

Of **course** not! Nor **could** non-Dene laws made in the 1930s deal with the complex **behaviour** of the 1980s. Both **societies** have to update laws on a continuing basis. **Dogrib** traditional laws have fallen behind because of settlement, increase in populations, loss of elders' **instructional** roles and **the** imposition of the non-Dene system.

However, **if** elders and others wanted to do so, they could meet and **come to** a consensus on how to **deal** with most unacceptable **behaviour** in their communities.

Traditional Dogrib rules are in conflict with the Charter of Human Rights in the Canadian Constitution.

Perhaps they are. The issue of the application of the Charter is one with which the Royal Commission on Aboriginal Affairs is now wrestling. As well, the Assembly of First Nations is looking at how the Charter might be by-passed in the move to **self-determination**. The Native Council of **Canada** and various aboriginal women's groups are **looking** at ways to prevent the AFN override. Obviously this matter is not going to be resolved easily.

It **could** be an interesting process to develop a Dene Charter of Rights which could be the basis for the development of new **Dogrib** laws. If regional consensus could be reached on such a contemporary **Dogrib** Charter, perhaps the Canadian **Charter should** not apply. As long as all human rights are protected, what **would** the issue be?

I am not suggesting this is an ideal way to go, I am suggesting that innovative ways of **dealing** with human rights issues might be pursued by the **Dogrib people** themselves in an attempt to come to **grips** with self-government and the establishment of a Dogrib justice system. Obviously, this cannot be done quickly or easily.

Can there be a system of justice without the concept of “not guilty”?

If the Dogrib system is going to operate by consensus, then one might assume the offender's case would be dealt with by people who know exactly what happened. It might mean some minor offenses would get through the net but all major ones would be dealt with because the group would have the information in hand. If the over-riding goal is to maintain harmony among the small collective, any wrongful accusations will not go unchallenged.

If there is no punishment, **what will stop the individual from committing the same offense again?**

The **non-Dene** system has not been particularly successful in stopping individuals from repeating **and/or** escalating crimes. The **Dogrib** system would have this ability, at least in **small** communities, because of the shame, the involvement of relatives and **all** community members in the judgment, the **enforcement** of mechanisms to restore **harmony** and balance and because of the embarrassment of the **public** decision. Needless to say, some individuals would repeat offenses but probably not many. Repeat offenders could be sent to island camps to **come** to grips with themselves through sobriety and the teaching of elders.

Traditional ways of teaching the rules, and disciplining those who break minor ones, are too harsh on women and children; they would not be considered acceptable today.

Non-Dene ways in the past were also very harsh, especially with **regard** to the disciplining of women and children. Today, there are few women anywhere who are willing to be treated abusively by men.

Any new **Dogrib** rules would have to deal even-handed with men and women and be more gentle with youth. The line between discipline and abuse needs to **be** clearly **defined**.⁵⁷

⁵⁷ **Non-Dene** courts have not protected women from abuse with any consistency. One-day sentences for men who have sexually abused women have been prevalent recently, including a case in LLM. The 1992 Sanderson case raised the issues very clearly. The message from women that the abuse

Dogrib rules would not be as complex and as technically excellent as **non-Dene** ones.

Do they have to be? **Non-Dene** laws are not understood by, or even familiar to, most Canadians. In general, most citizens understand basic laws which keep traffic running, **streets** safe, property protected, etc..

Dogrib rules would deal with similar day-to-day **social** control. This **could** be an exciting opportunity to make laws **understood** and agreed to by **all Dene**.

Reconciliation and restitution are humane, direct and fairly effective ways of dealing with unacceptable **behaviour**. Values differ between cultural **groups** and these differences need - to be reflected in local laws and their applications.

Likely, there would be some areas of law which might have to **overlap** the two systems initially. In part this will have to be decided by the group taking back responsibility for justice.

For example, what would happen to a **non-Dene** transient, or a resident, who commits an offense in a **Dene** community? One would hope Dene laws would be applicable to all persons in their jurisdiction although some different means of dealing with **people** in urban **centres** might have to be evolved.

Many negotiations will have to take place on matters considered to be within the Criminal “ Code because an alternate system might be **able** to deal with its own citizens but not those from elsewhere. ⁵⁸

The above section has **dealt** with anticipated arguments against the establishment of a separate **Dogrib** system of justice. **Let** us now turn to a consideration of actual conflicts which have been reported, and observed, during the course of the project.

must end seems to have by-passed a lot of men. The **Dogrib** people are no further behind in this than the **non-Dene**.

⁵⁸ See the literature review for references to the Navajo Tribal systems which address this question. Also, the Montana **Blackfeet** Nations do apply their laws to non-native offenders. However, neither of these Tribal courts deal with serious offenses under Federal control.

How do the Lac La Martre people perceive the non-Dene Court and its officers? What are the general complaints?

The Lac La Martre people:

1] do not like being "judged" by **non-Dene**. They do not **feel** that the officers of the **court** are knowledgeable about the **Dogrib culture**, their feelings and values.

2] do not like having English as the language of the **court**. **People complain** that interpreters picked out of **the community** when the court **arrives** are not trained and often misinterpret because of their own views and involvement with the accused. 59

Interpretation provided by those who have taken the legal **interpreter's** course, but have little experience is **also** criticized as being **inaccurate**. [On one occasion, the legal interpreter was **so** shy and so lacking **confidence**, no one **could** hear her and the Chief and Native Court Worker took over translation.]

Sometimes there **are** earphones, sometimes not. When there are **not**, the physical setting of the court prohibits elders **from** hearing the translation unless they are allowed to move closer and the officers of the court position their tables to face the observers.

Simultaneous translation, when **provided**, is **extremely** difficult and not nearly as effective as consecutive interpretation.

3] are intimidated by the **court** setting and its rituals. **People** do not understand why the court **officers** wear gowns or what the swearing-in ritual means. They do not understand

⁵⁹ This is an old complaint. I recall an instance in 1957 when the interpreter for a court was the cousin of the Chief, and even though he did not live at LLM, he was considered biased by the community. He reacted to this criticism by misinterpreting to the benefit of the defendants.

In this past year, Johnny Simpson interpreted for the pretrial of Francis Zoe who is alleged to have sexually assaulted his step-daughter. People complained for days after the court session that he had **not** done a "straight" translation, that he had left things out and added others, and that he gave a lengthy statement of his own opinion. Similarly, I suspect the confusion in the Supreme Court custody case arose because of the translation **provided**.

the legal language. [In many circuit courts elsewhere, court officials do not wear gowns and the swearing-in is done in the language of the community, not in English.]

4] do not understand why crimes against property sometimes bring **more** serious punishment than crimes against persons.

5] do not understand why some laws that seem irrelevant **are** enforced. For example, they do not understand why people who do not drive on the winter road are charged with driving without a **license and/or** without insurance when they only drive the few miles of road in **LLM**. Since **several** people have been arrested for failure to pay fines for this offense and have served time because they could not pay, people **are resentful**. Other offenses they consider to be more serious, such as assault, receive oneday [not served] **sentences** and **minimum fines**.⁶⁰

6] resent what they perceive to be “interference” by the courts in **matters** they think they should be able to decide on their own. Refer to the Apple-Bishop case discussed fully above. Children are **considered** the “property” of women and their families, and the elders feel **families** should be left to decide **family** matters.

7] object to the removal of young adults from the community for minor crimes, especially for non-payment of fines. They do not feel having no cash is a justifiable reason to put people in jail. Some people think this is a way for **non-Dene** to “make money” from the problems of the **Dogribs at LLM**. **People** are opposed to any youth going to **jail**; they feel they should be dealt within the community. In **general**, people seem to feel the only reason people should be jailed **are** for major violent crimes such as rape, sexual assault and **murder**.⁶¹

⁶⁰ There is **also** a matter of discretionary power on the part of the RCMP. When Constable Les Dell was in the community, **he** did not charge **people** who drove only in the community with vehicle-operation offenses. He kept at them to get their licenses and insurance but did not charge them if they had no money to do so. Constable **Tom Roy** has taken a much more rigid enforcement position on this and other matters and so more **people** are being charged. It should be noted that getting the licenses and insurance adds round-trip airfare to the cost since **Yello** wknife officials and insurance companies will not send things by mail.

⁶¹ During our time in the community, and indeed just recently during the verification meetings, elders talked at length about young people committing suicide because they were jailed for minor crimes, e.g., non-payment of fines. Since there have been no young **Dogribs** who have committed **suicide** in jail,

8] object to the little time the court **officers** spend in the community. The plane flies in, the legal aid lawyer and **native court** worker [if present] take a few minutes with clients, pressured by the remaining court officials waiting for them. Since the **Dogrib** way is to talk at length about things, over a long period of time [for example, the MRM case], in order to come to a consensus, the non-Dene way of doing things so quickly is offensive. The **LLM** people feel this is a lack of respect for community members, that **matters are** not dealt with properly so people can understand what is going on.

People feel discussions should take place in the Dogrib language, that cases should be explained so people know what is happening and that the Chief and others should be permitted to speak to the court in their own language about their concerns in each case. **People** feel **too** many charges are made on matters which could be talked through and - resolved **locally**, if charges **were** not **laid**, or that they could be dealt with **in more culturally** appropriate ways. **Their** preference would be to **control** their own system and to deal with most matters now without court or RCMP **intervention**.

9] welcomed the eady **arrival** of the Crown prosecutor on several occasions when he came i the day **before** court met. They appreciated his consultations with people on the **MRM** case and his general interest in the community. Most of all, they appreciated having the same prosecutor for each **court**.

As well, they appreciated having Judge Davis **there** regularly and noted his respect for the elders by having them sit **close** and organizing the court so they could see and hear. .

or indeed in LLM, we are puzzled by the depth of feeling and persistence of these statements.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions:

None of us on the **DJP** doubted that the **Dogrib** people had laws and that they worked well for traditional **times**. The **overlay** of the non-Dene legal system removed responsibility from the **Dogrib** for dealing with social problems in their own society. Many other areas of responsibility were also removed from the **Dogrib**. They lost **control** over the education of their children, over language and culture and over their spiritual lives. Now they know that if they are to survive as First Nations, **they** must reclaim their knowledge, abilities, beliefs and lives.

The process of "taking back" responsibility for themselves will not be an easy task nor will it be done **quickl**y. At the time of contact, the Dene were a strong group of people with their own institutions and cultural systems; they had governments, leadership, religion, social networks, trade routes and they held their hunting/ trapping lands in common. They balanced their human, spiritual and natural worlds with integrity and an effective stewardship maintained their **natural** resources. These highly developed and **self-**determining nations **became** "undeveloped" by **contact**. Like **all** situations of colonialism, people became dependent on the **non-Dene** institutions and as a **result**, their own began to **lose** strength and meaning.

The overall effect of colonization has been **primaril**y negative for the **Dene**. While some parts of their physical life have become better, other things have **become** so bad they are no **longer** tolerable. In order to survive as people, the Dene now have no choice but to return to their own traditions and to **reclaim** their institutions. Some will be irrelevant for modern times and some will have been forgotten.

Nevertheless, if the basic traditional values can be **reinstated**, the forms of modern Dene institutions can be whatever they become--a mix of old and new technologies, ideas and concepts. What is important is the process by which they are put in place and maintained. This report suggests some ways of reclaiming the past for the future.

What is at stake are the lives and cultures of generations to come. **Compromises are** not enough nor are adaptations of **non-Dene** systems where **power** remains with the **non-Dene**. The ability to survive with confidence and a better quality of life depend **basically** on the

willingness of people to take back responsibility for their own **lives** and then to rebuild Dene **values** and institutions so balance is restored between the **natural**, spirit and human worlds once again.

This cannot be done **all** at once. The recommendations will suggest whereto start and what phases should follow each other. Obviously, people need to start with issues on which they can reach consensus now. The process may also require some facilitation **from** external resource people, both aboriginal and non-aboriginal. In some instances, joint ventures between **Dogrib** people and **non-Dene** may be the **fastest** route by which they can reclaim self-determination.

Non-Dene may not be enthusiastic about a process which will require them to give back **power, authority** and funds so Dene can do their own thing. Some **will** be supportive but **Dogrib** should be prepared to counter arguments. One argument will be that Canadian laws are **good** laws and that they have been in effect and tested over a long period of time. Therefore, they should apply to **all** Canadians and a segment of the population cannot be "allowed" to make their own laws --or choose not to follow Canadian ones.

It is up to the Dene to determine if, in **fact**, they consider themselves to be Canadians or if they are sovereign nations **in** themselves. The fact that Dene laws have not been written down does not mean that they do not exist and that they have not been tested. In **fact**, the research done in the community shows quite clearly that **Dogrib** laws did exist, were tested, did work and are **still** known to many people.

Because many **non-Dene** do not **understand**, or even know, what the Dene laws are and how they work is not a reason to insist that only **non-Dene** laws can be used to handle **Dene** social problems. Canadians have, over time, changed and rejected the British and French laws which were the beginning of Canadian laws. In Quebec, Canadian criminal laws **apply** but **Napoleonic** civil laws are used. It might be that the Dene could continue to use **and/or** adapt Canadian criminal laws but recreate their own civil laws.

- **Others will** argue that **Dogrib** laws cannot deal with the major crimes now handled by **non-Dene** courts. They will say the concepts of justice which underlie such laws are missing in **Dogrib** thought. The research showed, however, that the belief systems and the rules which flowed from them are very much present in **Dogrib** laws. We suggest that most of these concepts are **very** usable in **current** Canadian law.

Take, for example, the literal translation of “**dq hqłı** gha **wek’e natsędla**” [rope], the “tearing apart of a person”; that is, the woman’s clothes are tom, her body is tom and her soul is tom. If the **non-Dene** system used that definition, convictions, sentences and compensation would likely be greater than they now are. As well, this **Dogrib** definition of **rape** is clearly adequate for dealing with violence against **Dogrib** women.

There are those **who will** say that old ways cannot work in modern **times** so the **Dogrib** traditional laws are not appropriate for **current** times. The data suggests differently. Indeed, in the case of Mary Rose Moosenose, traditional ways involving consensus, admission of **guilt**, reconciliation, restitution and restoration of harmony have all worked - **very well** to date.

Others may say the resource laws are not scientific and therefore not valid for resource **management**. However, our research findings, and those of Martha **Johnson** in the Ft. Good Hope Traditional Environmental Knowledge Project, show that the Dene “understand many of the **complex** ecological linkages... . . . **habitat** use, etc and.. . . **this** knowledge combines both personal experience and the teaching of elders passed down from generation to generation over countless **years**”.⁶² Further, the **Dene** rules for resource management that the Ft. Good Hope project identified are identical to the **Lac La Martre** ones, which indicates the laws in **Denendeh** may **be** relatively uniform and thus applicable to all **Dene**.

Some people may argue the strong spiritual component of **Dene** laws has no realistic base. in general law. However, British common laws were Won strong **moral** principles and were no less “spiritual” than Dene traditional laws except to the extent to which people **recall** and use these beliefs. **Recall** that in the family **unit**, we identified **values** that were almost identical to those of Roman Catholicism making it very easy for missionaries to gain acceptance because there was so little conflict between the sets of beliefs. Further, spiritual beliefs do not take away from personal experience and the scientific **knowledge** of the elders. To the extent that Canon law and Common law reflect the values of European societies, Dene laws reflect the same values for their societies.

⁶²Johnson, M. and Robert Ruttan. **Traditional Dene Environmental Knowledge.** Dene Cultural Institute, 1992.

Finally, some people may **be** skeptical about the ability of the **Dogrib** to run their own legal affairs. The unit on **political** laws indicates clearly that given proper leadership, things can work well. A return to selection of leaders by consensus might solve some of the current problems described by elders with regard to chiefs “not having strong words”. The case studies provided in the report indicate that when the Lac La **Martre** people sat together, they **came** up with ideas which judges had no difficulty accepting. One assumes this was because the solutions were very close to what the court might also have decided.

Despite the **problems** of communication and undemanding of traditional ways in the Apple-Bishop case, the **LLM** people had their way in the end. Even though problems arose after the fact, the decision made by the **community, and** accepted by the **court**, was in the best interests of the child at the time. The community did not need the court’s decision to make their own.

Did the research meet its own goals?

Yes! We set out to establish that the Dogrib had a system of rules [**laws**] to keep the community functioning in an orderly way. We have shown this is **true** in the areas of resource law, family law and **political** authority. We showed that the rules were passed down from generation to **generation**, that they were enforced, and that there were set ways of dealing with individuals who broke the laws.

We noted where the rules for women were **more** severe than ones for men and that some **rules** were in effect only for women.

We established that there was no concept in Dene laws of “not **guilty**”—a major difference between Dene and Canadian law.

We established that the Dene **legal** system was not punitive. Rather it was based on concepts of reconciliation, restitution and the restoration of harmony—all concepts lacking **force** in the **non-Dene** legal system.

We also determined that the **Lac La Martre people** want to take back responsibility for their own system of social control and indeed have started doing it. Finally, we noted that there is not consensus between old and young. The elders would **prefer** to remove themselves from the **non-Dene** system while the young fear the traditional system would be more harsh

than the **non-Dene** one. Each group tends to stick with the **system** it knows and considerable work will have to be done to convince the younger people that the values which underlie the traditional system will ensure a more humane system for the future.

Recommendations:

Recommendations are based on discussions with people in LLM about where they think things should change and how. Data and recommendations have been discussed and agreed upon by the **Lac La Martre** Community Advisory Committee, the elders of **LLM**, Rae Lakes, Snare Lake, **Rae-Edzo**, **Dettah** and **Ndilq**. As well, public community meetings **were** held in the same communities. There were no significant differences of opinions between or among LLM and the other communities. We consider this regional perspective and **agreement** makes the **report** applicable to the whole region.

While the **recommendations** are specific to the **community** of Lac **La Martre**, other **Dogrib** communities were very interested in them and expressed enthusiasm for similar processes and changes to be made in **their** own communities.

The recommendations approved by the LLM elders, **CAC** and community **are** discussed below.

I] Alcohol abuse **must be tackled. We recommend:**

1] An alcohol treatment team be brought into LLM for an extended period of time, at least three to six months. The team should be aboriginal, such as the staff from Northern Addictions, or the group from Alkali Lake, B. C., and/or staff from **Nechi** Institute, Alberta. **The program** should not **only** help people to give up alcohol abuse, it should also provide some **training** for people who want to run support **groups**.⁶³

2] There should be a series of healing circles established: one for women, one for men, one for girls, one for boys. Once some healing has taken place within these groups, the adults

⁶³ If there were **as many cases of measles as there are cases of alcohol addiction**, there would be a major **health team in the community to help out**. Why is the same approach not available to people who are equally sick from alcohol?

need to meet with **each** other, and then with the youths to deal with the hurt of past abuse and neglect. New ways of dealing with anger and frustration need to be learned.

Men who disclose **previous** abuse of **children and/or** adult women should be dealt with by the **Dogrib** Circle composed of adult members of the community. The goal would be to heal these men, not to punish them. Maybe they could be isolated on one of the islands and visited regularly by the elders in order to learn how to behave properly again. If victims desired restitution, or reconciliation, these processes need to be put in **place**.

3] The alcohol **program** set out in the new health curriculum in the NWT schools should be taught. Many teachers do not give it time or **treat** it seriously. Perhaps a community health teacher or health nurse needs to take on this responsibility. It could be taught in **Dogrib**. Such **alcohol/drug** education **should** be accompanied by a training **program** for young - children which teaches them they can say "no", they can take some **control** of their own lives, they are competent and worthy.

It will take many years to eliminate the use of alcohol in La **Martre**. In the short run, it will take some convincing to get many people involved in treatment. However, **people** should remember that in Alkali **Lake** the **Shuswap** people had three sober **adults** at the end of year one. Ten years later, only two people **drank**.

2] A **community education program needs to take place before a pilot project begins and before a Dogrib justice committee is selected.**

During the course of this **project**, the community has been involved in **several** ways: Adults have visited and sat in on a few meetings. Children have visited but aren't quite sure what we are doing. Elders have been extensively involved and the leadership is aware of what we were doing, and why. Young adults, many of whom don't know their own history and traditional culture, have been the most absent group. They are most ambivalent about **re-establishing** any traditional ways that they **perceive** to be much **harsher** than non-Dene ones.

It is important this **group** be involved in any new ways of handling problems in the community. They probably represent the group in the courts most often, **mainly** on minor issues, but sometimes on more serious thefts and assaults. It is this group which needs time to **learn** their traditions and to **reconnect** with elders.

The community education program should focus on discussion of the report and its **recommendations** with the goal of reaching some consensus on new directions. The **program** should also enable youth, young **adults** and others to connect with the elders in **order** to rebuild respect.

Elders might also be invited into the school on a regular basis to teach young children their heritage. They could **accompany children** and youth out on the land on trips designed to teach bush skills, competency and self-reliance as well as to expand their **knowledge** and identity. The spiritual component of being on the kind should be emphasized by parents and elders.

The use of **Dogrib** in the school, and on the land, would improve the spoken language; . Dogrib literacy **would** not only provide a basis for pride but would allow young Dogrib people to listen to, and read, their elders' stories.

An elder-youth group **could** pair individuals in ways which **would allow respect** and knowledge **to** grow and perhaps return people to caring and sharing. Values outlined in the section on taking **back** responsibility could be taught and learned in **effective** ways and would lay the foundation for a Dogrib justice system.

Considerable community education is required to **reach** agreement on using Dene traditional rules for social control in ways which are enforceable because consensus has not yet been reached. We suggest that a facilitator **work** with **DJP** staff and leadership to build consensus over the period of one year through community workshops and individual " contacts.

3] The Lac La Martre people need to form their own Dogrib justice committee, and establish a pilot project, to test old and new Dogrib rules in resolving current 'crimes' in the community, after consensus is reached.

The justice committee should include members representing both young adults and elders and men and women. Its' task would be to **determine** how to **re-establish** Dogrib ways of dealing with inappropriate **behaviour** that would work now.

At the beginning, the committee should seek to have **all** incidents **referred** to it prior to any police or court action. The committee also needs to determine what criteria it **will** use for **selecting** cases to handle in the beginning. The eventual goal would be to handle **all** cases.

As well, the committee needs to document what cases are taken, how they are dealt with and what problems arise from **dealing** with them in that way. Both successful and unsuccessful outcomes should be recorded. This will help other **Dogrib** communities wanting to set up their own justice committees.

The **enforcement** of decisions made by the **committee** will also have to be **dealt** with. It would be useful to establish a camp on one of the islands, staffed by elders and a younger couple. This camp could **receive people** who **are** not behaving **appropriately** or not following the **instructions** of the committee. Adults and youth could learn how to behave - "properly" and also get back in touch with their **Dene roots**.⁶⁴

Finally, in order for this to happen, negotiations **will** need to take place between the **community** and the NWT Department of Justice and Justice Canada, about turning over power and authority for judicial decision-making, for **diversion** of cases prior to charges and for the establishment and funding of the committee and camps.

NWT Justice already has many policy initiatives in place to encourage community participation in the **non-Dene** system, such as the Justice of the **Peace program**, Youth **committees** and Justice committees.

The Department also recognizes that its system has not been ideal for **NWT** citizens and has committed itself to ". **serve** all residents in a manner which recognizes and respects the constitutional and collective rights of aboriginal persons"⁶⁵ The same document indicates it can exercise its mandate ". . . **by** negotiating justice projects at the community level..." and suggests ways this can be accomplished. These new initiatives are commendable.

⁶⁴ Likely **two camps**, in different places, might be set up so that youths and adults are separated; it may be that the Dogribs might prefer to keep men and women separated rather than divided by age. The idea of outbound camps was discussed but the details weren't.

⁶⁵ Cited from a policy statement, "Community Justice Initiatives in the NWT", NWT Department of Justice, 1991

4] Any pilot project should run at least two years in order to make sure that the Dogrib system can work, has community support and can create new rules for current times which are enforceable.

We suggest a pilot project be put in place which includes the healing process, the community education process, the establishment of a Dogrib Justice committee and the establishment of bush camps.

Such a pilot project will require resources, both human and financial. We suggest the employment of a full-time facilitator to set the community education process in place, to build consensus and to work with the Dogrib justice committee when it is formed. The DJP Dogrib staff could work with the facilitator on these activities and eventually take them over. They could be responsible for documenting the process and its' results.

Funding could come from several sources, as it did for this report. Some funds might also be diverted from current non-Dene justice programs because as the Dogrib system begins to work, it should save the non-Dene system many dollars. It is our belief that deviant behaviour will be significantly reduced in direct relation to the decrease in alcohol abuse. The healing process, which follows the attainment of sobriety, should promote self-confidence and increase personal responsibility, and responsibility for others.

5] If the pilot project is successful, funds should be in place for the Dogrib justice committee to continue its work.

A commitment to start the process through the establishment of a community education program, and the formation of a Dogrib justice committee should imply a long-term commitment by the community and non-Dene justice agencies to following through. Unless that commitment is in place, it seems foolish to start.

It may be that some components of the process appeal more to various agencies and funders than others. Care should be taken not to put things in place unless consensus has been inched by those involved. If the whole community is not on board, the project will fad. This is particularly true if leadership is neither strong nor sober. It would be better to wait than to start in the middle.

The project could be a joint venture between the **Lac La Martre** Band Council, NWT Justice, Aboriginal Justice **Directorate**, **DCI** and maybe **AINA**.

Since considerable interest was expressed by other **Dogrib** communities about seeing similar activities started in their communities, it might be worthwhile to form a **regional** justice council following the establishment of the **LLM Dogrib** justice committee. Such a council could give support to LLM and might give advice on more complex cases. In any event, members could **learn** from association with the **LLM** people and then establish their own local programs.

We propose the following time schedule for implementing the recommendations:

Summer 1993:

- 1] Review of the report at the **Dogrib** regional gathering. **Facilitator: DCI**
- 2] Further consultations with **Lac La Martre** community on recommendations and their implementation. Identification of people willing to participate in alcohol treatment and the healing **circles**; and eventually, in community education and in the **Dogrib** justice committee. Facilitate **DCI**

Fall 1993:

- 3] The alcohol treatment **program** should begin as soon as funding is in place. There is some initial funding now available to the LLM community and treatment **personnel from Rae-Edzo are there** for a month. As well, a community coordinator has been appointed to help with counseling and to establish a support group. Further funding needs to be put in place for a **long-term**, intensive treatment program and the establishment of healing circles. **Facilitator: DCI.**
- 4] Discussions should take place with Don Avison, Director of the **Federal** Aboriginal Justice **Directorate**, the Honorable Stephen **Kakfwi**, GNWT Minister of Justice, concerning the community **education process**, the development of a proposal for the **pilot** project, and funding for the establishment of a **Dogrib** justice committee. Such discussions

might also involve other program agencies such as **health**, corrections, social **services**, education and others. **Facilitators:** DCI and Chief and Council.

5] **Once** funding is secured, the LLM Band council could hire a facilitator to **start** building consensus **in** the community with reference to the establishment of a **Dogrib** justice **committee**. This process would include defining the criteria for selection of members and for defining their roles and responsibilities. **Facilitators:** LLM Band Council and **DCI**.

Winter 1994:

6] Continuation of the **alcohol** treatment program, development **of** the healing **circles** and the continuation of consensus building could be followed by workshops on justice issues. There is a **need** to discuss **exactly** how a **Dogrib** system could be put **in** place and what it - might look like. Such workshops **could** be assisted by **external** resource people and the local facilitator. As well, an alcohol education program could be implemented in the school by one of the **Dogrib** community health **representatives**. **Facilitators:** local alcohol counselor, **local** justice facilitator, LLM Band Council, and DCI.

7] If funding and personnel **are** available, a bush **camp** could be setup to **accept** youth who have been involved in unacceptable **behaviour**. The camp should employ as administrator a young couple to cope with wood, water, boughs, and meals. As well, the camp **should** have a resident **elderly** couple who are knowledgeable about the land, **animals**, **plants**, spirits and survival skills. Their main responsibility would be to **pass** on knowledge and skills to the youth. As well, school children should have at least one week in the **camp** to learn some of these things. **Facilitators:** **local** facilitator, school **counsellor**, LLM Band " Council and maybe **DCI**.

Spring/Summer 1994:

8] Selection of LLM Dogrib justice committee members; **all** must be sober. Members should be men and women and drawn from **all** age groups. **Facilitators:** **local** facilitator, LLM Band Council, and **DCI** if needed.

9] Workshops for **Dogrib** justice **committee** members to evolve criteria for selection of **cases**, establishing **Dene** rules, community **education** and enforcement of rules. As well, the establishment of adult bush camps might be considered. External **resource** people from

program service agencies could be consulted and could be participants in the workshops. **Several** workshops will be needed to handle all the issues. **Facilitators:** local facilitator, LLM Band Council, AINA and DCI.

10] If funds **are** in place, start **up** of the pilot project could follow the workshops. **Facilitator:** DCI, LLM Band Council and selected project director.

Fall 1994-Fall 1996

11] Implementation of pilot **Dogrib** justice system in **Lac La Martre**. **Facilitator:** local project director.

12] Formation of regional **Dogrib** justice council, if desired. Facilitators LLM project - director, DCI and local band councils.

Winter 1997

13] Evaluation of pilot project and report to **all** involved. **Facilitator:** DCI provides external **evaluator** in consultation with the Dogrib justice committee and regional council if in place.

14] Decisions should be made at this point about the continued implementation of the **Dogrib** justice system and the withdrawal of any non-Dene justice services. It might be **necessary to continue** the **pilot project** to ensure all is functioning well and in the **best** interests of individuals and the community. Serious negotiations about funding and responsibilities will have to take place at this point between the LLM Band Council and the departments of justice. Other **program** service agencies may also need to be involved. **Facilitator:** LLM Band Council, DCI and GNWT Department of Justice.

TRANSITIONS

There has to **be** some **reality** about the way things will go, what changes will be possible now and later, how much negotiation needs to take place before things change.

No one expects any of the people in the **non-Dene** justice systems to simply withdraw and **let** the **Dogrib** people do their own thing. That would be neither wise nor fair. The Dogrib leadership and elders, and their new justice committee, **will** have to learn how to run their own affairs again and this will take time.

This document has proposed along-term goal of a **Dogrib** justice system. It will take many **years** to evolve, to negotiate, to fund. There will be opposition and many hurdles to **overcome**. For example, the **Dogrib** people cannot have a justice system run by individuals who have major problems with alcohol. If people choose not to sober up, no system can be put in place for the simple reason it wouldn't work. **On** the other hand, if alcohol is **removed**, social control will become easier **because** most crimes **are** committed under the influence of alcohol, which triggers anger, despair and violence.

It will take **considerable** time for the **Dogrib** people to think through and reach consensus about what parts of the **old** ways will still work and what will have to be newly created. That will be **an** exciting process.

It will also take time for people involved in the **non-Dene** system to let go, so the **Dogrib** people can regain control. However, there **are** many **people** in the **non-Dene** system who will encourage and assist the **Dogrib** people in accomplishing their goals.

The NWT Justice policy statement clearly shows that GNWT Department of Justice is supportive of any **Dogrib** initiatives which will improve the justice system for **people** in the NWT. The Minister has committed himself to looking at the proposals for changes made in this **report**.

Further, Don Avison, Director General of the **Federal** Aboriginal Justice **Directorate**, is fully committed to helping aboriginal people make changes.

The joint partners in the **Traditional** Dene Justice Reject, **DCI**, AINA and **LLM** Band Council are clearly interested in seeing a pilot project put in place. We will be available for advice **and consultation during** the transition and planning period. **DCI** has a mandate **to further** Dene cultural growth and development. The proposed pilot project **and the recommendations** contained within this report fit comfortably into the **DCI** mandate for the next five-year plan approved by the Dene regional board members. We think the process will be exciting and productive.

So what do people do until things change?

The eventual formation of a Dogrib justice committee in the community, following the attainment of consensus and sobriety, can serve several purposes. It means most cases could be diverted from the courts to the community to **handle** as soon as the committee is established.

The establishment of a bush camp for youth could be **truly** helpful in keeping young people in the community. It could also be used for adult offenders who have not committed serious crimes.

The community has just been allocated a fine option program so many of the minor "crimes", especially those **relating** to non-payment of fines, can now be **resolved** with community service. Appropriate Dogrib **supervision** needs to be developed.

If a Dogrib justice committee were in place, it could ask to do the sentencing on cases not turned over to them for decisions. The sentencing could be done the **Dogrib** way, that is, in the circle. Territorial and Federal judges would have to commit themselves to accepting the recommendations of the elders without **alteration**.

The goal of the **transition** period is to gain more control over one's own life and to use that power in the interests of the community. It is important the **LLM** Dogrib justice committee develop strategies for coping with the transition period by helping out the courts on those - issues which have to be dealt with by the **non-Dene** system at this time. However, safeguards should be in place to ensure that the Dogrib justice committee is not **co-opted** by the **non-Dene** system "adaptations" and that they continue to **pursue** their own goals of a totally Dogrib system.

The **goal** is **not** to **take on non-Dene** functions in a **non-Dene court** but to take on more and more responsibility for community social control and well-being. As the community achieves this goal, the **non-Dene** courts will have **less** and less to do and, eventually, could turn everything back to the community. Obviously, the **non-Dene justice** system should not abandon the **Dogrib** people until their system is in place and has been proven to be adequate to the tasks they have set out in the pilot **project**.

The transitions from one system to the other will not **necessarily** be easy or smooth; much negotiation for power and control and funding will have to take place. However, if there is **good** political will and mutual respect, these **consultations** will lead to the eventual withdrawal of **non-Dene** systems and the establishment of **Dene** ones. It could be a **win-win** situation for **all** parties if the consultations are serious and *mutually* supportive. However, the process and its **success** are dependent on some of the factors identified in the - report, such as sobriety on the **Dogribs'** part and the willingness to give up power, control and money on the **non-Denes'** part.

We think the establishment of a **Dogrib** justice pilot project would work well in **LLM** and would lead eventually to the "taking back" of **Dene** justice throughout **Denedeh**. This would be a major accomplishment.

EPILOGUE

The Dene Justice Project now draws to a close. Each of us has **learned** a lot. Each of us will miss the others. All of us will miss the interesting work we part having made good friends and think we have accomplished a great deal. We have added to the core of recorded traditional knowledge; we have documented important facts; we have struggled with **sociocultural** contradictions; we have created important discussions on new directions for Dene justice which have been well received. And we have survived!

A special tribute is due Marie Adele **Rabesca** and Diane **Romie**. They have learned so much, so well. They have learned to read and write their own language, to work on a computer in **both** languages, to translate, to verify translations, to handle cameras and tape - recorders, and to work with the elders in truly important ways. They have **learned** how to verify the data in other communities, where they have been **received** with warm **respect**.

Their personal growth and new skills have provided them with new pride, confidence and knowledge. They have gained status in the community. They are sought out for advice and are seen as making important contributions to the community.

These are the spin-offs of **participatory** action research. When one owns the **project**, one has only to **learn** the skills to do it and then need never look back. Diane and Marie Adele are now **voluntarily** teaching a Dogrib literacy class. Marie Adele is the first woman to sit on Band Council. Their families are proud of them and so are we. We salute them!

Diane and Marie Adele are now the **research** staff on the Dene Traditional Medicine **Project**. When **Project** Director Martha Johnson came in to meet them and **decide** on the work **plan**, they told her they appreciated her interest and support but they could do the project mainly on their own. And so they have, calling on **Martha** only when they can't resolve something or need to learn another skill, like photography.

Both have been accepted for the new LLM Teacher Education **Program**, in the fall. There have been other job offers. They would be excellent staff for the pilot **project**, if it comes to be. The only thing they could learn further on the DJP is **report** writing. That **could** be the challenge of their next jobs.

Lawrence **Nitsiza** is in **Inuvik** taking the Community **Recreation** Director's Program, which is **ideal** for him.

Aggie Brockman continues her consulting in **Yellowknife** on an aboriginal family violence project in **Yellowknife** and **Lutselk'e**.

Joan Ryan is the PI for the Dene **Traditional** Medicine Project and will be writing the **report**, with Martha Johnson, PD, during the fall in **Yellowknife**. **Verification** in **LLM** and in the **region** will likely take place in November, 1993. As well, Joan is project consultant on the Rae Lakes Traditional **Local** Government Project and will be helping **Alice** Legat, PD, with the writing and verification processes. That project report is due in December for - the Royal Commission on Aboriginal Affairs.

The goal of PAR is to work one's self out of a job **and to leave expertise in the community**. We have done that.

The community has started on **its** new vision and responsibilities. In the Summer of 1993, 43 **people** attended the **first** alcohol workshop and many started in alcohol counseling. They are committed **to** fulfilling their own recommendations. **We** wish them well. **These** could be exciting **times**.

LITERATURE REVIEW

This review of the literature is based on a **selected** set of materials written by anthropologists, criminologists, lawyers and various other scholars who have addressed themselves to issues of aboriginal justice. It is not an exhaustive bibliography but it is comprehensive and covers the major areas of concern which arise from the report itself. I have tried to select the most pertinent writings, and the most recent. Not **all are** cited but all have been **read**. I trust this section will be useful to scholars wishing to pursue some of the points in more detail.

I have attempted to **consolidate** the analysis of the **literature** around major questions which arose during the period of the research, **and/or** which might arise in the discussion of the report **in** the future. I have identified these as: 1] ethnographic **issues** which **relate** to the past **and** the present lives of the **Dene**; 2] the counterpoint between Dene traditional legal concepts and practices and those of the non-Dene; 3] **philosophical/moral/political** contentions which may create conflict between **Dene** and **non-Dene** propositions for the future. I do not discuss the multitude of criminological and sociological studies with their abysmal lists of statistics regarding native incarceration and recidivism in Canada. Some of these are listed in the bibliography and can be consulted by those interested in pursuing those perspectives,

I have tried to keep the focus on what we can learn from Dene traditional knowledge and ways which **could** inform and underlie future **planning** for self-determination in all phases of life, including social control. I make reference to other indigenous systems which might be useful; these are mainly Australian and American tribal justice systems.

1] Ethnographic issues:

Many social scientists choose to distinguish between “tradition” and “custom”. I prefer to see them as an integrated process which encapsulates the continuity between generations, conceptual continuity and **persistence** of cultural practices. If one perceives traditions and customs of a specific **cultural** group as the bases on which the society operates, then we can logically assume that embedded in them are the institutional pragmatic and practices which reflect **social** organization holistically. This would, of necessity, include the legal concepts and practices which constitute the “**rules**” or laws of the group.

Webster [1976] defines “custom” as:

1a] “a form or course of action which is characteristically repeated under like circumstances; and, b] a usage or practice common to many: long-established, continued, peaceable, reasonable, certain and constant practice considered as unwritten **law** and resting for authority on **long** consent--which acquires a legally binding force”.

Further, Webster [1976] defines “tradition” as:

“a process of handing down information, opinion, beliefs; a set of practices based on oral traditions; a cultural continuity embodied in a massive complex of evolving social attitudes, beliefs, conventions and institutions rooted in the experience of the past and exerting normative influence on the present”.

Thus, we see that the **two** definitions reflect social realities in the sense that repetitive actions, based on **consensus** over time, not only acquire a legal force but also emerge from past experience, passed down orally; this **cultural** continuity not only evolves but exerts a “normative” influence on the **present**.

It has been my argument throughout the report that **traditional** knowledge and **behaviour** had their roots in a system of beliefs that was holistic, the values of which are **equally** appropriate today, but the **practices** of which were forestalled from natural evolution by colonialism and the overlay of beliefs, **practices**, and institutions of the dominant society. It was also my argument that if that overlay were removed, that there is **sufficient** living memory of traditional ways among **the Dene**. Therefore, evolution could continue and **likely**, could provide the basis for a contemporary Dene system of social control, i.e., a Dene legal system.

Helm and Gillespie [1981, p. 9] state:

“In terms of cultural idiom and perspectives, only since the 1950s have the **Dogrib** as a **people** begun to move beyond **oral** tradition as the sole vehicle of their own perceived history.”

Vansina and Carmack, cited by Helm [ibid.] indicate:

“The histories of people at this level of **sociocultural** integration [i.e. band or micro-societies] are generally dismissed as neither having a sense of linear time nor embodying historical realities. Yet as independently verified by the **Euroamerican record** since about 1770,**within** their oral traditions **Dogribs evidence** a firm comprehension of both historical realities and their temporal succession”.

Not **only** do the Dene people have traditional knowledge but they **also** have a firm sense of the “right ways of doing things”. These ways constitute a set of rules which were taught and practiced through many generations. They are the body of “laws”. Early anthropologists, and others, were able to identify and observe them.

As Rasing [1984, p. 1] notes:

“It appears that the use of the law concept is a deep-rooted tradition in legal anthropology, starting with the 19th century evolutionists.”

Berket-Smith [1929:260ff.] was the first to coin the phrase “customary law” which, according to him, contained no explicit legal rules but [did contain] behavioral norms generated through custom, public opinion deciding what is or what is not admissible.

Cited in Rasing, [ibid. p. 5] he claims:

“ the **legal rules** do not aim to achieve justice as we know it, but to maintain peace and order.”

In contemporary Canadian laws, community standards guide the judge in his assessment of breaches of those **laws**, which are based on norms passed down through **generations**. The Dene are no different in their judgments of what is right and wrong according to their long-established traditional customs. The need for “explicit **legal** roles” seems to be a **non-Dene** need for codification, which could be readily fulfilled if the Dene so **desired**.

However, the explicitness of the **Dogrib** rules was documented in the **report**. People defined the normative **behaviour**, decided what **behaviour** breached those norms and could explain why those breaches were harmful to both the individual and the collective.

If one accepts these early definitions of what constituted “law”, by any standard, it is **clear** that the ways laws are evolved, defined and applied is culturally defined.

The function of laws, **rather** than their forms, needs to be acknowledged and accepted. As we indicated in the **report**, the balance and reciprocities between human, animal, plant and spiritual worlds determined the **survival** of the group. Thus, the socialization of younger generations by elders was based on passing down proper ways of doing things as well as the knowledge about the **ramifications** of not following the **rules**.

According to **Hoebel** [1954, p. 28], there has to be two conditions met before law can be determined. These are: 1) a legitimate authority and 2) the fear of **[physical]** coercion - **[Cited in Rasing, ibid. p. 9]**. These criteria are met in the case of the **Dogrib**. Many elders’ stories detailed the absolute authority of the **yabahti**, softened **by** consensus. Lac - La **Martre people**, quoted in the report, indicated that people no longer “feared” the leaders as an explanation for the failure of **Dogrib** rules to work now.

The separation of the application of “law” from its socio-**economic**, religious and cultural niches is one characteristic which distinguishes Canadian legal processes from those of the Dogrib and other aboriginal peoples. However, the holistic nature of the **Dene** world view is damaged by dealing with things separately. We did separate resource rules from family and political ones in order to have an understandable text, but they **are** all one piece of the fabric of **Dogrib** reality.

This compartmentalizing dilemma is addressed by an Alaskan **Dene**, Andrew **Chapeskie**. [Commission on **Folk** Law and Legal Pluralism; Proceedings 1990, p. 189] when he commented on the Alaska Native Claims Settlement Act of 1971. **He** said:

“In the **old** days no one would have dreamed of laying claim to the land. It belonged not just to the Dene but to the moose, caribou, bears and birds as well. The river was shared by the fish in it and the people on it.”

He goes on to comment on the conflict between the indigenous traditional use of lands and the **mega-exploitation** of “resources” by the State and the Canadian government through the **regulatory processes**, and through **resource** extinction. **He** states [ibid. p. 193 ff.):

“The prejudice has been pervasive enough such that there has been often a tendency even to deny the existence of indigenous resource management regimes and their attendant customary laws. **Tragically**, this represents a primitive undemanding of indigenous societies by Western societies where many question whether or not indigenous societies can survive it remains the tragedy of **Euro-Canadian** jurisprudence in particular that, generating a recognition of indigenous customary law **has** been, and remains, an **extremely** difficult and tortuous process that has only just begun.”

There is no doubt that many Canadians deny, or do not believe, that indigenous peoples had laws. Generally, people may not recognize the many traditional rules that are **still** in use and certainly may not recognize them as “laws”. The whole **report** has been dedicated to trying to document **Dogrib rules** and the ways in which they were **taught**, - passed down from generation to **generation**, the spiritual connections on which they were based and the reciprocities which existed among **all** of earth’s living “things, spirits and peoples.

It is important therefore, that we continue the explanation so people can recognize where these rules came **from** and how they worked, Perhaps, that will bring acceptance of the fact that the **Dene**, and others, did indeed have laws. To continue to over-lay them with **non-Dene** laws is to deny their existence. To “adapt” them is to make them into something **else**, not **centred** in the unique, strong and surviving cultures of the **Dene**.

Social Organization of Hunting/Trapping and Subsistence Groups:

In **order** to provide the context for the identification of the **rules/laws** which **maintained** the Dogrib society from time of living memory, it might be useful to reflect on the ways in which hunting/trapping societies **were** organized for subsistence and survival.

Northern **existence** is difficult and it is not surprising that there are tales of “pitiful” times when people died of starvation and /or disease. For those who survived hard times and lived to exist in **current** times, it would seem that survival was based on firm wisdom and pragmatic approaches to difficulties. Examining how people coped, not **only** with the environment but with each other, is to **learn** about strength and endurance, as well as wisdom.

These characteristics of personal and social strength should not be eclipsed by the overwhelming body of literature on **social** pathology, alcohol abuse, physical abuse and incarceration. So little has been written about the **strength** of generations that I hope this document will lead people to think **about** how and why Dene culture not only continues to survive but **actual**ly flourishes in some places. This is not to say that anyone should, *or* could, return to the past and its hardships but rather to ask what of the past could strengthen and direct the present and future.

Subsistence was based on a seasonal round of activities which required considerable mobility in order to obtain food and fish, medicinal plants and, eventually, **furs** for trade. Settlement came with the ingress of trading **posts**, missionaries, schools, health centres, permanent housing. In spite of these changes, and the relatively rapid acculturation which took place, people continue to **be** somewhat mobile and often travel by plane, - skidoo, with dogs and by canoe to obtain food, furs **and** plants. The linkages to the land remain.

Fundamental changes in subsistence life-styles are noted by Helm [ibid] to have begun to change only in the 1950s. My own experiences with the **Dogribs** at **Lac La Martre** in the late 1950s **supports** Helm's observations. At that time, people gathered in summer at the present community but still" spent most of the winter out on the land. People lived in tents, although a few families had log cabins out on the land and in the present town-site.

Trapping fur-bearers for cash and trade was the primary economic activity while hunting, fishing and gathering provided food, hides for jackets, footwear and mitts. People were poor in an economic sense but rich in spiritual ways and connected to each other through kinship alliances and partnerships.

The environment in which the **Dogribs** lived traditionally, and continue to inhabit today, is primarily boreal forest of spruce, tamarack and willow, punctuated by many lakes and rivers. There is intermittent **permafrost**. In the past, these resources provided wood, medicine, logs for houses and caches and large game, small game and fur bearers. There are several species of migratory birds which are taken in spring and fall. As well, people hunted caribou in the barren lands.

The major gathering place was old Ft. Rae and **Rae-Edzo** continues to be a major meeting place. Territorial boundaries **were** flexible and, as noted in the report, hunters

and trappers often met other Dene people on **the trail**. Vanstone [1974:71] notes that 1200 **Dogrib** gathered at Ft. Rae once the trading post was established at the turn of the century.

The climatic conditions under which people lived varied from highs of 90 F in summer to minus 40-50 F in winter. Fall and spring climates were moderate. Wind affected **people** as well, adding major wind **chill** factors in winter but bringing welcome relief from mosquitoes and black flies in summer. **Reports** of people freezing to death in winter are noted as are some drownings in fall and spring storms. The long 24-hour light made June and July comfortable and pleasant times for fishing, gathering and visiting.

As **Savishinsky** [1974, p. 37] notes for the Ft. Good Hope **people**:

“The fact that people’s calendar is a description rather than a demarcation of time reflects their concern with the natural world, and **serves** as a **mirror** of their own participation in it.**survival** is a challenge rather than an assumption.”

He notes, as we do for the **Dogrib**, that the traditional reliance on game and migratory **fowl** was counterbalanced by the scarcity of edible roots, plants and berries. This ecological fact meant that people had to work very hard for their subsistence and that the unpredictability of caribou migrations added to the anxiety of **hunter/trappers**. In the past, it also added to greater mobility.

Mobility, the need for food and, eventually, the **desire** for fur bearers to trade meant that **people** were separated from each other for long periods of time. Small bush camps were composed of relatives. Kinship alliances were bilateral; that is, people chose their partners and camp co-residents from either their mother’s or father’s side. This pattern is common to most **hunting/trapping** groups. It would seem from information obtained and from observation, that the kinship preference is **patrilineal**, that is, men determine political relationships and structure camps and activities with male kin.

However, the residence pattern appears to be **matrilineal** since men live in the communities, and sometimes the parental households, of the women they marry. The importance of kinship in structuring social relationships rested in the need for **hunting/trapping** partners and for marriages which would provide greater access to

hunting/trapping territories and increased political alliances in the event of **wars** between neighboring tribal groups. A bilateral system provides this greater range of choice.

“Family” was, and remains, the basic unit of social interaction. While people basically now live in nuclear family units, most households accommodate two to three generations of kin. This residential pattern is reflective of the traditional camps where a senior male family head was the **k’awQ** and the camp consisted mainly of his adult sons and daughters and their spouses and children.

As **Savishinsky** [ibid. p. 68] notes:

“ It [the camp] contains each **person’s** closest kinsmen, and so it is also the locus of **the** strongest affective ties in each individual’s social spheres. It involves the people among whom **bonds** of generosity, interdependence, and mutual aid are the strongest, and social relations **exhibit** a combination of warmth, **respect** and restraint. The respect that children show for their parents, and the bonds that siblings establish with one another, ideally continue into the **children’s** adulthood, thus perpetuating the family’s cohesiveness over time.”

Traditional y, these social **arrangements** were effective in protecting the group from hunger or abandonment. The distribution of food ensured everyone was fed and the shift of children from nuclear families to extended ones through adoption, ensured that both children and elders had companions, respect and someone to care for them over many years. These patterns of **behaviour** are **observable** today but are not always consistent. The important point is that the values on which the **behaviour** was based still could be used to revitalize relationships and responsibility one for the other.

As McDonnell [1992, p. v] notes for the James Bay Cree **hunter/trappers**,

“.... people are culturally defined as interdependent. The effect is to integrate members of the group by insisting that every contribution is partial; it requires others for its completion.social order in a hunting setting, therefore, maybe usefully thought of as integrating differences. Being a member of a hunting group was, in this sense, being a participant in a moral order that viewed the person not as equivalent to the group, but as a contributor to the collective well-being of the group as a whole.”

Asch [1982, p. 359] writing about the **Slavey** but generalizing to all **Dene**, contends,

“the traditional institutional and value framework of Dene hunting-gathering remained **little** changed well into the 1970s. For example, within the primary unit of production and consumption, **labour** was still organized **solely** on the basis of age and sex. As well, hunting-gathering still relied on methods of game capture that are **labour-intensive** and **required collective** action. Further, reciprocity still obtained **within** the household and, indeed, where surpluses existed this practice was routinely extended to other households in the community“

This documentation is important because there is a tendency among Canadian society to view hunting/trapping activities, perceptions and values as residual ones left over from **traditional** times, as recreation and irrelevant to modern ones. However, **hunting/trapping** is a viable economic and subsistence activity which still provides substantial amounts of food, jackets, footwear and mitts, which still allows for reciprocity and which still links generations of kin to the land and to each other. As well, it maintains the **spiritual connection** to the **land**.

Animal power was one of “the most important connections to the spirit world because it gave one access to animals. Vanstone [op. cit. p. 65] notes that,

“the **Dogrib** believed that since men and women could be reincarnated in animal form, animals could understand what humans said.**All Athapaskans** had **numerous taboos**...that applied to food and hunting. Nearly **all** of these were “ designed to prevent the animals’ spirits from being offended and to make sure that important game remained plentiful”.

The many **accounts** we collected during interviews on the rules for hunting, trapping, fishing and gathering confirm various **accounts** in the **literature** for **Athapaskan hunting/trapping** societies. As well, the accounts underline the fact that these beliefs and - practices, and the rules, still exist.

Transitions and Change:

As noted above, Ft. Rae **was** the traditional gathering place for the **Dogrib** people. Until settlement took place from the 1950s on, people from Rae Lakes, Snare **Lake** and other **hunting/trapping** camps within the **Dogrib** territories tended to gather once or twice a year. The trading post was established about 1790 and marshaled in the fur trade, consumer goods, guns, **traps** and other material goods.

The first major impact was the exchange of furs for goods and/or cash. In 1852, a Hudson's Bay Company post opened at the **old** Ft. Rae and then moved to the present **Rae-Edzo** site about 1921 when **Monfwi** signed Treaty 11. This allowed the HBC fur trade to flourish without the competition of the Northern Trading Company which had also settled at Ft. Rae in 1890. It is **reported** that close to 600 **Dogrib trappers** traded at the HBC post at that time.

The first doctor came into the area in 1900 and visited annual] y after that but measles, tuberculosis and influenza took their toll in the 1920s and 1930s. One report indicates that by 1940 people felt the **Dogrib** people were on their way to extinction. [**Dene** Nation Crime Prevention Project 198924]. A hospital was established by the missionaries in 1940, electricity arrived in the **1950s and** the connector road to the MacKenzie Highway opened in 1%0.

The **Dogrib** people began to settle in their fishing or hunting sites, preparing the way for sedentary communities and more material amenities such as **permanent housing**, electricity, water service, health **centres**, schools, churches, police, courts and local formal governments. These changes had major ramifications for the quality of life, the relationships between **Dene** and **non-Dene** and the change of life styles. We will focus here **primarily** on the shift from **Dogrib** forms of social control to **non-Dene** ones, that is the overlay of Western legal concepts and practices, the evolution of the NWT court system and the shifting of responsibilities for social control from **Dogrib leaders** to **RCMP**.

2] **Counterpoint: Dene legal** system and **non-Dene** system:

The body of the **report** provides sufficient details about the nature of Dene systems of social control. Here, the focus is on the problems associated with the **overlay** of **non-**

Dene systems on Dene ones. This **overlay** has seemingly **been put in place** without much understanding on the part of the non-Dene of the **ramifications** of changing the contexts of social control. As **Patenaude** [1989, p. 1] notes:

“ The imposition of **incursive** law and legal systems has often been **accomplished** with neither recognition of existing indigenous systems nor concern for the results of that imposition Recently, our work has noted increased concern about the effectiveness of adversarial systems of criminal **justice**, particularly where these systems have been imposed on cultures which have traditionally utilized mediation, negotiation and other forms of dispute resolution.”

After the period of contact, social control was removed from the **Dogrib** leaders and assumed **by the RCMP**. The reasons that **this** was accomplished so easily are postulated in the body of the **report**.

Initially, misdemeanors were dealt with by the RCMP who charged the individual, judged and sentenced **him/her** and, if convicted, incarcerated the person in **RCMP** cells in the regional **centre**, i.e., **Ft. Rae**.⁶⁶ More serious crimes resulted in arrests, detention and arraignment **locally**, transportation to Alberta for trial, sentencing and imprisonment.

In 1955, John Sissons became the first judge of the Territorial Court of the Northwest Territories [**Bucknall** 1977, p. 159]. **Sissons** felt that

“The proper **place** for a trial is the place where the offence was committed or the cause of the action arose; every person accused of a serious **offence** is entitled to be tried by a jury drawn from the area in which the **offence** was committed, and no man **shall** be condemned except by the judgment of his peers and the **law** of the land.” [ibid. p. 160],

⁶⁶ I recall one case in 1957 where **Isidore Nitsiza** was arrested under the Communicable Disease Ordinance. He had been told to report for daily treatment at the Ft. Rae Hospital but chose to come back to **Lac La Martre** when the July Treaty festivities were **over**. The RCMP flew in to **LLM** and arrested him; he refused to go. So **the** Constable knocked him out and threw him on the plane. Isidore lost a tooth in the process. He was sentenced to **RCMP cells** for two weeks during which time he was told to cut the cords of wood to size for the barrel stove. He worked really well and the RCMP released him after one week. He came home. Later, the RCMP discovered their very neat pile of cut wood was cut one inch too large for them to close their stove door.

Sissons' belief in these rules of law led to the formation of the Circuit Courts and to the adaptation of some local customary law into the non-Dene system, most notably marriage [**Noah**: 1%2, 36 **W.W.R.** 577] and adoption [**Katie**: 1%2, 38 **W.W.R.** 100]. It is also noteworthy that not many of **Sissons'** southern colleagues agreed with his judicial interpretations of many **local** issues, nor with his judgments, especially those involving game laws. Many were overturned in the Appeal Courts and in Supreme Court.

Sissons' contributions **were** emulated by **W.C. Morrow** who became the next judge of the **Territorial Court**. **Bucknall** points out **Sissions** made his mark not by what he did but by how he did it. He notes [ibid. p. 160]:

“In l&judicial **role**, **Sissons** merged a profound reverence for **ancient** legal tradition with an unique ability to adapt those **traditions** to the challenges of new situations. **In** his eyes, the law did not exist above society, but within society; it must be tested and retested against the demands society made upon it.”

There is no doubt that **Sissons** and **Morrow** were sensitive to the differences of cultures. There is also no doubt that they believed that the **non-Dene** system was superior to that of the **Inuit** and Dene and they worked hard to “educate” people in the communities about the benefits of the new legal system.

Morrow notes that the name change from Territorial Court to Supreme Court was made in 1978 and that the three magistrates became Territorial “judges” thus bringing the northern court system into the two level system reflective of the south. [**Morrow** 1981, p. 381].

By 1960, an Appeal Court had been established in the NWT, and in 1971, the GNWT **took** over responsibility for the court system but the Crown’s office remains under the federal Department of Justice.

Morrow discusses the difficulties of acculturation proceeding at an uneven **pace** resulting in the fact that some communities were familiar with the court process and others were not. He states [ibid. p. 384]:

“If the court party finds it is about to commence a hearing in a settlement where there has been little recent exposure to legal process, the judge will take **considerable** care to explain in his opening remarks what the court system is all about, how each participant is expected to do his part, and soon. It is a standing rule of the Supreme Court to make provision for two **court** interpreters--one for the court and one for the **accused**. The **defence** interpreter is instructed to monitor the court’s interpreter to see that the story is properly brought out. He or she is instructed to speak out if there is any difficulty, and it has happened.”

It is interesting to note that the court **recognized** that people did not understand the court process or the **role** of court officers and that interpreters were essential to the process of both educating the community and to running a fair trial.

Current complaints documented throughout the project about the **non-Dene** system in communities now presumed to be familiar with the courts and their legal processes continue to reflect major problems in understanding those very things. Judges no longer explain much and interpreters are seldom on hand. As well, the courts are **still** seen as an imposition on Dene life, especially in the precise area in which **Sissons** tried hardest to **adapt**: family law.

Morrow raises an interesting point [ibid] when he states:

“ I am not convinced that the average native does not **still** feel he should confide in the **local** investigating **officer**”

While Morrow sees this tendency in the context of alcohol charges where the person in a drunken state may say anything **and/or** may not remember what **he did or** said, I am more inclined to interpret such behaviour as an adhesion to traditional **values**. That is, the person knows what he has done, knows that the community members know and acknowledges his wrong-doing in order to begin to restore harmony, etc. The intervention of defense counsel at that point, or the judge’s refusal to accept a guilty **plea**, is seen by community people as a denial of their ways of doing things and it removes any community responsibility to the accused for the healing process.

Morrow takes credit for himself and Sissons “in preserving the **culture**” [ibid. p. 387] with reference to custom marriage and custom adoption. This is not the perception of the

Supreme Court held by the **Lac La Martin** people who were angry at its intrusion into the Apples-Bishop custody case which they considered was a family matter to be resolved by the families.

It seems it is difficult for the **judiciary** and lawyers to understand that making a ruling which is consonant with existing **local** custom is neither preserving, nor understanding, the cultural issues. The **judgement** in itself is an intrusion into the culture that is not appreciate. Because the overlaid system arrives at some decisions which are the same as those of the community does not **affirm** the latter. Nor is legal affirmation of their decisions necessary wanted by the community.

Finally, Morrow places great pride in having **selected** local juries for four rape cases, one of which, historically, was composed of only women, and none of which convicted the men. Current juries don't seem much inclined to convict in rape cases either.

He **reports** the use of a jury as a great success in contributing to a major murder trial at **Spence Bay** where two individuals took part in a medicine fight- [R. v. Shooyuk; unreported 1966; jury verdicts in NWT, Alberta Law Review, 1970.]

The case is a nice example" of the **questionable** overlay of the **non-Inuit** legal system since the community anguished over what **to** do with a woman who was destroying their hunting camp. The **Inuit** interpretation of her state was that she was possessed by bad spirits; Morrow says she was mentally ill. Since no one could control her, and all the members of the hunting party might perish if she totally destroyed the camp, a decision was made by the elders that the senior hunter would kill her. In order to avoid a feud, the woman's son accompanied him to ensure that there were no other alternatives and that she had to be killed. She was shot; it was 1961. People then retrieved what they could and moved camp.

Two **years** later, a RCMP patrol came through and the senior hunter handed him a full description of the matter, written in syllabics. The officer eventually passed it on and a charge of murder was laid against the hunter, **Shooyuk**, and the younger man [the son], **Ayaak**. Both agreed they had done it and a plea of "guilty" was entered. The jury --**ail Inuit**-- found **Shooyuk** "guilty" of manslaughter and found Ayaak "not guilty". Because of the evidence, Morrow gave Shooyuk a suspended sentence and he was allowed **to** return to his hunting camp.

Morrow remarks that without a jury, the judge would have had to find both men guilty of murder. One has to wonder why the **non-Inuit** court had to intervene in a situation which was already settled in the **Inuit** way, especially when it resulted in the same ending: **Shooyuk and Ayaak** returned to their camps to continue their lives. One also has to wonder what the **Inuit** felt and thought at being called for jury duty **five** years after the fact when they had kin who had already participated in a collective decision to end the woman's **life**.

Lac La Martre had its first jury trial this year for the **Simpson-Zoe** sexual abuse case. Selection of the jury created great anguish in the community and some people expressed considerable anxiety about assuming that **role** because they felt it was not their way of doing things. That is, some felt there was not sufficient time to discuss the **issue**, the **rules** for procedure were **non-Dene**, no opportunity was given the appellant to sit in the circle, no opportunity was given the defendant to sit in the circle, **male-female** issues were compressed into curious molds, interpretation was iffy. The old rule of law of **judgement** by peers might more usefully be exercised in the circle and in the language of the group.

Lines [19893] indicates that the criminal justice system has a disproportionate impact on natives compared to non-natives, in Canada generally as well as in the many small isolated communities in the north where Indian and **Inuit** populations are significant.

He notes [ibid. p. 6] **that**:

“Residents of northern communities, and in particular the native population, are particularly susceptible to being “improperly” incarcerated for fine default.”

We have noted the shared concerns of the Lac La Martre people about the same issue. The establishment of a fine option program has just begun in **July** in LLM and hopefully will resolve this conflict between the two ways of doing things in the future.

Lines [ibid. p. 9] also notes that the matter of equality before the law presumes that there **is** cultural homogeneity which operates to maintain the existing **sociocultural** order. He asserts that this assumption is patently false and says:

“ The equal treatment by the justice system of those native people who are culturally and otherwise distinctive is, at best, problematic and, at worst, discriminatory In these communities, the probability of systematic cultural bias impacting on decision-making at all stages of the criminal **justicesystem** is significantly greater than in larger populations.”

Lines then proceeds to compare **value** systems of natives and non-natives with the aim of showing that misinterpretation of **behaviour** and **characteristics** can lead to **inappropriate** assessments and decisions. **Rupert Ross** [1992] emphasizes similar points in his section on “signals of difference”. **Lowe [nd:6]** calls circuit courts “wrist watch justice” and elaborates points made here about the dearth of time the court party, defense counsel especially, spend in the community and the little understanding and knowledge **people** have even after many years of court parties going to the same **communities**.⁶⁷

The **Lac La Martre experience** shows that many lawyers and some judges still do not understand, or at least fail to acknowledge, that lack of eye contact, lack of emotion, failure to appear, do not mean a lack of respect for the court or lack of remorse. On the contrary, it is still unacceptable for most **Dogrib** people to look strangers in the eye, to talk loudly to them, or to show emotion in front of them. And the Court party is always composed of “strangers.”

Behaviour changes when **people** become less strange, that is, when LLM people begin to get to know “strangers” they can be **very** expressive. This was **confirmed** when **the** Crown prosecutor began coming in a day before the Court **party** when he could. He was.

⁶⁷ I recall **observing** the first court party to come in after **my** arrival in LLM in 1991. Court was held in Council Cha-hers. The court party walked through the crowd of **Dogrib** people waiting for their mail; no one stopped, looked at or greeted any of the **Dogribs**. At lunch time, the Court **party** ate their lunch in Chambers and no one went outside. Court proceeded without an interpreted the **physical arrangements** allowed the court party to talk to each other but **made it** difficult for community people to **hear**. **Defense** counsel spent about three to **five** minutes with each client and one sensed she was under tremendous pressure from the rest of the court party to get through her interviews so court could proceed. Court lasted two and a half hours and the court party left without ever having “**connected**” with any **Dogrib** people, seen the community or patronized the local cafe. It seemed an amazing feat of encapsulation! Later, things changed the court moved **to** the community hall or the school; some judges rearranged the physical setting so community members could hear and see; the court party began to arrange for lunch at the cafe and some **began to walk** around and **talk** to people informally.

able to get to know some of the people **informally** and they responded by both **talking** to him and seeking advice from him.

A **final** counterpoint that seems useful to **comment** on and which is raised by Ross [1992: 6-10] is the way the courts proceed with their adversarial system which is in opposition to the Dene [and other **aboriginal** peoples] ways of thinking about and doing things. In the **non-Dene** courts, there is an accused and witnesses; lawyers represent defense and prosecution, that is, they are on opposing sides. Evidence is given about the accused **in** his/her presence. The language used is English and sometimes interpretation is available. Minor cases take a few minutes; others take longer. The accused is asked to plead guilty or not guilty. If found guilty, the accused is sentenced which means she or **he** is punished. That ends it. It is **all** done by strangers.

All of this is culturally offensive. As noted in the report, witnesses cringe at testifying against a **person**. The **circle** where "harsh words" are said are aimed at teaching the person what she **or** he did wrong and how to correct it--after the miscreant has acknowledged responsibility for the offensive **behaviour**. No one talks about the character of the person, only about the **behaviour**; motives are not imputed. It may take days or weeks to **resolve** the matter. The important thing is that time is taken to fully come to an understanding of why [not how] the person did the misdeed. People are not on any side, they surround the person and the victim is part of the circle. The discussions are in the **local** language and no one defends the victim or the **accused**. **Everyone** is there to discuss, to find out what has happened, to start the healing process. There are ramifications, depending on what the person has done but more emphasis is placed on what he or she is prepared to do to **remedy** the situation. The person is not punished; he/she is helped. Stories are told to give the person guidance. The people in the circle are friends and relatives; they have to live together. Every person's wisdom counts.

Ross [ibid. pp. 58-9] illustrates the contradictions which arise between the two cultural systems. **He** describes the case of a drunken man who viciously assaulted his wife. In court, the male **leadership** spoke of him positively, said he had helped his family, had not been drinking and was ashamed of his **behaviour**. They **asked** he not be **sent to jail** so he could remain in the community where they would continue to help him. Ross, as Crown counsel, urged the judge to sentence the **man** to jail so that a message would be sent to **other men** that they **could** not **act** violently. The judge concurred and as the accused waited by the **plane**, 15 women came to wish him well, to hug him and to talk to him.

Ross suggests that such **behaviour** by the women recognized the fact that they knew he would return to the community when his jail term was finished and that he should not feel reviled by the women. If he did, he might become violent again. If they demonstrated their forgiveness and the promise of a welcome home, he might heal sufficiently so as **not** to become violent again. The community response implied no judgement of the accused, the judge or the lawyer.

Ross concludes [ibid. p. 98] that the majority society should adopt some of the views of the aboriginal society. He notes:

“These include respect for the natural sphere, an emphasis upon careful and sensitive consensus-building, a focus upon rehabilitative and preventive response to social turmoil”

**Philosophical/Political/Moral Issues in Contemporary Dene and non-Dene Worlds.
Is there a meeting point now and in the future?**

Reference has been made to the process of acculturation which began with the contact period and the arrival of **non-Dene** in **Denendeh**. Initially, the impact **was** not great but eventually, the loss of bush skills, interdependency and reciprocity in Dene relationships resulted in an **increasing** dependency on non-Dene institutions and people. The availability of alcohol, **and** its abuse, led to further losses within Dene communities themselves. Children lost their ties with grandparents; **grandparents** failed to socialize the generation which had been removed and raised in residential schools. Parents didn't know how to parent for a future which at best was uncertain. These changes came very rapidly and not too long ago--the 1950s saw the **beginning** of Dogrib settlement and Helm noted many **Dogrib** people were still in control of their own lives as late as the 1970s. Now the **Dogrib people** want to reverse the direction of change and **re-assume** control of their lives and the functions of the **non-Dene** institutions and programs which affect them so vitally. Justice is but one of these.

- As Ross notes [ibid. p. 112]:

“There appears to be , in many Native communities today, a **concerted** effort to restore Elders to the elevated position they formerly held within each

community, to recover both for them and for the community itself some of their traditional teachings and practices.”

As the report noted, and **as Ross comments** for the **Objibwa** [ibid. p. 126 ff.]:

“It is my guess that the remote northern communities sense that this vision [of providing continuity of socialization for the survival of the collective], this conviction, is slipping away and that in this critical respect the ordering of *life* is slipping away with it. I sense a fear that life itself, Indian life, is seen as threatened by an escalating process of disintegration

Personal worth was evaluated in terms of the roles one played within the continuing family, not in terms of an individual’s operating autonomous y, selfishly, within a larger society

By going to our schools children..., . . . may unlearn the morality that traditional y forbade cultivating individual egos through competition, praise, comparison, censure, reward and punishment.”

The **recognition** that contact and colonialism not only overlaid, but also denigrated, local cultures raises two points: what do we do to restore the damage and what do the Dene do to reclaim their lives? Our society has taught children and young adults to be competitive. We have already noted that the qualities of self-reliance and generosity evidenced by respect and sharing among extended family members has been diminished if not totally obscured by **non-Dene** institutions such as the school, the mission, the health centre, the courts and **administration**. Yet, there remains the traditional knowledge and the desire to retrieve those practices; the **Lac La Martre** people decided to start with justice and medicine and now are looking at education.

Ross [ibid. pp. 166 ff.] offers a few insights which highlight the recommendations in our report, with regard to transitional measures which might work as **people** move to take - back responsibility for their own ways. He reports a definition of Native law given by **Objibwa** Justice of the Peace, **Charlie** Fisher.

“**traditional** Native **common** law was comprised of only five words. The first was “Respect” which meant respect for all things, for all people, for the

Creator, and for yourself. The next two were “Good” and “Bad”. If you learned respect, you would then know what was bad and what was good. The last two words were “Good Life”, for if you understood the law and followed it, a good life would be the result.

.....they [elders] remind them [the accused] of how important they are to their family and the community, and about **the** contributions they can make **in** the future. They also **talk** about the help that they and others stand ready to provide to assist each person to realize his or her potential.

The Elders seem to think it is counter-productive to tell an offender constantly how much damage he has done, how he has hurt others, how it is his failure to **control** his harmful impulses that is to blame. Sited, they seem to make a deliberate attempt to improve each offender’s **self-esteem** by reminding him of his potential for goodness, of his capacity to move forward, with help, for **self-fulfillment**. Their **constant** emphasis is on respect, including **respect for** one’s **self**.

The quicker a particular mistake is compensated for and forgiven, and the balance thus restored, the quicker each offender can resume his natural progress. From the Native perspective, even the notion of a criminal record is seen as counter-productive, for **it** serves only to remind of failure.”

We see, then, that the Sandy Lake **Ojibwa** have arrived at conclusions very similar to those of the Lac **La Martre Dogrib** people. We have documented the same perceptions and traditions in the report. What is useful to note here is the uniformity of perception that the way the courts proceed is not only **culturally** offensive but, in fact, is in opposition to the very fundamental values of the “right ways of doing things” among the **Dene**. Similar conclusions can be drawn from other areas such as the Northwest Coast where the South island Tribal Council attempted to reclaim their process by taking it back to the traditionalists in the **Salish** big house. They too chose to use spiritual methods to restore harmony within the person and to achieve restitution and **closure**.⁶⁸ Other indigenous - groups seem also to be moving in similar directions in Ontario, Manitoba, Saskatchewan, British Columbia and Alberta-

⁶⁸ **South Island Justice**; personal communication with Tom Samson, Director and **Judge Doug** campbell, 1991-93.

Other problems with the interface between non-Dene and Dene systems is characterized by Havemann's [1989: 61] commentary on the linkages within the **non-Dene** system between the court, **the** police and social services. Our observations are similar. He notes:

“ The policing of indigenous communities appears to **fulfill** a hybrid function of order maintenance and social service to a much greater degree than it does in other communities. **Social** indicators of **immiseration** [sic.] coupled with **indigenized**, social- service-oriented policing of indigenous people highlight the territorial injustice of their treatment by both the waxing exceptional state and the waning welfare state as the fiscal crisis deepens

The hybridization of **social** service with crime control has a “net-widening” **effect** . . . which leads to the extensive **incarceration** of indigenous people since police define the problems, police solutions are found. Police **are** the gatekeepers of the criminal justice system; it is largely their activities which dictate the size of the prison population.”

Cloke, cited in Havemann [ibid. p. 62] states:

“ The mere existence of a unified system of law for two social classes which are.....**in** opposition is itself oppressive. The purpose of such a system of law can only be the **regularization** of conflict between the two **to** ensure that differences are always resolved in the interests of the dominant party.”

As we noted in the report, the discretionary power of the RCMP was utilized very differently by Constable **Les** Deli and Constable Tom Roy, the former preferring to intervene and not charge, the latter choosing to lay charges. The involvement of social services in a variety of cases usually resulted in decisions being made by **non-Dene** rather than **Dene**. For example, it was the untrained **non-Dene social** worker who suggested to Adolphus Apples that he obtain a lawyer **and** file a custody suit for **Sharlene**. This was done without consultation with senior members of either family or their elders. The custody issue likely could have been resolved in the community before the legalities escalated it into the courts.

Griffiths and Patenaude [1988, p. 5] note:

“...in developing policy and programs, the federal, provincial and territorial governments have generally failed to consider the diversity among Native Indian and **Inuit** communities, to address the causal factors associated with Native conflict with the law, and have retained control over the **structure** and content of the programs.”

Part of the problem involved in such matters is that there is no enabling legislation in Canada which would allow indigenous people to develop and administer their own criminal justice programs. Until **recently**, any such attempts were resisted and then- - Minister of Justice, Kim Campbell vowed in 1992 in Whitehorse [and elsewhere] that no separate **systems** would be allowed to develop. Notwithstanding that pronouncement the - **GNWT** Department of Justice and the **Federal** Aboriginal Justice Directorate have both been working quietly **toward more** sensitive and informed directions of determining what aboriginal **peoples** might like to do and how their ideas might be implemented within existing **policies** and through new **initiatives**.⁶⁹

Changes have been in progress in an attempt to make community-based justice more participatory through the use of elders, establishment of advisory justice committees, community supervised service in lieu of detention, **fine** option programs and the justice of the peace **programs**. Social services is often the vehicle through which fine option and community **service** options are supervised. While these initiatives are **laudatory** from the point of view of the overlaid criminal justice system, their implementation does not allow the community to resume **its responsibility** and own ways of **dealing** with such issues because the decisions and supervision are in the hands of the **non-Dene officials**.

Griffiths and **Patenaude** [ibid. p. 15 ff.] note the difficulties associated with the community-based programs. They identify the following problems:

“ 1] The dependency of Dene Indian and **Inuit** communities on “outside” government to initiate, fund, and support community corrections programs.

⁶⁹ See the GNWT policy paper on Aboriginal Justice, 1991. .

2] The conflict between traditional Dene Indian and **Inuit** notions of conflict resolution and those represented by community service order and restitution **programs**.

3] The operational difficulties of developing and maintaining community service orders and restitution programs in NWT communities.”

These views are consonant with those expressed by the **Lac La Martre** people in the course of the research. One can only conclude that “community-based” must be defined as Dene controlled.

We have noted in several places that **non-Dene** have difficulty with conceptualizing and accepting the existence of Dene law. Quite apart from individual bias and the majority **belief** that “**our**” way is the only “right” way, there **are** difficulties in contemplating legal - pluralism. As Kane [1984, p. 9] notes for Australian aborigines, opposition to the recognition of aboriginal customary law,

“is sometimes expressed on the grounds that some of its rules are considered repugnantand it is desirable to change what seems to be unnecessarily harsh.

Another view is that it would be divisive to recognize more than one **legal** system . . . **While** a pluralist society might be permitted, or even welcome for the purpose of recognizing social and cultural differences, legal pluralism is said to have a potential to create a dual society, even a separate political entity.

Some contend that any attempt to recognize customary law would be to attempt to restore something which **has** been **lost**. . . **We** must *take* not to **create** a *synthetic* **law** which is neither aboriginal nor Australian.”

The same remarks have been heard with reference to the Canadian situation. Additionally, some have commented that a **separate** system would not protect the principle of “**equality**” in **law** and in the criminal justice system. However, we know there is **little** equality before the law for poor people, people of **colour** nor often for women. We also know that in the search for restoration of **self-determination** that the Constitution has not entrenched that right **in** real terms of implementation.

The argument here is that the Canadian system of criminal justice works for the society which created it--mainly middle and upper class whites. It does not work for those whose culture is so different that little common social, political or economic grounds can be found on which to meet. This is reflected in the dismal statistics of offenses and incarceration of aboriginal people. According to **Griffiths** and Patenaude [op.cit. p. 22]:

“...in 1985 the NWT had the highest rate of Criminal Code violations [213zW100,WO], the highest **rate** of violent crime **offences** [4,288/100,000] and the highest **rate** of property offences [9,686/100,000] in Canada.”

These ratios **remain** essentially the same in 1992 and the suicide **rate** is reported to be the highest in **Canada**.⁷⁰

The judiciary in the NWT, while expressing some interest in traditional **laws** of the **Dene**, seldom credit them with any realistic weight and seem firmly committed to the concept of the same laws applying to all, that is, **non-Dene laws**.⁷¹

As Kane [op. cit.: 14] comments, it might be more useful to consider the issue of indigenous systems not so much as a question of customary laws but in as a desire to develop more pragmatic means by which Indians themselves might better maintain order in their communities. He concludes with some suggestions which I think might also work in the NWT [ibid. p. 29]:

“ 1] Social adherence to the law is greatly enhanced if it is premised upon the local customs of that society;

3] Indian people and their representatives should play a central role in identifying and determining the character of the customs and their applicability in the modern context.

4] The notion of a distinctive yet integrated legal process for Indians is consistent with the opportunities offered by Section 107 of the Indian Act and the general approach taken to accommodate the French tradition in **Canada**.....”.

⁷⁰ Personal communication, Department justice **GNWT**.

⁷¹ At the Western Judicial Education -Workshop held in Yellowknife in 1991, elders and **Dogrib** researchers met in small groups with the judges. Judges indicated a variety of reactions among which were: “interesting but irrelevant”, archaic, nonsense and “there’s no going back”. [Personal communication]

As Richstone [1983: 581] notes:

“Cultural diversity and **legal** pluralism are moreover, recognized tenets of international law and Canadian constitutional law. Article 27 of the International Covenant of Civil and Political Rights enshrines the “group rights” of ethnic, religious and linguistic minorities and squarely applies to Canada’s aboriginal peoples. Section 27 of the Canadian Charter of Rights and Freedoms declares:

This **Charter** shall be interpreted in a manner consistent with the preservation and enhancement of **the** multicultural heritage of Canadians.”

He concludes, [ibid. p. 590 ff.]:

“Entrenchment of aboriginal customs and traditions, of **its** customary law, is not a discrete demand somehow **separable** from the larger goal of **self-**development

In a pluralistic society such as ours, it is not unthinkable to consider that aboriginal peoples, with their manifestly different cultures, have a right to determine their own pace and set their own terms of development. Once this assumption is made, a great deal will follow.”

As McDonnell notes for the James Bay **Cree** [Op. cit. p. xiii]:

“The basis for dealing with social problems, . . . must be rooted in a moral attitude which might tentatively be characterized as a desire both to give and to **receive . . . respect**. If this is correct then **certainly** **Cree** today have an opportunity to reclaim a concept from their own culture **that**, in its own way, is no less charged with meaning and positive value than “justice” is in the broader Canadian society, and employ this as their guide from the past for the selection and creation of institutions that could better serve them in the present and in the future.”

Addenda: Australian, American and Greenlandic Models

A brief look at the institutionalization and **incorporation** of indigenous laws and procedures in other countries might serve as an interesting counterpoint to arguments presented above for a separate system.

Greenland:

Schechter [193: 800] indicates that the **Greenlandic** Criminal Code, constituted in the **1950s**, is based on the concepts of customary law. It is based on the concept of rehabilitation in the community. Those convicted work at their regular day time jobs and return to a **locally** run detention **centre** for the **night**, if so ordered. Youth are put out on - the land with their relatives to learn to fish, hunt and/or herd.

Of interest is the fact that **local** district judges are lay **Greenlanders**, not lawyers or trained judges. They have broad discretion and a broad array of sanctions from which to choose, following discussion of the accused's background and presentation by family members. She states [ibid. p. 807]:

“ Early legal authorities in Greenland reacted not so much to the offense as to the offender. Sanctions were meted out individually on the basis of a total evaluation of the offender, his family, social background and social function. Sanctions [were designed] to **prevent** recurrence of undesirable **behaviour** and thus re- establish harmony in the society Primary social control, rooted in personal familiarity and lack of privacy, could usually suffice.”

She goes on to note that when the Danish department of Corrections and Probation began coming into **Greenlandic** communities in the late 1960s, the **local system began to crumble**. Instead of the offenders remaining in community settings, with family members, they began to be incarcerated in institutions, mainly in **Denmark**.

Australia:

Keen-Cohen [1981] in comparing U. S., Canada and **Australia** notes that Australians Aborigines are more traditional than the other two and that traditional law is more dominant in rural areas of Australia than in the other two countries.

He notes that in Canada the previous lack of attention to traditional justice may be an outcome of the Indian Act which never anticipated a strong Indian government!

As for Australian aboriginal courts, he notes that they operate on the reserves under State legislation which is a **source** of resentment. Australian Councils in the Northern Territories may formulate and pass by-laws which are not inconsistent with State laws. There is no provision for courts but councils may exert fines. It would seem that the “regular **courts** are meant to enforce these laws. There are no tribal courts.

In Queensland, under the Aborigines Act, people may constitute Aboriginal courts and tribal police and may create laws for the community. However, any such efforts seem to have been thwarted because the **Aborigines** must **first** obtain Ministerial consent, which is not given readily.

There are Aboriginal Justices of the Peace, and some Aboriginal lawyers which serve in the regular courts and perhaps bring a **more local** perspective to the issues. There are also **local** Aboriginal magistrates courts.

Tonkinson [in Morse 1983, p. 407] in discussing case law in an Australian Aboriginal **community** notes that Aborigines derive their power and authority from “dreaming”, while whites derive it from another source. This means the Aborigines face a dichotomy which **thence** think can only be resolved by operating under their own specific laws. They know that both the

“sources and methods of mediation is the flow of power from **the** spiritual **realm** into that of human beings and the physical world.”

He concludes:

“A notion of power as having common properties irrespective of its source could significantly aid the Aborigines. They **could** yet attain the kind of convergence of two laws and two cultures that provides workable solutions to the problems that have arisen, and no doubt will continue to arise, as the impingement of the wider society intensifies.”

Cuneen [1992, p. 32] writes of the impact of non-aboriginal laws and criminal justice on Aboriginal women. She finds the incarceration of women **out** of proportion to the population [16.3%] and reports that the main causes of incarceration are non-payment of fines, drunkenness, and social security fraud. Recidivism is **80%** for men and **75%** for women.

She concludes:

“Community development rather than social justice options offer the best chance for Aboriginal self-management and self-determination.”

It is with that communality of purpose, through the resurgence and strength of positive and **powerful** Aboriginal community organisations that solutions can be found.”

United States:

In the United States, the issue of indigenous justice is very different] y defined from that of Canada and **Australia**. Indian tribes are considered by the **federal** government to be sovereign groups who have the right to make and enforce laws within the boundaries of the reservation. However, this power can be abrogated by the government, and indeed, this has happened with regard to major crimes such as murder.

- Keen-Cohen [Op. cit., 1981] notes that indigenous **legal** concerns are dealt with by indigenous organizations at both **the local** and national level .72 He also notes, as we have observed elsewhere, that most of the **American** tribal courts, and tribal law **yers** and

72 Personal experience with the Native American Rights Foundation which has an Alaskan office and one in Denver affirms this.

judges, tend to operate on the US court model rather than on an indigenous one. He explains that this is the case because it is “too late” for traditional law to be used in the US due to massive acculturation.

Keen-Cohen [ibid. ff] notes that the Indian Reorganization Act 1934 “issued in a new era of reaffirmation of **tribal** sovereignty.” Those **tribes** who voted to organize under the Act adopted written constitutions which enabled them to provide for tribal mounds and tribal courts. Tribal **courts** were subject to tribal councils thus immediately creating political and **administrative** difficulties. All courts use a written **legal** code, judges are elected by **tribal** membership or appointed by tribal councils. Appeals are heard by tribal council or by a committee of **tribal** judges.

Keen-Cohen ‘notes that the only traditional court in existence today are those found among the New Mexico Pueblo tribes and based on longstanding custom, not on written codes.

Given the power of the tribal councils in US courts, this may not be a system which the Dene wish to emulate. Navajo solicitor James Zion suggests, [Morse, 1980, p. 4] that their system is too similar to State courts, and too constrained by federal government. He cites problems arising from ‘the fact that judge and accused are often related by blood and so are the jury. However he does acknowledge that:

“The **BIA** Law and **Order** Code permits the use of tribal customary law in civil court proceedings and the United States Supreme Court has sanctioned the use of customary law in criminal **proceedings**”

Further, he notes:

“Spanish colonial administrators recognized Indian law as a valid form of **law** in 1555 and the **English** recognized it in 1763 and 1774. Indian law is **valid** as a matter of American and Canadian law [as received from the English], and there is an international human right, under the International Covenant on Civil and Political Rights, for Indians to make, use, and be governed by their own laws.”

Hemmingson [1988, p. 10] notes that the Navajo established a formal Peacemaker Court in 1982 which is based on customary law and is administered using mediation.

With regard to jurisdiction, US tribal courts cannot enforce tribal law in Indian country. [ibid. p. 24] This creates a lack of respect **fortribal** courts among non-Indians.

Hemmingson's article is recommended reading for those wishing to pursue the more detailed version of the US tribal courts and his **recommendations** for establishing similar but different one in Canada.

This very brief overview of **Greenlandic**, Australian and American indigenous courts does not do them justice but cannot be extended at this time. Suffice it to say, there is much written and it need not be repeated here.

By way of **conclusion, let** us return to the notion of "justice" which is far more encompassing than that of "criminal justice" or the "legal system". **Justice implies** diversity; it implies that truly just actions arise in the context of culture, language and community. **It** includes concepts of highest human endeavor and aspiration in the quest for a meaningful life as a member of a specific group.

The theorists cited above, and many others not cited but included in the bibliography, support the **Dogrib** view that **legal** pluralism is not to be avoided if indigenous **people** are to come full round back into control of the their own communities and lives. People cannot justly be homogenized; competing **systems** for maintaining social order cannot be rank ordered, if they are to be justly administered. Community **standards cannot be** developed and **enforced** if one community dominates another's perception of the "right" way of doing things.

The major justice enquiries [Marshall, Manitoba, **Alberta**] have fully established that the dominant system of criminal justice does not serve indigenous people justly or equally. The challenge now is to be on the cutting edge of exciting new developments, to use traditional values and perspectives of the **Dogrib** to face the future, to work as partners in supporting their ways of doing things for themselves. We think the joint **partners in this** project have started on that long trail in very positive **ways**.⁷³

⁷³ For those wishing to explore justice initiatives of other First Nations, please see the list and descriptions prepared by Tony **Mandamin** in the National Round Table on Justice Issues, v 2, tabs 5-8; Royal Commission of Aboriginal Peoples, 1992.

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⁴ This is a **comprehensive** bibliography; all items were read but **are not** all cited. It is included for the use of other researchers.

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APPENDIX 1

List Of Abbreviations

Arctic Institute of North America	AINA
Canadian Employment and Immigration Corporation	CEIC
Collect on Delivery	COD
Community Advisory Committee	CAC
Community Education Council	CEC
Dene Cultural Institute	DCI
Dene Justice Project	DJP
Government of the Northwest Territories	GNWT
Hudson's Bay Company	HBC
Justice of the Peace	JP
Lac La Martre	LLM
Mary Rose Moosenose	MRM
Participatory Action Research	PAR
Principal Investigator	PI
Project Director	PD
Roman Catholic	RC
Royal Canadian Mounted Police	RCMP
Social Science and Humanities Research Council	SSHRC
Technical Advisory Committee	TAC

APPENDIX 2

Funding Agencies and Support in Kind

The Dene Traditional Justice Project **gratefully** acknowledges financial support, and support in kind, from the following:

Grants Received:

Social Sciences and Humanities Research Council	\$205,000
GNWT Ministry of Justice	\$170,000
Federal Ministry of Justice	\$60,000 ⁷⁵
CEIC- Dene/Metis Training Group	\$40,000
GNWT Culture and Communications	\$ 22,000
Dogrib Divisonal Board of Education	\$ 5,000 ⁷⁶
Arctic Institute of North America	\$ 6,000 ⁷⁷
Dene Cultural Institute	\$ 4,000 ⁷⁸

Support in Kind:

Arctic College, Ft. Smith: Tony **Clements** provided a computer workshop.

Arctic Institute: provided **administrative** assistance for the proposal, financial **services** for the **SSHRC grant**, a computer for the PI and general assistance and support.

Dene **Cultural Institute**: provided administrative support, did payroll, financial services on **all grants** except **SSHRC**, **travel** arrangements, political **support** and many errands.

Dogrib Divisonal Learning Centre: provided Lucy **Lafferty** for **Dogrib** literacy instruction.

GNWT-Culture and Communications: provided Ron **Cleary** for Dogrib literacy instruction and as well, reviewed **intial translations** of interviews.

GNWT-Justice: provided Betty **Harnum** for an **interpretation** and translation workshop, gave advice and support and provided **charter** seats for the conferences in **Sitka** and Whitehorse.

Lac La Martre Band Council: provided political support and hosted the TAC meetings in "the community with a feast.

Lac La **Martre Hamlet** Council: provided political support, fax and **zerox** services for a time, and provided meeting space-for the **community** consultations.

RCMP: provided the services of Constable Dell for two workshops on the law and the **court** process; as well, he and Constable Roy provided information on cases before the courts.

⁷⁵ An additional \$10,000 is anticipated for fall 1993 as a contribution to publishing and distributing the report.

⁷⁶ This was a 1993 contribution for standardizing 32 **interviews** for use in the schools.

⁷⁷ This was a 1993 contribution for **editing and publication** of the report.

⁷⁸ This was a 1989 contribution for **community and** agency consultations and proposal development.

APPENDIX 3

Members, Advisory Committee

Community Advisory Committee:

Chair: Isidore Zoe, Chief, Lac La Martre Band Council

Joseph Moosenose/ Albert Nitsiza, Lac La Martre Hamlet Council

Marie Adele Beaverho, Elder

Sophie Williah, Elder

Johnny Bishop, Elder

The late Menton Mantla/ Alexis Flunkie, Elder

Richard Charlo/ Georgie Mantla, Youth Representative

Technical Advisory Committee:

Chair: Joanne Barnaby, Dene Cultural Institute

Isidore Zoe, Chief, Lac La Martre Band Council

George Blondin, Denendeh Elders Council

George Cleary/ Bill Erasmus, Dene Nation

Angie Lantz/ Riki Sate, NWT Native Women's Association

Michael Robinson, Arctic Institute of North America

Geoff Bickert/ Nora Sanders/ Janis Cooper, GNWT Justice

Robert Halifax, Chief Judge Territorial Court

Sam Stevens, GNWT Justice of the Peace program

John Dillon/ Al Patenaude, GNWT Social Services

Sabet Biscaye, GNWT Culture and Communications

Don Avison/ Carole LaPrairie/ Pierre Rousseau, Federal Justice

Dianne Rattray, MacKenzie Court Workers

APPENDIX 4

List Of Elders Interviewed⁷⁵

NAME	AGE
Helen Rabesca	93
Louis Beaulieu	85 [deceased]
Elise Beaulieu	85
Adele Nitsiza	82
Johnny Bishop	80
Marie Madeline Nitsiza	78
Mary Louise Bishop	77
Marie Klugie	77
Bruno Eyakfwo	76
Menton Mantla	74 [deceased]
Albert Wedawin	71
Johnny Beaulieu	70
Phillip Nitsiza	66
Marie Adele Simpson	66
Rosalie Zoe Fish	65
Celine Eyakfwo	63
Elizabeth Mantla	63
Marie Adele Moosenose	63
Joe Zoe Fish	63
Pierre Beaverho	62
Marie Adele Beaverho	61
Alexis Flunkie	60

⁷⁵ Ages as of January 1991. Source: Lac La Martre Band List.

Benny Pomie	60
Johnny Nitsiza	59
Louis Simpson	59
Phillip Zoe	59
Elizabeth Zoe Nitsiza	59
Jimmy Rabesca	58
Marie Flunkie	58
Amie Simpson	57"
Joe Champlain	57
Harry Beaulieu	55
Rosa Romie	54
Madeline Champlain	54
Louis Wedewin	53
Jimmy Nitsiza	53
Dora Alexie	52
Dora Nitsiza	51
Francis MacKenzie	51
Pierre Wedzin	nd [elder visiting]

APPENDIX 5**ELDERS RELEASE FORM****DENE JUSTICE PROJECT---LAC LA MARTRE, NWT**

I AGREE THAT THE TAPED INTERVIEWS [AND TRANSLATIONS] THAT I DID WITH THE DENE **TRADITIONAL** JUSTICE PROJECT MAY BE **GIVEN TO THE** DOGRIB Divisional BOARD FOR USE IN THE DOGRIB SCHOOLS.

I AGREE THAT A COPY BE **GIVEN TO THE** NWT ARCHIVES.

I AGREE THE ORIGINAL TAPES AND TRANSLATIONS BE STORED IN THE **DENE CULTURAL INSTITUTE ARCHIVES.**

SIGNED:

NAME:

DATE:

LAC LA MARTRE, NWT

Natural Resource Unit Guide and Concepts

Hunting, Trapping, Fishing, Gathering.**Hunting - Nàts'ezè**

1. Preparation

Ritual - Spirituality preparation

Nàts'ezè kwe nadà degħa nàts'eṛṛ - [ɪk'q hani]

Practical preparation

“ Nadà sɪnɪxots'eṛṛ

2. Partnerships

Ʒexè eghàlats'edà

With whom? - Amii Ʒè

Why? - Dànighq

Rules for sharing territory - [Be more specific]

Ʒenè k'e nàgezè għa sɪi dani Ʒets'ò hogèhṛq nò.

Ask for partnership

Dq dafetseke. -

Rules for sharing work

Dqne Ʒexè eghàlaide sɪi dani Ʒak'a gɪla ei nò.

Rules for sharing equipment

Asii Ʒegħq nits'eze nawò.

(Go into details of the kind of tool to loan out. Tools loan out should be use with care. Be caution in case of accidents.

How many partners would a person have?

Dqne Ʒè dq datṛq yixè atɪ għa esànilè?

Gender of partners/roles/responsibilities

Ts'èko, dọzi ƒexè at'ị de ƒak'a ayi gila eli nọ.

Sharing of knowledge/skills

Hoghà ƒets'etọ eyiets'ọ ƒexè weghà lats'eda

*nawo si ila si te ƒetsià s'et'edi**

Rules for ending partnerships?

Asii t'à ƒeghọ mnits'ewe, ƒet'ọ ede eghàlats'eda.

ƒe xi eghàlats'eda le et'ị.

Resolution of conflicts; How? By whom?

ƒexè gets'edi nixokw'i dè, dani ƒexè sɪnaxots'e?ị nọ.

Amii wɪet'fa sixo?ị nọ.

3. Getting and Handling meat. [More specific butchering/storing.]

Dani bọ ts'ichi xè, weghàlats'eda nọ?

Preparation - [Move specific/what you pack/needs.]

Nada sɪnixots'e?à.

Approach and timing.

Asii ƒats'iwhi dè, dawha wets'ọ ts'et'fa.

The kill, rules, and roles. - More specific/respect of the **animal/type** of weapon. What happens if you **don't** respect the animal that you kill: This includes big and small games.

Asii ƒats'iwhi wenawo eyiets'ọ dani weghàlada nọ?

*

Equipment - Tools, clothing you used, and **care**.

Wet'à eghàlats'eda.

Gender (Who can kill and handle what?)

Dọzi, ts'èko, nàgezè amii asii eƒawhia esànile, eyiets'ọ, dani weghàlada nọ? Any hunter? Good hunter/survival.

Procedure for butchering?

Dani asii nats'et'a wenàwo?

Handling of special parts, (Eg bell of moose/fetuses.)
Dani bò weghàlatseda xè wexoodi nò?

Disposal of remains?
Asii deʔò whela sii sits'eʔi?

Packing out -
Asii naize gha sii, nezì nits'ewa?

Judgement and punishment of those who break the Dene game laws
 and respect for land and animal; By whom?
Done tıts'adi nezì k'edi le sii dani weghàlada nò?
Amii yixò di nò?
Amii hani gha kexodi nò?

Trapping - Ehdzo k'ets'ele.

Preparation
Nada sınıxots'eʔà.

Partnerships
Lexè eghàlats'eda.

Setting up trap lines.
Ehdzo tıli xofè.

Getting and handing fur bearers.
Tsàwò ts'ichi eyiets'q dani weghàlada?

Sharing the catch (Animals and income.)
Lexè asii xats'iwq dè, asii asii fetıq tats'ile?

Rules for caches? - when you lose the caches how you dealt with it.
Asii deda ts'echa wenàwò?

Judgement and punishment of breaches, etc.
Asii ekw'i weghàlada le dè, dani goghàlada nò?
Ehdzo ts'qk'e gha sii.

Fishing - **Li ts'ichi**

Preparation

Nada **sɲixots'eʔà**.

Partnerships

Lexè ats'etɿ?

Setting net - Taking with out permissions.

Mì dats'etf'ɿ.

Checking net

Mì k'ats'eta, femɿk'ats'eta.

Handling- fish

Li dànì weghàlats'eda? Asiì nezɿ weghàts'eda/sits'ɿwhɔ.

Sharing fish and income, (For stick fish).

Li fats'ize hanile dè wesɔmba fats'its'eta?

Judgement and punishment for breaches?

Asiì ekw'i weghàlats'eda le dè, dànì goghàlada nò, mì ts'ok'e gha siì.

Gathering - **Asiì nàchɿ.**

Preparation

Nada **sɲixots'eʔà**.

Partnerships and territories?

Lexè eghàlats'eda.

Ndè daɿcho k'e eghàlats'eda.

Getting and handling berries/rootss/plants.

Jì, ɿtòà dese, dechɿti hani, dani gichi xè weghàlada nò?

Responsibilities for curing with plants?

Dechɿti xofa gha siì, amiì wɿt'f'à hoʔɔ nò?

Judgement and punishment for breaches?

Asiì ekw'i weghàlada le dè, dani goghàlada nò?

Food distribution - Weghọ sèts'eze feghàts'edi.

Base on age, gender, leadership, social statuse, needs, health.

Dàni asiì fegha ts'edi nò? Gogho ghà, ts'èko ts'ìlì ghà k'awo ts'ìlì ghà, asiì while t's, dọ ts'ìlì ghà, tada godi ghà hanile dè goet'ì ghà?

Sharing with community at special event; Summer and winter gathering, and feast? (Poep~~le~~ come to visit.)

Weghọ sèts'eze t'à hỌta fets'ats'edi.

Eyiets'ọ esaxot'ì nidè, hanile dè embe k'e, xok'e fà nats'ede de, nasì t'à ets'ats'edi.

Special parts; Fetus to elders, organs to elders, legs and backstraps to women for drymeat, head to elders, hides to women, babiche and sinew to women.

Tits'ade weghọ hazowi; Tits'adi asiì wets'ọ xaxo wi sù dàni fats'edi nò?

Chia kwò ọda ts'òfe, wetsqzi, edza, kw'ekwọ, bọgọ gha ts'èko ts'òfe, ekwi ọda ts'òfe, ewò ts'eko ts'òfe, kw'e ts'èko ts'òfe.

Family Unit Interview Guide and Concepts

Elicit terms for family, relatives, extended family. Were adopted children called by same terms as other children [yes].

Was there a concept of nuclear family [yes, all the children from one male]

Extended family included **in-laws**.

RULES FOR LIVING TOGETHER:

Marriages:

1] Arranged: these were made by parents, usually the father's decision held. Women to be married had no choice.

2] "Kidnapping": men would come into community, decide to take a girl home with them. It is not clear how this was allowed or whether there were any ways of stopping it.

3] Choice: the young couple would agree to live together, would ask their parents to "arrange it", ie talk to each other about it. Man would then ask for woman's hand at a public gathering. A date would be set, the head man would approve and the young couple would be feasted.

4] Forced: If a man impregnated a woman, he was called before the gathering and ordered to marry her. There was no choice.

OTHER LIVING TOGETHER SITUATIONS:

- Did single people of the same sex ever live together?

Who was allowed to marry **whom?** Cousins? Other Dogribs? Other tribal people?

SEPARATION/DIVORCE

How did people stop living together if things did not work well for them? Who decided? Mediated?

What happened to children? Property?

Who took what with them on separation?

How did divorces occur? After separation?

ADULTERY

Was adultery known? What was done about it? What were the consequences for the man or woman?

MANYWIVES

How many wives could chiefs have? Who were these women?

How many husbands could women have? Who were they?

RAPE:

Could rape occur in a marriage?

What was the consequence for a man who raped?

What was the consequence for the woman who was raped?

If she became pregnant, how was the child accepted? Who supported it?

DEATH

- If a woman died, what happened to her husband and children?

If a man died, what happened to his wife and children?

Who made these decisions?

FAMILY AND COMMUNITY RESPONSIBILITIES

When a young couple married, where did they live?

When did they establish their own households?

Did the young man continue to work for his father? His **father-in-law**?

What was the young couples responsibilities to their parents?

Was the main responsibility for raising children left to parents or the grandparents?

CONTROLLING RELATIONSHIPS AND LIVES

Could men abuse women? Verbally? Physically?

How could women protect themselves from abusive men?

Who could intervene in these situations? How?

Who controlled assets [money, furs, land foods, skins, **etc**] in the home?

Could women keep money earned from trapping, sewing, stick fish?

How were spending agreements made, if they were?

If men held most power and authority, what decisions could women make?

Could women challenge any of the decisions made by men? What were the consequences?

Did couples decide on the number of children they wanted? If so, - how? If not, why?

FAMILY UNIT

Conception - chek'ats'owheda

Birth - chek'a dɔfɪ

Childhood- chek'a ts'igha ts'oat'ɪ

Growing up- chek'a daze

Becoming Man/ Woman- tek'o, sek'o Qda gitè

Marrying- dàwhà dɔ honidè

Being Pregnant- ts'ek'o chek'a xe hot'i dàfe

Having Childfen- gok'e gofɪ

Getting old- qdà ts'itè

Becoming an elder- qdà de ts'itɪ nidè

Death- dɔ eɾade nide

DENE FAMILY LAW

FAMILY: χ EOT'MARRIAGE : DO HOGET' I NAWO' : PERSON MARRIED WAY
[the way a person is married]a) TS'ÉKO TS'EKÉ : WOMEN ASKED FOR
[women promised to a male's parents]b) DO χ ETS' Ò NIGEZI: PERSON TOGETHER FORCED
[person forced into marrying]c) DO χ EXÉ NAWO: PERSON TOGETHER LIVING FREELY
[persons who choose to live together w/o
any ceremony, ie no permission/ritual]d) TS'ÉKO χ ATS'EZE : PERSONS WHO GIVE EACH OTHER [BYCHIEF]
[marriage performed by chief]DENE χ AK'ÁAT' I : PEOPLE SEPARATED
[SEPARATION]DO ÒTS'EXÁ : PEOPLE THROWN AWAY
[abandonment] χ Ò χ ETS' Ò ATS'ET' I : FOREVER SEPARTED WE BECAME
[divorce]TS'ÉKO CHIS'IPA : WOMAN ABUSE
CHI TS'IPA [spousal abuse]DO XOT' I XEAGET' I : PEOPLE MARRIED GOING TOGETHER
[adultery]DO XO χ ' I GHA WEK' E NÁTS'EDZA : PERSON SINFULLY FOR ON TEARING OFF
[rape]

G O W H O NAWO:EK'ETE NAWO:SAT'I NAWO: RULES FOR MEN AND WOMEN
 [gender rules]

KWIT'Á XEK'ALAGEDE : HERD WITH FIGHTING
 [bad medicine]

 CHEKOA: CHILDREN

a) CHEKOA K'EHODI EYIITS'OPÉWETS'EDA : CHILDCARE AND SUPPORT .

b) CHEKOA GESE : CHILD RAISING
 [adoption]

c) XEOT'I XEK'ALADE : FAMILY FOOL AROUND WITH
 [incest 1

d) CHITS'IPA : ABUSE
 [child abuse]

e) OTS'EDE : THROW AWAY [CHILDI
 [child abandonment 1

f) IK'ONNEZILE : MEDICINE NO GOOD
 [bad medicine]

g) XATO WHELI : STRANGER BECAME [m]
 ODA WHELI : ADULT BECAME [f]
 [puberty]

h) GOWHO, EKETE: MALE RULES
 SAT'I NAWO : FEMALE RULES
 C gender rules I

i) DO XOTI GHA WEK'E NATS'EDLA : PERSON SINFULLY ON TEAR OFF
 [rape 1

j) NEZI GOXE HO?O : GOOD WITH US ASIS
 [social control;

Political Unit Interview Guide and Concepts

RULE, WAY - **nawò k'e**

RIGHT LAW (right way, true way) - **ekw'i nawò**

TRADITIONAL LAW (Living right according to the Dene way
wek'èts'èda nawò)

SPIRITUAL (PERSONAL) POWER - **ɬk'q nàtso**

AUTHORITY (he's in charge, re: position, eg. headman) - **wetf'à
hòʔq**

RESPONSIBILITY (it's up to this person) - **wets'ò holɬ**

JUDGEMENT (judging) - **wesɬniyaeti**

ENFORCEMENT (forcing him/her) - **wets'q dehgezi**

FOLLOW-UP - **Wek'e hodèwi**

NEGOTIATION (to reach agreement by talking) - **eɬek'ehq̄sit'a yati** *

CONFLICT RESOLUTION (to bring peace) - **eɬexe ts'iwhɬ nehots'iʔa**

GOSSIP (taking about each other) - **Dq ɬek'a dade**

SHAMING - **edeghq̄ ezaɬɬ di**

SHUNNING (a person not wanted) - **dq̄ne hawets'ita le**

SPIRITUAL LEADER/CHIEFS BEFORE 1921 - Yebàhti (Rae), Wobàhti (LLM), Yabàhti (RL)

ELECTED CHIEF - K'ète cho t'a kwatidee hòli

BAND COUNCILLOR (little chief) - Kw'atia

RCMP - mōia kw'ati

HEADMAN - K%wo

CAMP LEADER/ORGANIZER - K'àwo

ELDER -. Qda

MEDICINE PERSON - Dq̄k'q̄ li

PROPHET (future teller) - dakwe naaʔo

DIVINER (Animal seeker) - Dq̄ tits'adi gha naiʔl

SPIRITUAL JESTER - dze kw'i

Interview guide

Before Treaty - Somba naze kwe

WHO MADE THE LAWS FOR THE PEOPLE?/HOW DID THEY GET STARTED?

Ami dò gha nawò whetsino?

HOW WOULD PEOPLE CHANGE THE LAWS?

Dani dq nawò fadi age?ino

HOW DID NEW LAWS HAPPEN?

Asii nawò fadi ?aja go?ino

HOW WERE LAWS TAUGHT? (How right laws were taught to each other?)

Dani ekw'i nawo hoghà fets'etq nò?

WHO HAD AUTHORITY TO MAKE DECISIONS? (Who had authority to make words?)

Ami yati chi ?a si wotla ho?o nQ?

HOW WAS THE YEBÀHTI CHOSEN?

Dani Yebàhti gichi nò?

WHAT WAS THE JOB OF THE YEBÀHTI?

Yebàhti ayii wola elinq?

HOW WAS THE K'ÀWO CHOSEN?

Dani K'àwo gichi nò?

WHAT WAS THE JOB OF THE K'ÀWO (HEADMAN)?

K'àwo ayii wola elinq?

WHAT WAS THE JOB OF THE MEDICINE PERSON?

Dq k'q li ayii wola elinq?

WHAT WAS THE JOB OF THE PROPHET?

Dakwe naa?o ayii wola elinq?

WHAT WAS THE JOB OF THE DIVINER?

Ti ts'adigha nai? ayii woƒa elinƒ?

WHAT WAS THE JOB OF THE SPIRITUAL JESTER?

Dze kw'i ayii woƒa elinƒ?

HOW DO YOU BECOME A SPIRITUAL PERSON? (How spiritual become?)

T'a ɿk'q dƒ nelɿ nƒ?

IF SPIRITUAL RESPONSIBILITIES WERE NOT HANDLED IN THE RIGHT WAY, WHAT HAPPENED?

Dƒ ɿk'q t'a nezi eghalàda le nide dawo go? nQ?

BEFORE ELECTIONS, WERE CHIEFS HEREDITARY? DID THE JOB GET PASSED ON TO THE SON OF THE CHIEF?

Kw'atide elɿ lesi wede hƒte nide, asii wozha yetƒa ghƒ etƒa nƒ?

HOW DID THINGS GET MADE RIGHT AGAIN BETWEEN PEOPLE WHO WERE IN CONFLICT? WHAT WAS THE PROCESS OF RECONCILIATION?

Dƒne nake nezi eƒe ts'o hƒge?o le nide dani eƒeƒe senagoge?ɿ?

IF A PERSON WAS MADE TO PAY BACK, WHO MADE SURE IT WAS DONE?

Dƒne asi dè?ɿ nide ek'its, nayeche gha amii wotƒa ɿle nƒ?

WHAT WAS THE ROLE OF WOMEN IN THE WHOLE SOCIAL CONTROL/GOVERNMENT PROCESS?

Asii ts'ekƒ tso k'e kawo goɿilenƒ. Ayi gha sii kawo elɿ lenƒ?

IF A PERSON WAS MENTALLY ILL AND DID SOMETHING WRONG, WHAT HAPPENED TO THEM? HOW WAS MENTALLY ILL DEFINED?

Dƒne gƒzhƒ lani le eyixe ekƒle eghalada nide dani gitsƒ ho?ƒ le nƒ? Eyiitsƒ dani gigha lada nQ?

WHAT WAS DONE ABOUT SOMEONE WHO THREATENED TO DO SOMETHING, BUT DIDN'T CARRY THROUGH?

Ḏone yati t'a e̱ets̱o haneg̱a eyiits̱o hola e̱ets̱o hage̱ta hani xo ɣ̱a esa̱egedle le?

WHAT WAS THE ROLE OF MEDICINE POWER (FEAR) IN KEEPING (DETERRING) PEOPLE FROM DOING WRONG?

Ḏone ɣ̱k'ode e̱ si wonawo dani ɣ̱le ṉo? Ḏone yets'ats̱i f'a yek'e eghalada ṉone?

HOW DID PEOPLE SEE THEMSELVES IN RELATION TO OTHER DOGRIB CAMPS? IN RELATION TO OTHER TRIBES (SLAVEY, CHIPEWYAN) OF DENE? WHEN PEOPLE GATHERED WHO CAME AND BELONGED?

Ḏone waye̱o ḏo ghasi edani e̱ets̱o gedaṉo dagho e̱egha haṯo giḻi ta?

After Treaty

WHEN DID ELECTIONS FOR CHIEF AND BAND COUNCIL FIRST BEGIN? WHAT DID THIS CHANGE MEAN TO THE PEOPLE?

Date si kw'atide eyiits̱o kw'atia gegha ek'eṯe̱cho hoḻi le ṉo? Di hani ɣ̱aḏi aja si Ḏone dagew̱o?

WHY DID SOME CHIEFS TURN PEOPLE WHO COMMIT CRIMES OVER TO THE RCMP, AND OTHER CHIEFS DEALT WITH PERSON IN DENE WAY?

Dani gẖo ḏone m̱oda asii hola hotsi nide kw'atide si m̱ola kw'ati wẖo tso hoḻi ayi̱i? Eyile kw'atide sii ḏone nawo t'a e̱e̱xe senagoge̱i?

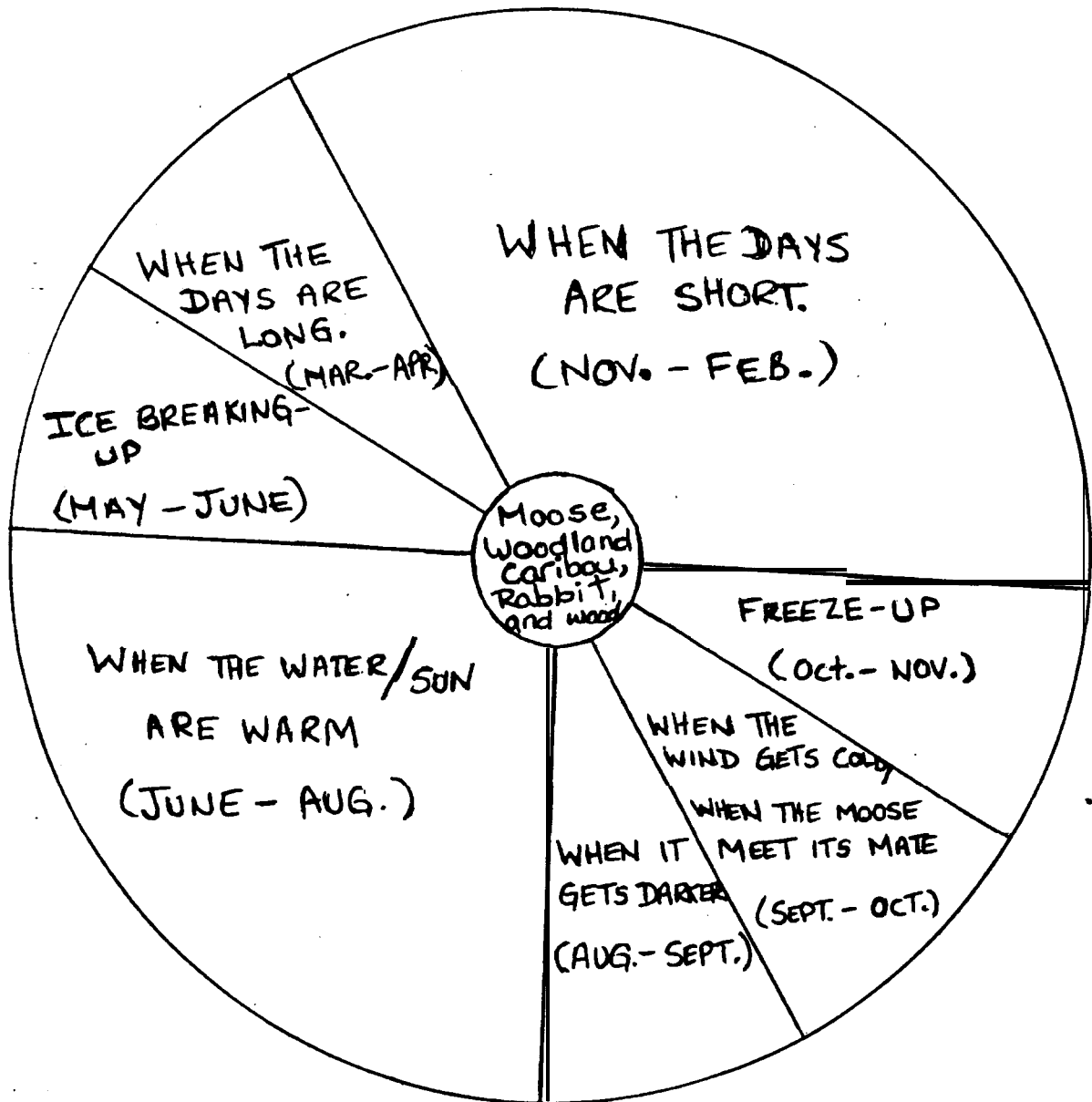
WHY WAS POWER TURNED OVER TO THE RCMP AND PRIEST?

Dani tasi yahti eyiits̱o m̱ola kw'ati di nawo gits̱o hoḻi agila ṉo?

THERE WERE NO JAILS. BUT WAS THERE A WAY OF PUNISHING,
OR MAKING A PERSON SUFFER, OTHER THAN BANISHMENT?

Kò gozho goñile ekeye, asii dɔne hola agogezi leno, hanile
nide daiʔa ts'q gighalàda nq? Eyile nide asii gowha tsà nade
agiʔino?

DOGRI B



SEASONAL ROUND

SEASONAL RENEWABLE RESOURCE USE

ALL TIMES OF THE YEAR

- hunting for moose and woodland caribou
- setting rabbit snares
- fishing
- gathering wood to make equipment

ICE BREAKING UP TIME (MAY-JUNE)

- trapping muskrats for food and fur
- hunting for porcupine, beaver and bear
- cutting and peeling logs
- trading/visiting settlements
- fishing for **dryfish**
- collecting **birchbark** for baskets, canoes
- making paddles
- bird hunting (grouse, ptarmigan)

WHEN THE WATER AND SUN ARE WARM (JUNE - AUGUST)

- tanning hides
- making hide teepees
- bird hunting
- **dryfish**
- gathering plants, roots, berries, spruce **gum**, tamarack bark
- canoe building
- making blankets with feathers
- bear hunting
- Travelling/trading

WHEN IT GETS DARKER (AUGUST - SEPTEMBER)

dryfish
stickfish
 gathering firewood
 gathering berries, plants, roots
 making **drymeat**
 tanning hides
 preparing to move out to camp
 hunting barrenland caribou in the barrens

WHEN THE WIND GETS COLD/WHEN THE MOOSE MEETS ITS MATE (SEPTEMBER - OCTOBER)

move to camp for trapping
 making snowshoes, toboggans, toboggan bags and dog harness
 duck hunting
 bear hunting
 making clothing
 tanning hides
 gathering berries

FREEZE-UP (OCTOBER - NOVEMBER)

- trapping (squirrels, weasel, mink, fox, wolf, lynx, wolverine, beaver, marten, otter
 making ice scoops (spruce **wood** and **babiche**) for scooping ice out of ice holes for nets

WHEN THE DAYS ARE SHORT (NOVEMBER - FEBRUARY)

ptarmigan hunting
hunting **barrenland** caribou
traveling by dogs
making **traï** 1 by snowshoe
trapping
spiritual gatherings
sewing clothing with rabbit -fur

WHEN THE DAYS ARE LONG (MARCH - APRIL)

hunting barrenland caribou
ptarmigan hunting
ice fishing (with hooks)
trapping muskrats

General Dogrib Interview Guide and Concepts

General Questions to ask elders:

When were laws established?

Dàwa ekw'i nawò hołè?

How often were laws changed?

Dàwa deekw'i nawò łàdiageh'i?

How were laws passed down?

Dàni ekw'i nawò jò ts'ò nihòtso?

What part did legends play?

Akwe whadò
godì?

How were the laws taught?

Dàni ekw'i nawò hoghà łets'etò nò?

What were the expected behaviors set down by laws?

Ekw'i nawò wets'ò dani hanets'i ?a ?

What were the stories and the speeches about laws?

Ekw'i nawò wegodi eyiits'ò weghò gots'ede?

What events or incidents required a judgement?

Ayii dàts'e?i , a y i i ekw'i weghàlada le de wesiniyaiti nò?

Who made the judgement decisions?

Amiinawò chi nò?

What was the process of judgement by a group, or individual?

Dàni dò ghò siniyaiti nò? dò łe hanile de dò ł'ò aye?i nò?

Was consensus needed for a judgement?

Dò ghò siniyaitigha si'i nawò hołè.

What punishments could be given to people?

Asii wek'e siniyaiti t'ahò de dani weghàlada nò?

How long were the punishments?

Dàwha ts'ò weghàlada nò?

What was the follow up/enforcement process?

Dàwa wek'èhodieyiits'ò wexoidi?

Was there a system for restitution?

Dak'e dò asii ichi hanide asii wet'ò dek'èhanaidi soni. Akwe wha dani weghàlada nò?

How was conflict resolution done?
 Ekw'i naxòt 'à.....

How were marital problems handled?
 Dò xot 'i nezi xéxe nàgewò le

Was there petty theft?
 Asii nechàléà ts'e?i?

When did the RCMP first come into Lac La Martre area?
 Dàt'e mola kw'ati jò ts'òti k'e nixò who nò?

How was the chief selected?
 Dàni kw'ati-de gichi nò?

How did power change hands?
 Nawo natso xadiat 'i?