



RETURNING TO THE TEACHINGS

EXPLORING ABORIGINAL JUSTICE

RUPERT ROSS



Returning To The Teachings Exploring Aboriginal Justice

Marian Liebmann



Returning To The Teachings Exploring Aboriginal Justice:

Returning to the Teachings Rupert Ross, 1996 In his bestselling book *Dancing with a Ghost* Rupert Ross began his exploration of Aboriginal approaches to justice and the visions of life that shape them *Returning to the Teachings* takes this exploration further still During a three year secondment with Justice Canada Ross travelled from the Yukon to Cape Breton Island examining and experiencing the widespread Aboriginal preference for peacemaker justice In this remarkable book he invites us to accompany him as he moves past the pain and suffering that grip so many communities and into the exceptional promise of individual family and community healing that traditional teachings are now restoring to Aboriginal Canada He shares his confusion frustrations and delights as Elders and other teachers guide him in their unique and often puzzling ways into ancient visions of Creation and our role with it *Returning to the Teachings* is about Aboriginal justice and much more speaking not only to our minds but also to our hearts and spirits Above all it stands as a search for the values and visions that give life its significance and that any justice system Aboriginal or otherwise must serve and respect

Aboriginal Justice and the Charter David Milward, 2012-11-22 *Aboriginal Justice and the Charter* explores the tension between Aboriginal justice methods and the Canadian Charter of Rights and Freedoms seeking practical ways to implement Aboriginal justice David Milward examines nine legal rights guaranteed by the Charter and undertakes a thorough search for interpretations sensitive to Aboriginal culture Much of the previous literature in this area has dealt with idealized notions of what Aboriginal justice might be Here David Milward strikes out into new territory to examine why Indigenous communities seek to explore different paths in this area and to identify some of the applicable constitutional constraints This book considers a number of specific areas of the criminal justice process in which Indigenous communities may wish to adopt different approaches tests these approaches against constitutional imperatives and offers practical proposals for reconciling the various matters at stake Milward grapples with the difficult questions of how Aboriginal justice systems can be fair to its constituents while complying with the protections guaranteed all Canadians by the Charter

Pursuing Justice, 2nd Edition Margot Hurlbert, 2020-07-25T00:00:00Z *Pursuing justice* is daunting It plays out in a variety of contexts like the environment employment the criminal justice system and raises tough issues like racism gender discrimination and poverty But ultimately the aim of studying justice is to achieve it This book is about justice in Canada its definition its boundaries its contradictions and its nuances It is also about the mechanisms and practices that enable the pursuit of justice It problematizes the notion of justice while defining and pursuing the illusive notion of justice in Canadian society This second edition features updated content from the popular first edition as well as new content about social justice and racism the experiences of racialized persons with police settler colonialism and issues of justice for gender and sexual minorities all from a Canadian perspective Additionally each chapter contains objectives of the chapter case studies and discussion questions

Trauma-Informed Youth Justice Judah Oudshoorn, 2015-12-01 Most youth who come in conflict with the law have experienced some form of

trauma yet many justice professionals are ill equipped to deal with the effects trauma has on youth and instead reinforce a system that further traumatizes young offenders while ignoring the needs of victims By taking a trauma informed perspective this text provides a much needed alternative one that allows for interventions based on principles of healing and restorative justice rather than on punishment and risk assessment In addition to providing a comprehensive historical overview of youth justice in Canada Judah Oudshoorn addresses the context of youth offending by examining both individual trauma including its emotional cognitive and behavioural effects and collective trauma The author tackles some of the most difficult problems facing youth justice today especially the ongoing cycles of intergenerational trauma caused by the colonization of Indigenous peoples and patriarchal violence and demonstrates how a trauma informed approach to youth justice can work toward preventing crime and healing offenders victims and communities Featuring a foreword written by Howard Zehr case stories from the author s own work with victims and offenders questions for reflection and annotated lists of recommended readings this engaging text is the perfect resource for college and university students in the field of youth justice

Handbook of Restorative Justice Gerry Johnstone, Daniel Van Ness, 2013-01-11 Discusses the key concepts and principles of restorative justice explains how the campaign for restorative justice arose and developed into an influential social movement describes the variety of restorative justice practices and identifies and examines key issues within the restorative justice movement

American Indians at Risk Jeffrey Ian Ross Ph.D., 2013-10-28 This essential reference work enables a deeper understanding of contemporary challenges in the lives of American Indians and Alaskan Natives today carefully reviewing their unique problems and proposing potential solutions American Indians face problems in their lives on a daily basis that most other Americans never contend with and their challenges which in some cases are similar to those of other minority groups in the United States are still qualitatively unique American Indians at Risk gives readers a broad overview of what life in Indian country is like addressing specific contemporary social issues such as alcoholism unemployment and suicide The author goes beyond detailed descriptions of the problems of American Indians to also present solutions some of which have been effective in addressing these challenges Each chapter includes a Further Investigations section that presents helpful ideas for additional research

Decolonizing Trauma Work Renee Linklater, 2020-07-10T00:00:00Z In Decolonizing Trauma Work Renee Linklater explores healing and wellness in Indigenous communities on Turtle Island Drawing on a decolonizing approach which puts the soul wound of colonialism at the centre Linklater engages ten Indigenous health care practitioners in a dialogue regarding Indigenous notions of wellness and wholistic health critiques of psychiatry and psychiatric diagnoses and Indigenous approaches to helping people through trauma depression and experiences of parallel and multiple realities Through stories and strategies that are grounded in Indigenous worldviews and embedded with cultural knowledge Linklater offers purposeful and practical methods to help individuals and communities that have experienced trauma Decolonizing Trauma Work one of the first books of its kind is a resource for education and training

programs health care practitioners healing centres clinical services and policy initiatives

Criminal Punishment and Restorative Justice David J. Cornwell, F. W. M. McElrea, John R. Blad, Robert B. Cormier, 2006 Criminal Punishment and Restorative Justice is an appraisal of the divide that exists between punitive and restorative methods The book looks at events that serve to restrict a greater and more emphatic adoption of restorative justice and its huge potential in contemporary criminal justice developments In an era of increasing and worldwide reliance on imprisonment and other punitive methods the author argues that justice and communities would be far better served by a more enthusiastic and early shift to restorative methods Criminal Punishment and Restorative Justice provides an international perspective on how restorative justice can bring about an altogether more enlightened approach to dealing with offenders and victims alike against a backdrop of often spurious traditional justifications for punishment While acknowledging the need for a constructive use of custody and other corrections in response to serious crime the author points out that the present over reliance on custody can be reduced by challenging offenders to take responsibility for their offenses and to make practical reparation for their wrong doing and repairing the harm that they have caused The book also assesses the potential of restorative justice to make corrections more effective civilized humane and pragmatic in terms of finding solutions to crime on the basis of sound principles and information not political expediency

Setting Relations Right in Restorative Practice David B. Moore, Alikki Vernon, 2023-12-01 1 Combining theory with case studies and practical advice based on decades of experience this book offers an authoritative guide to developing your skillset in restorative practice 2 It draws from a wide range of successful programmes with topical case studies on restorative engagement in response to institutional abuse interventions to deal with family violence and sexual harm trauma informed restorative approaches restorative approaches in problem solving courts and efforts to foster restorative ways of working across a whole city or region

Ambassadors of Reconciliation: Diverse Christian practices of restorative justice and peacemaking Ched Myers, Elaine Enns, 2009 Restorative justice refers to a social movement that seeks to repair interpersonal communal and social injustices without recourse to violence or retribution Volume two analyzes the contemporary terrain of restorative justice and peacemaking in North America and profiles the exemplary work of nine practitioners who incarnate the scriptural vision in real life contexts of profound violence and injustice

Truth and Conviction L. Jane McMillan, 2019-01-08 The name Donald Marshall Jr is synonymous with wrongful conviction and the fight for Indigenous rights in Canada In Truth and Conviction Jane McMillan Marshall s former partner an acclaimed anthropologist and an original defendant in the Supreme Court s Marshall decision on Indigenous fishing rights tells the story of how Marshall s fight against injustice permeated Canadian legal consciousness and revitalized Indigenous law Marshall was destined to assume the role of hereditary chief of the Mi kmaw Nation when in 1971 he was wrongly convicted of murder He spent more than eleven years in jail before a royal commission exonerated him and exposed the entrenched racism underlying the terrible miscarriage of justice Four years later in 1993 he was charged

with fishing eels without a licence With the backing of Mi kmaq chiefs he took the case all the way to the Supreme Court to vindicate Indigenous treaty rights in the landmark Marshall decision Marshall was only fifty five when he died in 2009 His legacy lives on as Mi kmaq continue to assert their rights and build justice programs grounded in customary laws and practices key steps in the path to self determination and reconciliation **Unsettling Spirit** Denise M. Nadeau,2020-04-02

What does it mean to be a white settler on land taken from peoples who have lived there since time immemorial In the context of reconciliation and Indigenous resurgence *Unsettling Spirit* provides a personal perspective on decolonization informed by Indigenous traditions and lifeways and the need to examine one's complicity with colonial structures Applying autoethnography grounded in Indigenous and feminist methodologies Denise Nadeau weaves together stories and reflections on how to live with integrity on stolen and occupied land The author chronicles her early and brief experience of Native mission in the late 1980s and early 1990s in northern Canada and Chiapas Mexico and the gradual recognition that she had internalized colonialist concepts of the good Christian and the Great White Helper Drawing on somatic psychotherapy Nadeau addresses contemporary manifestations of helping and the politics of trauma She uncovers her ancestors settler background and the responsibilities that come with facing this history Caught between two traditions born and raised Catholic but challenged by Indigenous ways of life the author traces her engagement with Indigenous values and how relationships inform her ongoing journey A foreword by Cree M tis author Deanna Reder places the work in a broader context of Indigenous scholarship Incorporating insights from Indigenous ethical and legal frameworks *Unsettling Spirit* offers an accessible reflection on possibilities for settler decolonization as well as for decolonizing Christian and interfaith practice **Justpeace Ethics** Jarem Sawatsky,2009-03-26 Too often when people enter into conflict with an eye on how to resolve it manage it or transform it they lose sight of the people involved and the desired end Too often justice and peace serve as an ideal or some distant shore We have not yet learned enough about how these ends can also be the means of restorative justice and peacebuilding Drawing on the imaginations of some leading peace and restorative justice practitioners this book identifies components of a justpeace imagination This imagination is the basis of justpeace ethics where the end goal is touched with each step This simple little book is designed to help those struggling with how to respond to conflict and violence in an ethical and transformative way It offers practical examples of how analysis intervention and evaluation of peacebuilding and restorative justice can be rooted in imagination of justpeace ethics Therapeutic Nations Dian Million,2013-09-26 Self determination is on the agenda of Indigenous peoples all over the world This analysis by an Indigenous feminist scholar challenges the United Nations based human rights agendas and colonial theory that until now have shaped Indigenous models of self determination Gender inequality and gender violence Dian Million argues are critically important elements in the process of self determination Million contends that nation state relations are influenced by a theory of trauma ascendant with the rise of neoliberalism Such use of trauma theory regarding human rights

corresponds to a therapeutic narrative by Western governments negotiating with Indigenous nations as they seek self determination Focusing on Canada and drawing comparisons with the United States and Australia Million brings a genealogical understanding of trauma against a historical filter Illustrating how Indigenous people are positioned differently in Canada Australia and the United States in their articulation of trauma the author particularly addresses the violence against women as a language within a greater politic The book introduces an Indigenous feminist critique of this violence against the medicalized framework of addressing trauma and looks to the larger goals of decolonization Noting the influence of humanitarian psychiatry Million goes on to confront the implications of simply dismissing Indigenous healing and storytelling traditions Therapeutic Nations is the first book to demonstrate affect and trauma s wide ranging historical origins in an Indigenous setting offering insights into community healing programs The author s theoretical sophistication and original research make the book relevant across a range of disciplines as it challenges key concepts of American Indian and Indigenous studies

Trauma-Informed Juvenile Justice in the United States Judah Oudshoorn, 2016-08-23 Most youth who come in conflict with the law have experienced some form of trauma yet many justice professionals are ill equipped to deal with the effects trauma has on youth and instead reinforce a system that further traumatizes young offenders while ignoring the needs of victims By taking a trauma informed perspective this text provides a much needed alternative one that allows for interventions based on principles of healing and restorative justice rather than on punishment and risk assessment In addition to providing a comprehensive historical overview of youth justice in Canada Judah Oudshoorn addresses the context of youth offending by examining both individual trauma including its emotional cognitive and behavioural effects and collective trauma The author tackles some of the most difficult problems facing youth justice today especially the ongoing cycles of intergenerational trauma caused by the colonization of Indigenous peoples and patriarchal violence and demonstrates how a trauma informed approach to youth justice can work toward preventing crime and healing offenders victims and communities Featuring a foreword written by Howard Zehr case stories from the author s own work with victims and offenders questions for reflection and annotated lists of recommended readings this engaging text is the perfect resource for college and university students in the field of youth justice

Applying Restorative Justice to Campus Sexual Misconduct Kaaren M. Williamsen, Erik S. Wessel, 2023-07-03 While sexual misconduct on our college and university campuses both public and private is dismayingly widespread it continues to be significantly underreported because most victims perceive that judicial recourse with its legalistic adversarial approach fails to address in a healing way the harms done to them Fewer still file formal complaints many for fear that they may lose agency and that the process may rekindle the trauma of their experience Recognizing the reality that supermajority of sexual harms in higher education are rarely addressed through established legalistic practices this book offers a range of alternative approaches based on restorative justice Starting from the premise What if we started with the goal of healing in mind this book opens with an

overview of common restorative practices and accounts of application and lessons learned by practitioners who have implemented a range of restorative justice and alternative based approaches Subsequent chapters cover procedural elements recommendations around documentation and interventions for individuals who have caused harm through sexual and gender based misconduct The book addresses facilitation the need to pay attention to self people and systems identities and power dynamics the considerations for working restoratively with both complainants and respondents offers cases and adaptable examples of resolution and concludes with reflections on institutional implementation from the perspectives of administrators facilitators and a student survivor Recognizing there will always be a need for a formal investigatory approach to cases of sexual misconduct the book offers a wide range of alternative options that empower those who are most directly affected to make the call for themselves In doing so it may increase reporting and furthermore in offering a healing justice that addresses individual and community needs may work to reduce sexual misconduct on campus *Restorative Justice* Holly Ventura Miller, 2008-05-19 Covers scholarly work in criminology and criminal justice studies sociology of law and the sociology of deviance

Cis dideen kat - When the Plumes Rise Jo-Anne Fiske, Betty Patrick, 2011-01-01 The heart of the traditional legal order of the Lake Babine Nation of north central British Columbia is the grand ceremonial feast known as the balhats or potlatch Misunderstood and widely condemned as a wasteful display of pride the balhats ceremonies were outlawed by the Canadian government in the late nineteenth century Throughout the years that followed the Lake Babine Nation struggled to adapt their laws to a changing society while maintaining their cultural identity Although the widespread feasting and exchange practices of the balhats have attracted continuous academic and political interest since the nineteenth century little consideration has been given to understanding the legal practices embedded within the ceremonies Cis dideen kat the only book ever written about the Lake Babine Nation describes the customary legal practices that constitute the way Authors Jo Anne Fiske and Betty Patrick use historical and contemporary data to create a background against which the changing relations between the Lake Babine Nation and the Canadian state are displayed and defined leading to the current era of treaty negotiations and Aboriginal self government Through interviews with community chiefs and elders oral histories focus groups and archival research Fiske and Patrick have documented and defined a traditional legal system still very much misunderstood Their findings include material not previously published making this book essential reading for those involved in treaty negotiations as well as for those with an interest in Aboriginal and state relations generally Cis Dideen Kat Jo-Anne Fiske, Betty Patrick, 2000 Winner of the 2013 Washington State Book Award in Poetry This book examines the Lake Babine Nation in north central British Columbia considering its traditional legal order and the way that order determines the people s identity and the nature of their involvement in current treaty negotiations Changing relations between the Natives and the Canadian state have resulted in a new awareness of customary legal orders While such orders are often seen as a process by which the state can accommodate diverse approaches to judicial fairness and social justice they also offer the

means by which aboriginal nations can maintain their identity by sustaining a moral order in a viable self defined and self governed community For the Lake Babine Nation this moral order is defined by and lived through the feasting complex known as the bahlats or potlatch system Restorative Justice Marian Liebmann,2007-04-15 Drawing on many years experience of working in victim support probation mediation and restorative practices Marian Liebmann uses pertinent case examples to illustrate how restorative justice can be used effectively to work with crime and its effects Liebmann also examines how restorative justice is practised around the world

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