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1. Key Themes (to be explored)

Issues of geography must be considered when planning justice forms and initiatives whether at the community level or the governmental level. Living in a remote environment means special needs arise.

A challenge exists in the North– to represent the empirical tradition of the West and the oral tradition of the First Nations Peoples – to elucidate as broadly as possible, human thought about and action in the North.

See 4.2 An annotated bibliography brought together voices from across Canada, representing a cross-section of community justice workers, scholars and government representatives to share some of the key elements that require consideration for community-base justice in the North.

- A number of key areas that play a fundamental role in facilitating success in community-based justice programming. Specifically:
  - a community-driven approach that has addressed the power dynamics that may operate in the community,
  - a clear articulation of who the community is and how they will participate,
  - a holistic focus that understands and incorporates the role of recreation, health, and housing in crime prevention,
  - supportive linkages between the community-based justice program and the relevant elements of the mainstream justice system, and
  - a clear articulation of the needs of the community, as well as the goals and objectives of the initiative.

See 4.4 **A report discusses the innovative Northern solutions and strategies to ending family violence:**
(1) Establish shelters for abusers so they can cool off and get counseling. The report holds that many Inuit women in the North do not necessarily want the relationship to end - just the violence.
(2) Develop second-stage housing for women just coming out of shelters. This ensures that follow-up support and a more effective healing period is possible. Without this support the cycle of violence continues because in many cases the abused woman has no other alternative but to go back to the community and family home.
(3) Develop multi-service centres as opposed to a victims' shelter, representing a holistic approach to addressing problems in the community. Such a multi-centre would address social services, education, and health, and would provide linkages to other agencies.

See 5.3 A series of public dialogue discussions in October 2000 (~33% of the citizens who took part were living in rural locales) revealed among other things that:

- Regardless of the cluster, the groups emphasized the importance of the following: primary and secondary education, health care access, a healthy environment, clean air and/or water, social programs, responsible taxation, **public safety or security,** job security, employment opportunities, a living wage, time use or balance, civic participation, and children/youth programs.
- Regarding justice/legal systems, **rural participants were just as likely to talk about crime rate** as their urban counterparts.

2. Research Questions

2.1. Northern Environment – Community Profile

Describe the following in the community:

- Demographics (population, age, gender, race/ethnicity, language, spiritual/religion)
- History
- Traditional settlement patterns

2.2. Social Challenges

- see chapter on "Social Development Factors"

3. Relevant Documents, Studies and Practices – Yukon

3.1. New Bearings on Northern Scholarship -1988/2000[1]

The end of pages in the original are marked thus: [end p. 9]. This permits citing this web document as though it were the original, published one.)

> In the past two decades a significant change has taken place in Canada's North: there has been a pronounced increase in the number of people for whom the North is not only a place to live, but the subject of serious study. We suggest this change can be accounted for by three recent parallel developments: the "devolution" of authority from the federal government to representative territorial governments, the rise of Native activism across the North, and, most recently, the creation of two colleges north of the 60th parallel. Each of these developments has increased the number of people in the North for whom the pursuit and dissemination of new knowledge about it is a major preoccupation if not occupation.
>
> Consider, for example, the changes that have occurred as jobs which required the skills of professionally trained individuals have been transferred from the federal Department of Indian and Northern Affairs (DIAND) to the territorial governments. Often DIAND employees were posted here and, if they were ambitious, there was usually little reason to stay; "head office" was in Ottawa and, consequently, career or professional development more often than not meant leaving the territories. Other things also encouraged them to think of their stay north of the 60th parallel as temporary: typically federal employees have been put up in heavily subsidized housing and given substantial isolated posting allowances as well as other perks to offset the "hardship" of living so far out of the mainstream. Thus, at least with respect to northern service, the federal government seems to have promoted a colonial mindset—an organizational culture—which encouraged its employees to move on, and they almost invariably did, leaving their positions to be filled by other federal civil servants newly posted to the territories.
>
> But we suggest that as these positions have been transferred to the territorial governments a significant change has taken place. Unlike DIAND —which is, after all, a colonial office of sorts[end p. 9]—the territorial governments represent indigenous interests. Consequently we believe new organizational cultures have begun to emerge: the above positions are no longer at the "end of the line" but, from a northern perspective, at the "centre" of things. Employee benefits, at least in the Yukon, reflect this change in perspective; while it often pays better base salaries, the Yukon Government refuses to subsidize housing, feeling that life in Whitehorse and the other communities is the norm, not life in Ottawa. Furthermore, career advancement in the territorial services does not mean leaving the territories; one's superior is usually in the next office, not in a distant city. The ambitious civil servant, then, can expect career advancement without leaving the territory. Furthermore, advancement is likely faster in the small, developing territorial services than in the much larger DIAND.
>
> Paralleling the development of responsible territorial governments has been the increasing political activism of the North's aboriginal peoples. While their primary focus has been the settlement of their claims to the land, Native groups have recognized the importance of supporting their legal claims with substantial evidence of their social, political, and economic traditions. Thus, the oldest residents of the North are responsible for what may be the largest research enterprise in Canada's North: the attempt to document as fully as possible all aspects

[1] New Bearings on Northern Scholarship http://www.yukoncollege.yk.ca/review/1senkpiel_easton.html Aron Senkpiel and N. Alexander Easton N. Alexander Easton lectures in Anthropology at Yukon College. Aron Senkpiel is the Coordinator of the University Transfer Division at Yukon College. This article is © The Author(s) and The Northern Review, 1988 and 2000. The contents of this page may be reproduced for private study as long as the copyright information stays intact. Written permission is required for any other use of this article. E-mail The Northern Review.

of traditional life. Lands needed to be mapped. Pre-contact life had to be documented. And, at least initially, these research activities required skills not commonly found in the territories; as a result, the North's Native groups began to use "imports"—sympathetic university-trained researchers—to assist with data collection and, more importantly, to train Native researchers. The collective result of these efforts is a truly staggering body of anthropological and sociological knowledge which, as Julie Cruikshank rightly notes in her article in this issue, has a practical basis and which was often collected by northerners and not by outsiders.
 Many of these researchers remained in the North, and so have most of the Native people who trained with them. Many have found continuing employment with new northern institutions, not only with Native organizations and the territorial governments but with the North's first post-secondary institutions.

The creation of Arctic and Yukon Colleges will, we believe, be of particular significance to the ongoing development of a northern-based dialogue about the North. Although principally teaching[end p. 10] institutions, the colleges are already major employers of academically-inclined northerners. Grouped together in environments conducive to debate and reflection, the colleges' faculties are beginning to pursue their own scholarly interests and projects.

The cumulative effect of these changes has, we suggest, been a decided increase in the number of research-oriented people in the northern territories and an increase in their length of stay. Many are like the authors and now consider themselves permanent residents. Consequently, the territories have a new human resource: their own, albeit modest, academic communities.
 These northern academics differ in a number of very important ways from traditional northern researchers and scholars. For example, while many have strong scholarly interests, they are relatively inexperienced. Also, as already noted, they have chosen to live here as well as pursue their studies here. Secondly, not only are many Native but, as a group, they take their direction, at least in part, from the Native community. Thus, many are not just committed to scholarship, but show a sensitivity to northern issues that outsiders often lack. In short, as a group they share unique characteristics that are inextricably tied to this place. We suggest, therefore, that we can say an indigenous scholarly community is beginning to emerge in the North, one which is still seeking its own voice.

"Here" versus "There"

As the foregoing discussion suggests, there are a number of differences between the concerns of southern-based northern specialists and those of us who live here. In the following sections we wish to explore, however tentatively, some of the more significant ones, paying particular attention to ways in which a new northern scholarship can add to our overall knowledge and understanding of the North.

One simple but profound difference is in language. Consider the difference between "there" and "here." It is a matter of perspective. As one of us has noted elsewhere (Senkpiel, 1987), this distinction has been carefully documented in Canadian literary criticism if not in our science journals. Atwood, taking the cue from Frye, says in her classic thematic study of Canadian literature, *Survival*:[end p. 11]

 . . . in Canada. . .the answer to the question "Who am I?" is at least partly the same as the answer to another question: "Where is here?" "Who am I?" is a question appropriate in countries where the environment, the "here," is already well-defined. . . . "Where is here?" is a different kind of question. It is what a man asks when he finds himself in unknown territory. . . .(1972, p. 17)

Although Atwood was writing about Canada as she saw it over fifteen years ago—which was in the midst of a crisis of identity we seem to have now addressed—we think it is an accurate description of "where" we are in the North.

We are seeking co-ordinates for this place "here." This is a fundamentally different task from mapping "there." The former involves finding out who we are by finding out where we are. It is an introspective exercise, one that "suffers from the same methodological problems as its psychological next-of- kin does" (Senkpiel, 1987). But at the same time it creates problems that

do not hamper more empirical studies, it allows one to cross a terrain where the the scientist's tools are often so much excess baggage. The terrain, however, is most definitely "here" waiting to be mapped. We just have to dress a bit differently.

Making Room for "Other Truths"
In the world today, there is a commonly held belief that, thousands of years ago, as the world today counts time, Mongolian nomads crossed a land bridge to enter the western hemisphere, and became the people now known as the American Indians.

The truth, of course, is that the Raven found our forefathers in a clamshell on the beach at Naikun. At his bidding they entered a world peopled by birds, beasts and creatures of great power and stature, and, with them, gave rise to the powerful families and their way of life.

At least, that's a little bit of the truth.

Another small part of it is that, after the flood, the Great Halibut was stranded near the mouth of the Nimkish River where he shed his tails and fins and skin, and became the first man. Thunderbird then took off his wings and beak and feathers to become the second man, and helped Halibut build the first house in which mankind spent his infancy.

And the Swai-huay rose out of the Fraser. Needing a wife, he created a woman from the hemlock on the bank, and she, in time, gave birth to the children who became the parents of all men.

There is, it can be said, some scanty evidence to support the myth of the land bridge. But there is an enormous wealth of proof to confirm the other truths are all valid (Reid, 1975, p. 7).[end p. 12]

Bill Reid's ironic, but gentle rebuke of those of us who put too much faith in the western research tradition not only serves as an excellent introduction to his dialogue with Bill Holm, Indian Art of the Northwest Coast (1975), but it is also sound advice for us as we set about publishing a journal that hopes to document "human thought about and activity in the North." Put very simply, it reminds us that in the North there are many schools of thought about how people first got here. For example, there is the long-held view—in the southwest Yukon at least—that Crow, eager to find the sun and always devious, played a critical role in the creation of the world (Sidney et al., 1977). That Crow was involved seems clear, at least to the Haida of B. C. and the Tutchone of the southern Yukon. Others, of course, subscribe to the notion that Asiatic people crossed over Beringia to North America sometime between 10,000 and 20,000 B. P. Reid's statement, then, draws attention to the gulf which exists between the Amerindian and European traditions.

While some researchers (Cruikshank, 1977; Lotz, 1970; Hamelin, 1978; Gamble, 1986) have suggested that there are many different perceptions—many different mythologies—of the North, we think Berger (1977) was right to take the cue from one of the speakers before the Mackenzie Valley Pipeline Inquiry and name his report, Northern Frontier, Northern Homeland, and, thus, suggest there are two principal shaping images, two "gestalts" of the North. First, there is that of the Aboriginal peoples of the North: of a homeland. It is an image enriched by the millenia spent learning to live here. Secondly, there is the European view of the North as a frontier. It too is a rich image, but it has grown, not from generation upon generation of habitation of the North, but out of the centuries-long search for the North that began with the western imaginings of St. Brendan and Leif Erickson. It is an image which is undergoing substantial modification as we try to synthesize it with the hard data we have collected in our relatively short time here. We think, therefore, that it is useful and appropriate to speak broadly of the North's two traditions, recognizing of course that, on closer inspection, there are many distinct aboriginal peoples here, each with its own culturally specific bodies of tradition.

This distinction allows us then to note that the "evidences" of these two traditions are

provided by fundamentally different sources. To document the northern "frontier" we instinctively turn to the "literature"—to novels and monographs and pamphlets and vital[end p. 13] statistics and government reports. But how do we document the North as an aboriginal homeland? Again we may instinctively turn to our libraries and archives, but we soon discover that much of the data has been organized to reinforce the image of North as a frontier at the tenuous edge of European society rather than the centre of distinctive northern cultures.

For information about the latter we must follow the lead of such researchers as Hugh Brody, Catharine McClellan, Julie Cruikshank, and Thomas Berger and look elsewhere, to the oral records which still tie many aboriginal people in the North to traditions of thought and activity that extend back to before the first notetaker arrived here.

Our point here is simple: we do not want to cut the Review off from one tradition out of a misdirected commitment to the other. To do so would be to fail outright in our task—to elucidate, as broadly as possible, human thought about and action in the North. That is, were we to represent only the empirical tradition of the West, we would simply extend rather than critically examine the frontier image of the North and thereby continue the colonialism that has characterized the development of the North. This brings us to the Achilles' heel of this project. The Review can be considered a recent manifestation of the colonialism that has characterized the European exploration and settlement of the North (Coates, 1986); having taken its whales, trapped its furs, dug its gold and searched out its oil, we now want to talk about it. The pattern is a familiar one: historically, intellectual colonization lags behind economic exploitation, but follow it nevertheless does. In colonial terms, there is little difference between an oil rig and *The Northern Review*. Neither is indigenous. Both express the values of the coloniser and not colonised. Both depend on northern resources. And both have ramifications for the North's Native peoples as they struggle to maintain the integrity of their cultures in the face of the ever increasing entrenchment of European culture in the North.

Why, then, would we engage in such an activity? The answer to this lies in what may be the two most significant differences between that oil rig and the *Review*. First, while the former is an unconscious manifestation of the colonization of the north, the *Review* is a very conscious and controlled one. A truly northern review is needed precisely because there are oil rigs and seismic tracks and McDonald's here. Such activity must be scrutinized.

The second difference that needs to be noted is that unlike so[end p. 14] much of the economic activity in the North, our efforts will be directed in large part at increasing the opportunities for northerners to participate in, even to direct, the critical discussion of such issues as northern economic development. And in that discussion we hope to be faithful not only to scholarship but to the place we write about and make our home.

The issues raised here can be restated in very practical terms; we must find ways to represent in print, in text, the North's oral traditions, ways which will minimize the damage to these and which give credit not to the transcribers of the words but to the rightful owners of the knowledge those traditions offer. What follows then is an examination of how some of the North's oral traditions have been represented in print, beginning with traditional anthropological practice and then continuing with more recent innovations, and our own necessarily tentative thoughts on how the Review might address this problem. We hope our comments will initiate an ongoing discussion that will lead to more informed, less biased ways of representing oral materials in print.

Perhaps no other work of anthropology which deals with the Southwest Yukon commands as much respect as Catharine McClellan's *My Old People Say* (1977). It is a comprehensive, balanced, and non-evaluative analysis of traditional Tutchone and and Tlingit life. Quite significantly, Professor McClellan is highly regarded by Native elders and anthropologists alike. Perhaps this high regard can be explained in part by a particular feature of the study; it is the work of "someone who listens well." Embedded in her text are many carefully transcribed quotes which give the reader a sense of what the elders—the "my old people" of the title—

have said. In short, it is good listening and good anthropology.

But the careful reader cannot help but detect a contradiction of sorts that is first announced on the cover. The title suggests that the person writing or speaking is the "my" of "my old people say." Rather, the "I" which is identified on the cover and which is developed in the text is Catharine McClellan's. Consequently, the very fascinating "story" that is told is Professor McClellan's; in it are embedded the quotations of the people she interviewed. The work is, therefore, unquestionably hers. On only one occasion do we forget this; in Part Two Professor McClellan quotes the story of a powerful shaman as told by a "Southern Tutchone." Briefly we leave the anthropologist's narrative and enter the shaman's world.

The "problem"—we use the word in its scientific sense—is that[end p. 15] the oral traditions recounted here are the subjects of the study. The very structure of the research does not permit its native participants to play a role greater than that of "subject." This is implicit in McClellan's opening statement: "In order to protect the identities of the individuals concerned I have not used the English names of any of my informants" (p.xxv). This work is very much a part of the western scholarly tradition, and, while we hope the *Review* will be fortunate enough to publish such solid work, we are after something else as well.

What that "something else" is is clearly hinted at by McClellan herself in the relatively early The Girl Who Married the Bear (1970). The proportion between expository comment by McClellan and oral narrative by her subjects changes dramatically; our sense of the working anthropologist completely vanishes as we are caught up in the story that is told over and over again. Each version carries the imprint of its teller; we seem to be listening rather than reading. Finally, the reader wonders if it wouln't be more accurate to call this volume an anthology rather than a monograph.

We believe that Julie Cruikshank can take much of the credit for taking the next step. In 1977 she worked with the Council for Yukon Indians to publish an anthology of stories by Mrs. Kitty Smith, Mrs. Angela Sidney and Mrs. Rachel Dawson. My Stories are My Wealth is their book. About this the cover is quite explicit. Cruikshank, who is also the author of a more scholarly version of My Stories, is here given credit as a kind of intermediary; the oral narratives have been recorded "as told to Julie Cruikshank." We don't want to make too much of semantics but the change here is significant; the "I's" of the anthology are the women's.

In subsequent Yukon Native publications this has become the norm. For example, the Yukon Native Languages Project has, with the assistance of Native elders, been able to diminish further the "distance" between speaking elder and the "listening " reader while, at the same time, improving the quality of the printing and design of its texts. Tagish Tlaagu (1982), for example, is unquestionably Mrs. Angela Sidney's book. So is Place Names of the Tagish Region(1980) which is, at least in the context of this rather academic discussion, a more important work. Unlike Tagish Tlaagu, the latter is the definitive work on places names in the Tagish region of the Yukon. That is, Mrs. Sidney's work further diminishes the gulf we have suggested lies between the two traditions of knowledge. And it is delightful to know that articles have[end p. 16] already been written which parenthetically cite—in good reference style—Mrs. Sidney (Cruikshank, 1988).

Other recent publications of the Native Languages Project have further entrenched this new set of conventions. Tom's *My Country: Big Salmon River* (1987) is the most recent. And the recent publication of *Kenjouak* (1986) indicates that similar developments are taking place in the Northwest Territories.

What does this mean for *The Northern Review*? It now seems entirely reasonable and quite practical to include between its covers "articles" spoken, that is authored, by Native elders within the North. And we would like to do it without lengthy introductory explanations or justifications and without relegating them to the appendices of more "scholarly" articles, but as legitimate contributions to a single dialogue about thinking and living in the North.
In conclusion, then, we would like to invite you, as Bill Reid and Bill Holm do in the opening

pages of their dialogue, to explore not just the empirical results of western scholarship and research but the profoundly rich oral traditions of the North. In future issues of the Review we will do our best to provide—with care and respect—some sense of this wealth.

New Bearings
Very early in this enterprise one of our advisory editors asked if it wouldn't be wise to define what we meant by "the North." He noted that such a definition would help the *Review* avoid a lot of problems, a lot of debate, in future issues. No doubt he is right; such an exercise would save time and could result in conceptual integrity. But, as right as he is, we have quite consciously decided not to be too precise about what we mean by "the North," at least for the time being. This decision is based on the following observations.

In our less than exhaustive efforts to discover how others have defined the North, we have found a plethora of definitions. First of all, from Hamelin (1978) we discovered that no fewer than twenty different physical criteria have been used by scientists to define this place. The presence or absence of certain flora and fauna; the number of days in a year in which the temperature does not go above a certain point; a measure of latitude such as 60 degrees north or, as the hardier or more romantic sometimes prefer, 90 degrees north—all these have been used independently and in combination to demarcate the North.[end p. 17]

But they are all less than satisfactory in a journal which is more interested in the landscape as a background for human thought and activity than it is in the independent or objective physical environment. Each to varying degrees attempts to disentangle the notion of "nordicity" from the person or persons whose notion it is and, consequently, obscures the very subject in which we are most interested, namely how various people have thought about and behaved here. We hope to undertake a search not for the single objective reality of the North—but rather for its many subjective realities.

But, of all the definitions of the North we have encountered so far, Hamelin's own (1978) strikes us as one of most useful. His system of assigning valeur polaires (polar values or VAPOS) on ten scales of "nordicity"—ranging from latitude to degree of economic activity—has the merit of blending the objective and subjective, of including both physical and human factors. In so far as his definition is based on physical factors—Hamelin points out that temperature is an absolute indicator—it encompasses within itself both the notion of a relatively static physical environment and, at the same time, of a dynamic human context subject to change. Indeed, he notes that the North has contracted significantly, that the southernmost edge of the North has retracted several hundreds of miles, largely because of the east-west expansion across Canada since 1840. In short, his North has receded—like an icefield—northward.

Clearly, Hamelin sees the North in part as a dynamic human concept, an ever-changing region starting at and extending from the shifting periphery of European settlement of North America.
While we value Hamelin's definition for taking into account various human dimensions of the North—its perceptual and cultural relativity—its usefulness to us here is limited because it not only describes a cultural relativity, it embraces it. This is most clearly reflected in the language he employs. Consider his notions of the "Far North," "Middle North," and "Near North." We are most familiar with his first term in its absolute geographical sense as the greatest possible distance one can go north without going "over the top" and heading back south. Used in this way, the "Far North" signifies a geographical absolute. It makes little reference to human habitation. But Hamelin seems to use the term somewhat differently; we understand how only by referring to his[end p. 18] "Middle North" and "Near North." Near what? we ask. His answer is near to "Base Canada." That is, it is near where the bulk of Canada's population lives. By extension, therefore, the "Far North" is far from that supportive base. Consequently, despite his qualification that temperature is an absolute criterion, his notions imply a southern perspective, one quite different from that shared by people who live here. Here, the "Far North" is just as apt to be Siberia or Greenland—a place a great distance east or west—as it is

to be "here" or some point even further north.

Also, given Hamelin's emphasis on population density, his notion is empirically attached to the old notion of the North as the "last frontier," that last uninhabited or least inhabited region of the world that is so intrinsic a part of the European sense of the world. In this sense, Hamelin's "North" is not unlike the European concept of the West which, while having a kind of absolute geographical base, is a highly charged symbol of the "land beyond." Thus, his now classic study is perhaps best read as impassioned polemic, an epic attempt to validate one perspective of the North—of a romantic last place where Nature reigns supreme.

Thus, at best, Hamelin's co-ordinates allow us, by a kind of conceptual triangulation, to establish our starting point but they give us little information about where we are going. We propose therefore to adopt at the outset what may be the least satisfactory definition of all, out of the hope that one of the useful things the Review can do in the issues ahead is try to establish more precise co-ordinates to the many norths which seem to exist without making the mistake of saying that any one of them is the definitive North. We propose therefore to focus on Alaska, the Yukon, the Northwest Territories and the northern extremities of the provinces.
While there is some basis for this—the boundaries humans define for themselves or have defined for them are of great consequence—we are already aware of the inadequacy of the definition. We only hope, however, that we do not become so preoccupied with checking our southern boundary that we forget to travel to the East and West.[end p. 19]

The Problem of the South
Sometime ago several of us at Yukon College were sitting around and trying to think of ways to get financial support for a number of research projects in which we were interested. It was ground we had covered before, and new ideas were as slow as a northern spring in coming.

"I know," said one, "it's perfect; let's create ACCESS!"

"ACCESS?" queried another, "What is ACCESS?"

"What we need in the North, of course, the Association of Canadian Colleges Engaged in Southern Studies."

"Southern Studies?"

"Yes, Southern Studies. Look, even Hamelin admits that the South is the North's number one problem—didn't he ask, "Is it an exaggeration to suggest that one of the major problems of the North is the South?" and argue that any effort to understand the North's past, present, or future requires reference to what people in Base Canada are thinking and doing about "their" north? As territories, as colonies, as Coates suggests, we are subject to decisions made elsewhere. Doesn't it follow then that in order to understand what's going on here, we have to know what is happening elsewhere, in the South, in Ottawa?"

In the next hour or so we engaged in a fanciful, tongue-in-cheek "romp" about ACCESS which, admittedly, better suited college freshmen than college faculty. We talked about the great funding possibilities. We would approach the federal government for money to set the association up. We could hold Southern Studies conferences in the North each year, alternating between Iqaluit, Yellowknife, Whitehorse and Fairbanks. We would set up scholarships so that promising students could come north to study the South. And, of course, we would have to set up research stations in the Near, Middle and Far South. These would help offset the enormous costs of conducting southern research—travel expenses alone could be crippling—and thus insure that our southern specialists could manage to spend at least a month or two each winter in the South. Oh, and we would have to undertake a major educational campaign to familiarize Southerners with our plans; after all, they should be fully apprized of what we were doing and even be given an opportunity to participate in our activities. And that reminded us that we would have to give some thought to developing a code of ethics to which members engaged in

southern research would have to subscribe.[end p. 20]

As fanciful as this discussion was it was useful, not only because it reminded us of some of the problems of northern research but of the perceptiveness and wisdom of Hamelin's remark: anyone who wishes to understand the development of the North must study the South (1978, p. xii). Stated declaratively, it becomes perhaps the one axiom of northern scholarship.

Despite the fact that the truthfulness of Hamelin's remark has been amply documented in the literature, a number of recent developments in Southern Canada have reminded us in a grotesquely comic fashion of it. For example, that the North can be as easily ignored as praised has been painfully brought home to us in the North by the Meech Lake Accord. Most of us here can shrug off the exclusion of our government leaders from the first ministers' meetings about the constitution as the neglect bred of indifference. Most of us can even understand, if not support, the new amending formula (but we wonder why the country paid so little attention to that to which it so often refers when talking about its future). But these developments were not nearly as difficult to grasp —intellectually or emotionally—as was the position adopted by federal lawyers when they first attempted to block the Yukon's court action against the accord: quite simply, they argued that we in the North—specifically, our legislatures and our laws—do not exist or, at best, exist at the whim of Ottawa. Despite the fact that this particular argument was later retracted, it nonetheless illustrated that if one is to study the human dimensions of the North, then one must be willing to spend time grappling with the South's perplexing and self-serving views of and plans for those of us who live north of the 60th parallel.

Why Another Northern Journal?

This question and the corresponding "Aren't there already quite a number of northern journals?" are the two we've been asked most frequently since we decided to proceed with the Review over a year ago. Indeed, we began this project by asking these two questions ourselves; given the pressures on our own time and given the limited money available for such projects, we felt they had to be satisfactorily answered. Here, then, are our reasons for "going to print."

Yes, there are a quite a number—some would even say too many—scholarly periodicals that deal with the North. And some[end p. 21] have truly distinguished records—in 1986, for example, *Arctic* celebrated its fortieth year of publishing northern research, some of the very best in the entire North. Similarly, the University of Wisconsin's *Arctic Anthropology* has done a great deal to further our understanding of traditional northern cultures. To the West, in Alaska, the University of Alaska's publications have won a great deal of acclaim. So, again, why bother?

First, there is tremendous competition for "spots" within these fine journals; while this insures high standards, it also means, as in the case of *Arctic* (Hodgson, 1986) that twelve to eighteen months can pass between acceptance and publication of an article and, more significantly, a decrease in the likelihood of publishing first-time work by longtime inhabitants of the North.

Second, existing northern journals tend to focus on specific disciplines or aspects of the North. None seems devoted to looking broadly at human thought about and activity in the North. And, despite the recent efforts to refocus *Arctic* to include:

. . .significant numbers of research papers on sovereignty, native government, renewable resource management, communications, international militarism, housing, linguistics, government, and all those other topics of prime concern at this time in the Arctic both in Canada and beyond, (Hodgson, 1986, p.1)

we think it unlikely that *Arctic* will resist the temptation to continue focussing largely on its first interest, namely hard science. Thus, while the journal has increased significantly the number of articles it publishes that deal with the social sciences, only one third of the articles published by *Arctic* since the first issue of Volume 39 have dealt with the social sciences, and most reflect a strong empirical orientation.

Third, no scholarly journal of which we are aware is published in Canada north of the 60th parallel. Nor are we aware of any journal in Canada whose stated purpose is to develop what

we call "indigenous northern scholarship." As we have mentioned, this is our principal goal. Indeed, if it does not take precedence over contributing original knowledge, it is as important to us, because we believe that new knowledge will necessarily follow as we articulate new northern perspectives.

Only in Canadian terms are we covering new ground. To the west, the University of Alaska provides us with examples of that for which we here can strive. Its fine publications are not only [end p. 22] important to Alaskans but contribute significantly to the circumpolar discussions.

Fourth, and very much related to the last point, because of the distance between the northern scholarly community —which is, quite simply, situated in the South— from its subject of study, we feel it has been relatively ineffectual in developing the scholarly potential of northerners. For example, despite the heroic efforts of organizations such as the Association of Canadian Universities for Northern Studies (ACUNS) to increase the access of northerners to a variety of research and educational resources, access remains very limited. Consider the following. Faculty of the two post-secondary institutions in the North—Arctic College and the Yukon College—are largely excluded from obtaining research grants from many government sources because they do not work for a university, and many lack doctorates. Similarly, southern-based northern specialists can get travel assistance to attend conferences situated in the North more easily than northerners can. And, perhaps most ironic, promising northerners can qualify for a variety of studentships but, as far as we know, only by attending southern institutions. We believe that the Review, by assuming the responsibility of publishing northern scholarship and by demonstrating the scholarly abilities of northerners, can help alter this and, thus, contribute in a modest but significant way to this very special part of the world.

Editorial Policies
What shape, then, should a publication which hopes to address these issues take? At least initially, we propose to publish the *Review* two times each year, winter and summer. Although we considered publishing quarterly, three things dictated a more modest schedule. First, we thought it important to get a "handle" on just how much good northern research in the social sciences and the arts is available. Second, the *Review* is in addition to our primary duties as lecturers and administrators, not part of them. Time is a very real constraint. Third, we have yet to determine whether or not we can afford to publish more frequently. We thought it better to commit ourselves to publishing two good issues a year rather than four meager ones, or say we will publish four issues a year and then publish only two or three.[end p. 23]

Each issue will consist of three sections. The first will be devoted to articles from a broad range of disciplines. Thus, in this first issue there are articles about northern history, archaeology, ethnography, and painting. While some have been written by northerners, others have not. While publishing the scholarship of northerners is a major objective, we are also eager to establish a "benchmark" against which we here can compare our own research. Consequently, the *Review*'s advisory editorial board includes people not only from across the North but from across southern Canada. Also, their scholarly interests are as various as their places of residence.

Before any article is published in the *Review* it must be evaluated by at least three reviewers who, as a rule, are chosen from our advisory editorial board. However, several other rules govern the choice of reviewers. Only one of the three may be an editor. At least one must be a recognized expert from the discipline covered in the article. And at least one must reside in the North. In this way we hope to maintain a decidely northern perspective and high standards of scholarship.

The second section will be devoted to reviews of northern books, films, art exhibits, etc. Though not achieved in this first issue, we hope as quickly as possible to have only people who actually live in the North serve as reviewers. Because so much of what is considered northern is written, published, and reviewed by people living outside the North, we think that one of the contributions we can make is to offer "indigenous" perspectives on these. If nothing else, our

reviews will provide useful measures of validity that might not otherwise be made. Compare for example the two reviews of ACUNS' recent Education, Research, Information Systems and the North included in this issue. While the reviewer from the Northwest Territories speaks favorably about it, the Yukon reviewer draws attention to the scanty coverage of developments within the Yukon, developments which were often precedent-setting in the North. But more importantly, taken together, these two reviews draw attention to the fact that there is, in the minds of many northern specialists, an implicit equation of the North with the NWT.

The third section will be one of the most practical. "Northern Notes" is a bulletin board of sorts where those interested in northern research can post announcements about research projects, grants, publications, showings, etc., and short notes about new discoveries, equipment, issues, etc.[end p. 24] Also, while the editors will retain some control over the contents of this section, items for it will not undergo formal review. In short, it is a place where we can describe our projects, opinions, and ideas without having to prepare them as rigorously as we would if they were destined for a major article.

One final note about the editorial policies of the *Review* is needed here. Some readers may notice (even be dismayed by) the many bibliographical styles which are incorporated in the journal. But we have decided to follow the lead of such multi-disciplinary publications as *The Canadian Journal of Native Studies* and ask only that contributors adhere to the dominant reference style of their discipline.

Conclusion
This then is the fragile beginning of a new expedition of sorts, an attempt to map the bewildering topography of this place here. Quite frankly, we're nervous; as numerous previous expeditions have proven, it's easy for things to go awry, particularly when one must wander so far off the well-established routes. But, perhaps, if we're lucky, and if enough people think our destination a worthwhile one, they will help us out, especially when we go astray and need to be put kindly back on course.

3.2. About Culture: Changing Traditions in Subarctic Anthropology - 1988[2]

One of the liveliest areas of discussion in contemporary anthropology centres on how to convey authentically, in words, the experience of another culture. Anthropology's claims to provide authoritative interpretations of cultural experience are being challenged from both inside and outside the discipline (Rabinow 1977, Said 1979, Rosaldo 1980, Clifford 1983, Ellen 1984, Clifford and Marcus 1986, Marcus and Fisher 1986). The issue of how culture can be "told" is also a subject of considerable discussion in the communities where ethnographers have done their research. In fact, the development of a critical and articulate local audience for ethnographic writing is changing the shape and direction of ethnographic research and writing, particularly in northern Canada and Alaska.

The cultural context of fieldwork is changing in ways that may seem disconcerting to some researchers who worked in the North a generation ago. Organizers of a symposium on subarctic research at the 1986 meetings of the American Anthropological Association, for example, expressed concern about a diminishing contribution of Arctic and subarctic ethnography to cultural anthropology in recent years, suggesting that northern studies have been consigned to "oblivion" (Balikci and Myers 1987). Yet from the perspective of researchers based in the North during the 1970's and 1980's, there has actually been a recent explosion of critical local interest in ethnographic research in the North, generating a new audience for ethnographic writing and lively discussion about research questions and methods. There are a number of reasons for this-- [end p. 27] the weight attributed to ethnographic evidence in land claims negotiations, concern by Native people about language loss, attempts to introduce cultural history and oral literature into northern classrooms.

[2] About Culture: Changing Traditions in Subarctic Anthropology http://www.yukoncollege.yk.ca/review/1cruikshank.htm [In 1988] Having recently completed her PhD from the University of British Columbia, Julie Cruikshank is currently working at the Scott Polar Research Institute at Cambridge.

At the same time, there is growing tension between goals of university-based anthropology and local stipulations for fieldworkers. This is particularly noticeable because the Arctic and Subarctic were viewed as a readymade "laboratory" for so long. Anthropologists no longer have the power to unilaterally decide where and how they will do fieldwork. Instead, research strategies negotiated locally and based on a model of *collaboration* are replacing more conventional models of university initiated research. Increasing numbers of anthropologists and linguists are choosing to spend a significant portion of their professional career based in northern Canada or Alaska. While the demands of working in a local context may preclude publication in academic journals, much of this collaborative research does fall within long established traditions in subarctic ethnography.

My own perspective comes from living in the Yukon Territory and in Alaska during ten of the last eighteen years, much of that time working with a locally based project, the Yukon Native Language Centre. During those years, specific changes seem to have occurred in the kinds of questions ethnographers are asking, the methods they use and the writing genres they select to present their work. In each case this can be illustrated most clearly by examples of locally based collaborative projects.

Research Questions

The history of ethnographic research in the Arctic and subarctic seems always to have reflected an interplay between detailed ethnographic documentation and general questions posed far from the North. What we are seeing in the 1980's seems to be an intensification of that process.

During the 1950's and 1960's northern societies were seen primarily as providing evidence for or against specific hypotheses about social organization. Julian Steward, for example, based his formulations about band organization at least in part on observations by Speck (1915) and Osgood (1936) and set terms of a debate carried on by Leacock (1954) Helm (1965), Knight (1965) and others over the years. In fact, questions about band organization [end p. 28] continue to provide the unifying theme of the recently published *Subarctic Handbook* (Helm ed. 1981).

But as ethnographers began to see Athapaskan and Algonkian studies as research focus rather than just as evidence for more general theory, they were confronted with individual differences. Firm definitions of band society seemed to evaporate. Every attempt to produce a normative account generated further questions. People in northern communities did not always agree with one another, offering thoughtful but seemingly idiosyncratic responses. Following hunter-gatherer conferences in the 1960's (Damas 1969, Lee and Devore 1968), efforts to document the *variety* of possible options available for social organization replaced some of the earlier determination to define general principles that would be broadly applicable to northern hunter-gatherers. By the 1960's a general postwar interest in acculturation models reached the subarctic. Murphy and Steward's influential paper (1956) on trappers and trappers used an acculturation model to predict inevitable assimilation of band societies into national industrial economies. So entrenched was this model by the 1960's that a whole series of Arctic and Subarctic studies, many of them sponsored by the Canadian government, took acculturation as their main theme (Balikci 1963, Chance 1963, Honigmann 1966, Hoseley 1966, Vanstone 1965).

By the 1970's, Native northerners were becoming politically vocal about their own views of their society. In the mid 1970's hundreds of Dene addressed the Mackenzie Valley Pipeline Inquiry, and Yukon Indians spoke to the Alaska Highway Pipeline Inquiry protesting that they were not societies in transition but strongly committed to continuing their traditional way of life in the present (Berger 1977, Lysyk 1977, Asch 1982). Across the North, attention to land claims has sparked a corresponding interest in documenting "cultural persistence" (Felt 1982): a notion that ultimately has strong roots in archeology and field ethnology.

There seems to be an unresolved conflict between models of stability and models of change in Arctic and subarctic anthropology (see also Ray 1986). Native northerners have been quick to draw attention to shifting fashions by pointing to studies they find misleading; for example, acculturation studies of the sixties have come under intense criticism.[3] They are suggesting that if anthropologists want to work in their communities, local people should have a role in defining some of the questions for research. [end p. 29]

Fieldwork Models

If research questions are being reevaluated, so are the methods anthropology uses to derive its data. Since the 1920's, participant observation has been the cultural activity that defined anthropology. The inherent contradiction posed by simultaneously participating in the life of a community and dispassionately observing daily events has long been recognized by fieldworkers; however, as long as the demands of the academic institution were stronger than the demands of the community, observation was the component most valued. Increasingly, aboriginal people have their own ideas about the kind of relationship they want to establish with an anthropologist. Their expectations include considerably more sustained participation from the ethnographer than was the norm in the past. While this is certainly a contentious issue, it has to be addressed by every ethnographer working in the North.

The model being negotiated in some northern communities is one based on collaboration between participants rather than research "by" the anthropologist "on" the community. Such collaboration has local people and the ethnographer jointly specify terms under which research will be conducted and a final report produced. While the resulting demands may be extremely time consuming and long term for the ethnographer, such work does provide perspectives on questions central to anthropology. One of the more interesting questions may be how "subjective" and "objective" realities become blurred in such research, and how the personal reaction of the investigator to collaboration affects the kinds of questions he or she asks.

Ethnographic Writing

Writing is the other side of fieldwork. Readership of classic northern ethnographies is shifting from an academic audience to a politically astute Native audience, particularly as land claims negotiations in the north begin to attribute unexpected weight to ethnographic evidence. However, the contradiction between the strict limitations imposed by any fieldwork situation, and the model of authority that written ethnographies are expected to emulate means that books with titles like "the Han Indians" (Osgood 1971) or "the Kaska Indians" (Honigmann 1954) or "the Upper Tanana Indians" (McKennan 1959) have a tendency to disappoint this new readership. [end p. 30]

Attention to various ways of writing about cultural experience has generated a good deal of experimentation in recent years (Clifford and Marcus 1986). In the North, issues of authorship, ownership, copyright, are all being redefined and a range of ideas are being tried. One possibility involves working with local people to prepare their own version of a research report under their own authorship. Another option, particularly appropriate for documenting language and oral tradition, involves assigning copyright to the narrator and producing publications under that narrator's authorship. However, such strategies do not bring northern research into the academic mainstream.

Collaborative Research

A framework of collaboration imposes specific structural requirements on research. Collaboration necessarily involves more that one conscious investigator. Instead of a social scientist asking questions in order to acquire raw data, the design and implementation of such research inevitably requires a great deal of attention to "insider" interpretations. Collaborative research, in fact, moves us away from questions about social structure and social behaviour and toward questions of symbol and meaning.

Much of the research now ongoing in the western subarctic seems consistent with a growing interest in communication and language in anthropology--in the ways individuals mobilize symbolic resources to talk about their experience. This is a reflection of several factors: a continuing scholarly tradition of attention to northern Athapaskan world view by linguists and ethnographers like Sapir (1949), McClellan (1975), Ridington (1986) and others; the concentrated focus on documentation of language and narrative texts at centres based in Alaska and Canada; and the increasing attention paid by Northern Athapaskans to documenting their own history and culture during the last decade.

A growing number of northern researchers have benefited from both this long tradition of scholarship and from a perspective on local research goals gained from living in the North. Some brief examples of locally based collaborative research in the Yukon may illustrate its overall continuity with traditions of subarctic ethnography.

The most striking change during the last decade, has been the growing interest of both elders and younger people in documenting [end p. 31] their own culture in their own voices. Initially, such documentation involved production of booklets of stories, place names and genealogies as they were recorded with specific elder storytellers (Sidney and others 1977; Sidney 1980, 1982, 1983; Smith 1982; Ned 1984). Their interest in this work at least partly reflects their understanding of how instructional techniques have changed during the last decade. Each of these elders received her education either from her own direct experience or from verbal descriptions or instructions from others. An ultimate value of oral tradition was the ability to recreate a situation for someone who had not experienced it so that the listener could benefit directly from the narrator's experience (see McClellan 1975:667 and Ridington 1982 for a discussion of this). Elders' faith in oral tradition has to do both with their own experience of its effectiveness and with the direct relationship of teacher and listener. But they understand that in contemporary educational institutions power rests with the written word, and they want to devise ways of translating their knowledge into other forms of presentation.

More recently, Native researchers interested in and trained to do their own cultural documentation have done so in a variety of genres. Gertie Tom, for example, is a Tutchone language specialist who has worked with linguists and anthropologists to produce a bilingual booklet about tanning moosehides (Tom 1981) and an extensive study of place names in the eastern Yukon Territory as well as narratives associated with those toponyms (Tom 1987). Daniel Tlen, a Southern Tutchone linguist, undertook a Yukon wide survey of Native language programs and produced a comprehensive assessment of future program requirements (Tlen 1986). Mary Easterson, a Southern Tutchone woman who combined anthropology and education courses for her university degree has regularly written articles about culture history in the North (for example, Easterson 1987). Carol Geddes, an accomplished film director of Tlingit and Tutchone ancestry, has received national recognition for her work (Geddes 1987) and has recently directed a film documenting storytelling traditions in the Yukon (Geddes 1986). Louise Profeit LeBlanc is making an ongoing contribution to the revival of storytelling by younger Yukon women. Lu Johns Penikett worked with a broadly based group to organize a potlatch conference in the southern Yukon and has documented the variety of potlatch traditions discussed at that conference (Penikett 1986). These are only a few of the Athapaskan [end p. 32] and Tlingit men and women actively involved in such documentation and in many cases their work has been part of collaborative research made possible through locally based associations like the Council for Yukon Indians, the Yukon Native Language Centre or the Yukon Historical and Museums Association.

Some of the very detailed documentation of place names occurring throughout the north (Muller-Wille 1984; Ritter, ongoing; Karl 1982, Sidney 1980; Cruikshank 1984) originated from collaborative efforts among elders, linguists, ethnographers and geographers to document Native land use. However this research has generated interest in the ways people *use* place names to talk about the past. Renato Rosaldo's work on place names in the Philippines (1980a), Keith Basso's research on Apache place names (1984) and Frances Harwood's research in the Trobriands (1976) all suggest that place names are complex mnemonic devices. Research involving Athapaskan speakers in the subarctic indicates that they, too, use named landscape features to talk about the passage of time.

There is also considerable local interest in reconstructing genealogies in the Yukon. The major reason Athapaskan people give for initiating this work is their desire to assemble a pool of personal family names which may be given to children appropriately. Much of this seems related to notions of "self" whereby individuals share qualities with others who have been given the same names. In the course of compiling extensive genealogies, considerable information is becoming available about movement and marriage patterns within and across local groups, and about ways people manipulate their genealogies to claim membership in different groups at different times. This local initiative may contribute to our understanding of the nature and composition of local groups (Sidney 1983, Tom 1987).

Text collection, translation and analysis have particular importance for studies of symbol and meaning. The detailed narrative texts already recorded at the Alaska Native Language Center and the Yukon Native Language Centre by Athapaskan speakers trained to write their own languages offer insights into the workings of Athapaskan language. They also illustrate the ways narrative, and metaphors derived from narrative, are used to talk about everyday life. The relationship between stories and social life is not a simple one: stories with a range of plots and outcomes provide narrators with a way to use the traditional dimension of culture to discuss troubling contemporary issues--the relationship of an [end p. 33] individual to his or her social group, the ambiguities involved in a marriage to a distant group, the efforts to retain strong family ties. They also provide narrators with ways to talk about and interpret their own actions on various occasions in the past; a striking

example of this is the way women narrators may have acted with autonomy at critical points in their lives but use oral tradition to characterize their innovations as essentially conservative, stressing that they were really behaving in an "old-fashioned" way.

Collaborative research may actually alter the direction of specific research projects, blurring any clear line between investigator and interviewee. One of my ongoing interests during the years I have lived in the North has been recording life histories with elderly Athapaskan women whom I have known for more than a decade. A central feature of their accounts has been the women's insistence on including long passages of traditional narrative to explain certain aspects of their lives. When I asked them to talk about events that I knew had affected them, they would begin by doing so, then shift to a traditional narrative they wanted me to record. While these accounts initially seemed archaic and closer to our definition of "myth" than to personal accounts of a "life," I came to see them as embodying a culturally distinct interpretation of everyday events. They also provide the necessary context for understanding the metaphors narrators use to reflect on their lives (Cruikshank 1987). These collaborative accounts bring two different perspectives to the documentation of personal experience and may, in turn, make some contribution to anthropological studies of life history.

Conclusion

In conclusion, then, from a northern perspective, ethnographic research is continuing as intensely as ever in the Arctic and subarctic, though under different circumstances. If that work seems consigned to oblivion, it may be because there are very few mechanisms to connect individuals living and working in the North with universities having northern research interests. It also says more about the ways knowledge is circulated within the profession of anthropology than it does about the quantity or quality of work occurring in the North. The challenge remains one of bridging diverging streams so that locally based projects can [end p. 34] achieve some visibility within anthropology and so that anthropology can provide some ethnographic guidance to groups and individuals documenting languages and cultural history in the North.

Notes

1. This is a revised version of a paper presented at the 1986 meetings of the American Anthropological Association, Philadelphia, in the session "The Oblivion of an Ethnographic Area: Hunter-Gatherer Studies in the Arctic and Subarctic" organized by Fred Myers and Asen Balikci. [back]
2. In 1982, the Yukon Historical and Museums Association sponsored a small conference in the community of Haines Junction, in the southwest Yukon. The laudable aim of the conference was to have archaeologists from across Canada and local elders exchange ideas about Yukon prehistory in a relatively informal setting. Not surprisingly, academics did most of the talking. Mrs. Ned, already in her nineties, sat all day listening patiently while one archeologist after another presented papers describing current research. Finally, late in the day, she stood up and made this comment.[back]
3. A full page article in a major Canadian newspaper, *The Globe and Mail*, Aug. 23, 1986, featured a sustained attack by people from Snowdrift, N.W.T. on an anthropological study done in their community in the late 1960's; this book was considered a classic when I was an undergraduate 20 years ago. Resentment of anthropologists is not uncommon in the North, but this article was singular for the outrage expressed by the local people (and for the rather simple way in which it was reported in the paper).[back]

4. Relevant Documents, Studies and Practices – Other Northern Territories

4.1. Aboriginal Justice Strategy (AJS) Trends -2000[3]

4.1.1. Rural and Northern projects

- require a strong, supportive infrastructure.
- Isolated communities have different development, organizational, resource issues etc.

4.2. Nunavut (Northern) Justice Issues - 2000[4]

- This annotated bibliography brings together voices from across Canada, representing a cross-section of scholars, community justice workers, and government representatives to share some of the key elements that require consideration for community-based justice in the North (specifically in Nunavut).
    - This collection addresses the Northern environment (social issues, crime and justice issues in the North), lessons learned (the nature and results of community-based justice projects in Canada), the nature of community relationships and the dynamics of community mobilization, as well as the inter-relationships between community-based justice and mainstream justice.
- While the materials indicate that hard and fast answers regarding community-based justice development, implementation, and operation are difficult to present, the literature included in this report does highlight a number of key areas that play a fundamental role in facilitating success in community-based justice programming. Specifically:
    - a community-driven approach that has addressed the power dynamics that may operate in the community,
    - a clear articulation of who the community is and how they will participate,
    - a holistic focus that understands and incorporates the role of recreation, health, and housing in crime prevention,
    - supportive linkages between the community-based justice program and the relevant elements of the mainstream justice system, and
    - a clear articulation of the needs of the community, as well as the goals and objectives of the initiative.

Introduction

- The following collection of summarized research reports and articles are intended to shed light on some of the important issues that will shape and direct the delivery and administration of community-based justice initiatives in Nunavut.
- Specifically, the collection addresses four separate but inter-related areas and highlights the issues that arise in each.
    - First, the social problems, crime patterns and justice issues that are specific to the North are explored.
        - The Northern environment has a particular context that gives rise to particular needs and it is vital that this environment is understood.
    - Second, the nature and results of community-based justice projects in the North and in Aboriginal communities across Canada are explored, where invaluable advice, experience, and 'lessons learned' are shared.
    - Third, the collection illuminates the dynamics between community and mainstream justice; the types of relationships that may be developed and the types of links that can be expected.
    - Finally, the collection draws attention to the need to understand the nature of community relationships and the dynamics of community mobilization.

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[3] Department of Justice Canada, The Aboriginal Justice Strategy: Trends in Program Organization and Activity 1996-1997, 1997-1998 and 1998/1999, Prepared for the Aboriginal Justice Directorate, Department of Justice Canada by Naomi Giff, March 10, 2000 -

[4] Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

- While recognizing that each community is unique in both its make-up and its needs, there are some underlying principles, articulated in this report, that may contribute to the success of meeting some of the justice needs of Northern community members, victims, and offenders.
- Common themes throughout the literature examined here include:
    - the need for a clear articulation of the justice initiative's goals and stakeholders,
    - the need for an approach that is grounded in and addresses the needs of the specific environment it takes place in,
    - the need for a positive working relationship with the larger system, and
    - the need for a high level of organization and flexibility.
- Most importantly, however, is the need to understand community dynamics.
    - Community-based justice initiatives, to be successful, rely upon
    - a clear articulation of *who* the community is,
    - *how* it will be involved,
    - the development of strategies that address inequalities,
    - and an understanding of the power dynamics that operate within each community.
- A key element to examine when addressing justice issues in the North, as with anywhere, is ensuring that the needs of women are met and that women are primary players in the implementation, delivery, and operation of justice in the community.
    - This aspect of justice in the north is not addressed in this particular report because these issues are being addressed in a separate project entitled *From Hips to Hope: Inuit Women and the Nunavut Justice System* undertaken by Crnkovich, Addario and Archibald.

Outline Of The Report

- The 32 reports and articles contained in this annotated bibliography are intended to provide a snapshot of some of the key issues for community-based justice in the North.
    - Specifically, in relation to environmental factors and context, past experiences and 'lessons learned', issues regarding the relationship between the mainstream Canadian criminal justice system and the community initiative, and the issues surrounding community relationships, involvement, and mobilization.
    - Considering the large level of overlap that exist within these areas and within the literature that address them, the documents are not separated by theme, but rather are presented in alphabetical order. To separate them would be to suggest a distinction that simply does not exist.
    - For the most part, the annotation for each document addresses the methodology and relevance of the article in relation to Northern community-based justice issues, provides a general overview of the work, and identifies underlying themes or findings as they relate to justice issues in the North.
    - For more accessibility and conciseness some of these are presented in point form. Clearly, this report is only an introduction to the existing literature that addresses issues such as these. Much has been written that is not included in here. Nevertheless, these voices are a beginning to understanding some of the key issues in the planning, development, and operation of community-based justice initiatives, and being aware of them may facilitate the success of community-justice in the North.

Overview Of Findings

- The following section highlights the themes, issues and findings in the readings included in this report as they relate to Northern justice issues. These are divided into four sub-sections.
    - The first addresses the specific context or environment that that community-based justice initiatives in the North – especially within Nunavut – will take place in.
    - The second sub-section summarizes the themes surrounding the 'lessons learned' about the nature and results of community-based justice projects in Northern, on-reserve, and off-reserve communities in Canada.
    - The third sub-section illuminates some of the key issues regarding the community-based justice initiatives' relationship with the larger, mainstream criminal justice system in Canada.
    - Finally, the fourth sub-section addresses some of the key issues regarding the nature of community relationships in the North and the dynamics of community mobilization.

Lessons Learned: Nature and Results of Other Community-Based Justice Projects in Aboriginal Communities

- While the number of reports that address the challenges and successes of community-based justice initiatives across Canada is limited, it is clear from the ones highlighted in this report that some of the elements that play a key role in ensuring success can be identified. They are introduced below.
    - **Need for high level of organization**
        - The articles annotated in this report indicate that community-based justice initiatives in Aboriginal communities must not be haphazard.
        - If these initiatives are to be effective in preventing crime, meeting the needs of victims and offenders, or empowering the community, there must be a structured and thought out plan for development and implementation.
        - Consequently, the organizers must know the community and the intended goals of the strategy.
    - **The role of tradition**
        - Many have held that traditional Inuit mechanisms for social control and addressing anti-social acts are ineffective in the modern world.
        - This is the result of both the policies that have oppressed Inuit communities, creating dependency and, in some cases, powerlessness, as well as the fact that many of the crimes that occur today did not occur in the past.
        - However, the voices in this collection indicate that the spirit that guided the traditional mechanisms can be incorporated into modern-day situations and community-based initiatives.
        - Traditional goals had both proactive and reactive elements.
        - Traditional mechanisms created an environment that prevented anti-social acts, as well as a process that adequately addressed the issue(s) at hand, attempting to heal the parties to the offence.
        - These are goals that can be attained through modern terms such as 'restitution', 'community service orders' and 'reintegration'.
        - Amalgamating tradition with modern is a theme that underlies many of the initiatives underway.
    - **Justice is a process**
        - It is clear from the literature that simply implementing a new program does not imply success.
        - Flexibility and an effective feedback/monitoring system are required so that the program can be altered when necessary or tailored to better meet the community's justice goals.
        - The voices in this collection speak to the fact that community-based justice initiatives involve learning through trying and the acceptance that refinement will always be necessary.
    - **How 'success' is measured**
        - Communities developing and implementing community-based justice initiatives must address what 'success' means to them and how it will be measured.
            - For example, does it mean that there is reduced recidivism by those who may offend, or, fewer new offenders?
            - Communities must ask where change is to be focused and how success will be defined.
    - **The need for a holistic approach**
        - In developing and implementing a community-based justice initiative, the strategy developed and adopted must incorporate all relevant social, economic, and political factors.
        - Organizers must be aware of these factors as they operate within their community and the justice project itself must address (if not focus on) them. These larger issues, especially in Northern communities, are intrinsically linked and must be holistically addressed and encompassed in their strategies.
    - **Absence of the 'right way' to implementing community-based justice**

- The literature makes clear that there are no templates to offer a community starting a justice initiative and this collection, while illuminating the experiences of many communities in initiating, developing, and implementing programs, does not dictate the 'right' way.
- There are a variety of community-based justice initiatives and programs occurring, and depending upon the financial and community resources available, as well as the needs of the community in relation to justice programming, they all require varying levels of community abilities and resources.
- That being said, however, a few generalizations about common elements to success can be mentioned, as they are commonly stated in the literature:
    - It is important that the community is aware of its abilities. This collection shows that things can be done if the community has both the desire and ability to take on the challenge.
    - The voices in this collection all hold that the specific needs and abilities of the community must guide the justice initiative.
    - There are a variety of needs that a community has, needs that differ (i.e., in some communities the problems stem from alcohol abuse, while in others the problems lay in 'sniffing' gas and other chemicals). These variances are important to be aware of so that any initiative can identify and attempt to ameliorate them.
    - Communities also vary in terms of ability and desire to take on more responsibility for justice initiatives.

- **Establishing the initiative: Multiple forms available**
    - There are a number of forms that the justice initiative can take, depending on the level of organization operating, the relationships established, and the objectives of the project.
    - Developers must think about whether it would be best for their needs and the community's goals to have the initiative operate within the system (i.e., sentencing circles) or outside of the formal system but dependant upon its assistance (i.e., tribal courts, justice committees) as well as whether the initiative will be community-based or organization based.
- **Establishing the initiative: Adult or youth?**
    - The literature indicates that it is important that the initiative knows whom it intends to serve for a number of reasons:
        - Adults and youths have different needs.
        - Adults and youths often commit different crimes. Adult males tend to commit more violent crimes and youths tend to commit more property offences. This has implications on the strategies developed and the roles that the community will play in meeting the needs of the parties involved.
        - Adult and youth initiatives have different avenues available to them (i.e., alternative measures in the *Y.O.A.*). As a result they will look and operate very differently.
- **Language**
    - The language used in most Inuit communities is Inuktitut. The issues that arise from the high use of Inuktitut and the implications that will have on any initiative must be adequately examined and explored. For example, interpretation, nuances, and meanings that are inherent in speaking Inuktitut, require adequate translation services.
- **Offender focus**
    - Much of the literature speaks to the issues revolving an 'offender-focus' in community-based justice.
    - This has been the reality of many past initiatives, and efforts should focus on not replicating this phenomenon.
    - This offender focus is an unchecked consequence of the emphasis that is placed on healing and preventing the cycle of crime.

    - Some feel that this precludes any real attention being given to the needs of the victim and that consequently extra attention to the victim may be necessary.
  - **Importance of liaison services**
    - Liaison services, such as the Native Courtworker program, victim-witness programs and Inuktitut-English interpreters are an important element of community-based justice initiatives.
    - These services are essential not only because of the limited resources of the initiatives, but also because the community-justice initiatives will still have an interface with the Canadian criminal justice system. This interface introduces legal obligations on the part of the community-based initiative.
    - These programs attempt to assist them in meeting those obligations and meeting their needs.

4.3. Inuit Women and the Nunavut Justice System – 2000 [5]

Background
- In 1993, Inuit of Nunavut and the Government of Canada reached a comprehensive land claims agreement.
  - As part of this agreement, the Government of Canada agreed to establish the Nunavut Territory, with its own Legislative Assembly and public government, separate from the government of the remainder of the Northwest Territories.
  - The Nunavut Territory was established on April 1, 1999.
- The administration of justice in Nunavut could best be described as a "work in progress."
  - Parts of the justice system operating in the NWT prior to April 1, 1999 have been adopted by the Nunavut Government while other parts have been discarded.
  - Amendments to the Nunavut Act passed in March 1999 did away with the two-tier trial court system, modified the appellate court operations and, implicitly, encouraged an expanded role for justices of the peace.

Purpose of the Report
- This report focuses on three specific components of the criminal justice system in Nunavut—
  - the unified court structure,
  - justices of the peace and
  - community-based justice committees.
- It presents a snapshot of complex and multi-layered issues in relation to these three components of the justice system and their impact on Inuit women.
- Inuit women of Nunavut strongly supported the creation of the new territory and, like other Inuit, look to the new government as a means of securing greater control over their lives.
- There is, however, some uneasiness that the pace of change may inhibit the full involvement of Inuit women and the incorporation of their issues.

Summary of Conclusions
- The systemic racial-cultural discrimination faced by Aboriginal peoples in the existing justice system has been well-documented.
- Prior to April 1, 1999, the justice reforms undertaken within the Northwest Territories were at the initiative of government or justice system players (e.g., judges, police) and remained within the context of the existing justice system.
- The Nunavut Social Development Council's (NSDC) 1998 Justice Conference resulted in recommendations that offer a significant departure from the existing system of justice.
  - They promote a community-based justice system that does not simply relocate the responsibility of dispensing justice from officials based outside of the community to those based within it.

[5] Department of Justice, Community Justice Division, Your Community Justice Committee: A Guide to Starting and Operating a Community Justice Committee (Yellowknife: GNWT, 1997) p. 1 cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

- Rather, NSDC promotes establishing pivotal roles for Justices of the Peace and community justice committees and equipping these alternative dispensers of justice with greater independence from officials within the existing justice system.
- These expanded roles suggest a broadening view of justice that embraces Inuit values and culture.
- The unified court structure similarly helps to bridge the distance between justice in the existing system and justice in Inuit culture.

- The strengths of the Nunavut administration of justice and of the proposed recommendations of the NSDC are not without their challenges.
  - For example, reforms addressing the need for cultural sensitivity can result in the exclusion of gender sensitivity.
- A fundamental lesson learned is that reforms must be undertaken with due regard to the need for a process of community involvement that is accountable and community-based, representative and sensitive to gender as well as culture.
- Following is a summary of recommendations in five discrete but inter-related areas: education and training; public education; increasing public confidence; support services; and monitoring and evaluation.
  - **Training and Education**
    - Education for all justice personnel, including JPs, community justice committees and court workers will ensure that all have a thorough understanding of the criminal justice system rules, procedures and practices.
    - Integral components of education and training include Inuit traditions and practices as well as the dynamics of abuse, in particular sexual violence against women and children.
  - **Public Education**
    - Training for community justice committee members and JPs could also include information about broader legal concepts that would enable them to function as resource people in the community.
    - The use of the justice committees and JPs as public educators would increase the level understanding among Inuit of the judicial system, particularly around such broad concepts as criminal procedure, the administration of justice, substantive and procedural law, the history of the justice system and the roles of justice personnel.
    - There is also a need to increase the level of community support for the work and decisions of justice committees and JPs.
    - If community members, in their capacity as justice personnel, are making decisions involving cases of violence against women, more community education is required about these crimes.
    - Public service announcements could be developed for radio and television (in Inuktitut and English) with simple messages, such as violence is a crime; sexual assault is a crime; child abuse is a crime, etc.
    - With this campaign, JPs and community justice committee members (and the judiciary) dealing with such crimes will be better understood by the community at large.
  - **Increasing Public Confidence and Judicial Accountability**
    - The effort to enhance the public's knowledge of the system and its players is an important step in increasing public confidence in both.
    - In particular, an increased awareness of the work of the courts, JPs and committees will equip community members to evaluate the performances of these players.
    - The need continues for an improved mechanism to screen candidates for all judicial positions – community justice committees, JPs and the courts – regarding their awareness of gender, racial and cultural bias.
    - Inuit women and men must be involved in selecting and appointing justice personnel.
    - The discipline process for justice personnel must be transparent, with Inuit women involved in developing this process.
  - **Support Services for All Community Members**
    - Victims of violence who have the choice of participating in community-based initiatives require support to make an independent decision regarding their involvement.

    - Anything less than a fully supported right to decide, has the potential to make the community based initiative as coercive as, and therefore no better for them than, the Euro-Canadian justice system.
- **Monitoring and Evaluation**
    - Many of the challenges identified in this report highlight the need for some mechanism to assess beforehand and monitor and evaluate the impacts of the system and its alternatives.
    - Moreover, since the potential for JP courts and community-based justice committees to further victimize women is no less than that of the existing system, it is important that mechanisms be in place to respond to complaints about the committees or JPs and their determinations.
    - The prerogative writ remains in place for JPs, however there seems to be little, if any, discussion regarding how to deal with complaints involving community justice committees or how participants can seek redress.
    - There is a need to establish a system of evaluation and monitoring of the impact of these reforms.
    - The burden should not remain with Inuit women to continually speak out after the justice system has harmed them.
    - Evaluation and monitoring of the administration of justice, including such matters as the use of jury trials, community-based justice committees, JP decisions, are effective means of keeping officials and the public informed on how the system is operating.
- **Justice of the Peace:**
    - The report calls upon JPs and justice committees to work more closely together and proposes ways in which this can be achieved.
    - As commitment to greater Inuit control over justice matters, the NSDC report recommends that committees join with JPs to be responsible for hearing serious crimes by first time offenders and also dealing with repeat offenders for crimes that are not serious offences.
    - When considering the NSDC recommendations regarding community justice committees collectively with those regarding JPs, it is clear the NSDC is promoting a new system whereby the justice committees and JPs will be the "nucleus" of the justice system for the community.
    - For example, as noted in the JP discussion, the NSDC proposes that the committees and JPs together screen all cases and determine which route each case should take—determining whether it should be a matter dealt with by the court, a JP or the committee.
    - This is a departure insofar as the RCMP have tended to be the community representative on justice matters with JPs working under the guise of RCMP officers. The nature of the justice committees' work, as proposed by the NSDC, is rooted in traditional approaches and responses to problems in the community. The committee is promoted as a body that can counsel, discipline and provide activities for wrongdoers in a way that allows a "traditional approach" to be used in "modern times."[6]

Conclusions: A Blueprint For A More Responsive System

- The success of any justice system will be determined in part by the ability of administrators to manage a system which is efficient, timely and fiscally responsible.
    - Certainly, the federal government fashioned these criteria into the core objectives of the legislative reforms for the court of Nunavut.
    - In its news release announcing the legislative framework for the new court structure, the Department of Justice stated that the reforms were intended to simplify the structure, improve accessibility and reduce delays, judges' travel and the number of court circuits.[7]96

[6] NSDC, Report of the NSDC Justice Retreat and Conference, November 1998, p. 10. . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

[7] Department of Justice (Canada), News Release: Creation of Nunavut One Step Closer as Nunavut Court of Justice Bill Receives Royal Assent, March 12, 1999 . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

- It is equally true, however, that a system will also be judged by the extent to which it is reflective of the community which it serves.
- A justice system that does not reflect the realities of the public it serves will be perceived by that public as not being credible.[8]97 To this end, components of the justice system in Nunavut - whether a vestige of the court system of the Northwest Territories prior to April 1, 1999 or an innovation borne of *Bill C-57* – must also be representative of the men, women and children who are the residents of Nunavut.
- Member of Parliament Nancy Karetak-Lindell framed the expectations of the population of Nunavut in the following way.
  - :Establishing the Nunavut court of justice reflects the long-standing desire of the people and leaders of Nunavut to create a new institution which is more suited to our unique traditions, culture and needs.
  - The court reforms reflect the desire of the Nunavut people to have an accessible and integrated justice system.[9] 98

- The need for such a representative and responsive system is evident. The systemic racial-cultural discrimination faced by Aboriginal peoples in the existing justice system has been well-documented and was most recently affirmed by the Supreme Court of Canada in its decision in *R. v. Gladu*e.99 [10]
  - In *Gladu*e, the Court reaffirms its view that there is widespread bias against Aboriginal people within Canada, and "[t]here is evidence that this widespread racism has translated into systemic discrimination in the criminal justice system". It goes on to state that "statements regarding the extent and severity of this problem are disturbingly common" and quotes *Bridging the Cultural Divid*e, supra, at p. 309, the Royal Commission on Aboriginal Peoples report, where it listed as its first "Major Findings and Conclusions" the following striking yet representative statement:
    - The Canadian criminal justice system has failed the Aboriginal peoples of Canada -- First Nations, Inuit and Métis people, on-reserve and off-reserve, urban and rural -- in all territorial and governmental jurisdictions.
    - The principal reason for this crushing failure is the fundamentally different world views of Aboriginal and non-Aboriginal people with respect to such elemental issues as the substantive content of justice and the process of achieving justice.
- Prior to April 1, 1999, the justice reforms undertaken at the initiative of government or justice system players (e.g. judges, police) and funded through the federal and territorial government remained within the context of the existing justice system.
  - This system requires the confrontation of the accused within an adversarial system, a finding of guilt, and sentencing consequences that may take a convicted individual out of the community for a period of incarceration.
  - While more recent restorative justice practices emphasizing reconciliation and healing have been introduced as alternatives to the Euro-Canadian system, these alternatives have still been implemented through the existing system.
    - For example, the community-based reforms often had at the center of decision-making and operations those individuals working within the existing system at the community level, such as RCMP officers, the community justice specialist, and to a lesser extent, judges and Crowns.
  - Therefore, while the reform was located in the community, it was questionable to what extent it was community-based.
    - It is further questionable whether the notion of a "community-based" reform was in fact Inuit-based since the principles and values under which these reforms

[8] Honourable Madam Justice Rosalie Abella, "Introduction to a Panel Discussion on "Who is the Public and how are Perceptions Created," in Canadian Institute for the Administration of Justice, Public Perceptions of The Administration of Justice (Montreal: Les Éditions Thémis, 1995), p. 11. . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

[9] Hansard Government Orders, . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

[10] R. v. Gladue, April 23, 1999, [1999] S.C.J. No. 19 in the SCJ database. . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

operated are interpreted within the context of the existing non-Aboriginal justice system.

- The NSDC conference recommendations offer a significant departure from the existing system of justice.
  - The recommendations in the NSDC report promote a community-based justice system that does not simply relocate the responsibility of dispensing justice, as understood within the existing system, from justice officials outside of the community to those based in the community.
  - Rather, it promotes establishing pivotal roles for JPs and community justice committees and equipping these alternative dispensers of justice with greater independence from officials within the existing justice system.
  - These expanded roles further suggest a broadening view of justice that embraces Inuit values and culture.
  - The unified court structure similarly helps to bridge the distance between justice in the existing system and justice in Inuit culture where it also encourages the expanded role for the JPs and justice committees.
  - The strengths of the Nunavut administration of justice and of the proposed recommendations of the NSDC are not without their challenges as this report notes.
  - However, these challenges are not insurmountable.
  - Notably, while these challenges emphasize shortcomings or gaps relating to different aspects of the three components of administration of justice—unified court, JPs and community justice committees; there are certain themes that flow through these challenges that are worth considering when developing responses.
    - They are:
      - Accountability - is the response accountable to the community?
      - Cultural Sensitivity - is the response sensitive to Inuit culture?
      - Gender Sensitivity - is the response sensitive to its impact on Inuit women?
      - Representativeness - does the response represent Inuit women?
      - Community Preparedness - is the community prepared and able to implement the response?
- This report has demonstrated that emphasis on one of these themes to the exclusion or lack of importance of another can cause more harm than good.
  - The examples of the judiciary's attempt to make the judicial process more cultural sensitive noted in Section 2.3.2 of this report are one case in point.
  - Another example, also focused on the same theme of cultural sensitivity was the expanded role of JPs.
  - It is noted by those advocating this reform that in order to be successful, JPs would require more training on legal procedures and substantive elements to perform their expanded role.
  - The report noted the impact on Inuit women when judicial reforms like these have been made to address the need for cultural sensitivity to the exclusion of gender sensitivity, representativeness of women in the design and delivery of these reforms and the community's preparedness and role in the accountability chain.
  - A fundamental lesson learned is that there is need in any reform to give due regard to the need for developing a process of community involvement that is accountable and community-based, representative and sensitive to gender as well as culture.
- With this in mind, possible responses to the challenges identified include the following:
  - § Training and education of justice personnel;
  - § Public Education – The educators and the message;
  - § Increasing Public Confidence and Judicial Accountability to the Community;
  - § Support Services for All Community Members; and
  - § Monitoring and Evaluation.

Training and Education

- Without question, decision-makers must recognize the need for similar education for all justice personnel, including JPs, community justice committee members, and courtworkers in the communities.

  - This will ensure that all justice personnel have a thorough understanding of the criminal justice system rules, procedures and practices as well as the Inuit traditions and practices.
  - Funding for this type of continuing education/training must be on even terms for all justice personnel.
- The training must not only be comprehensive in its application but also in its scope.
  - Training and a thorough understanding of the dynamics of abuse, in particular sexual violence against women and girls, for all justice personnel must also be included in this continuing education/training component.
  - It is critical that these individuals and groups have grounding in the reality of abuse before they exercise their considerably wide discretion regarding the appropriate method for addressing a case involving violence against a woman or child.
- Providing training on these matters to all those working on justice issues in the community also provides an opportunity to begin to explore and, hopefully, learn to deal with the conflicts arising when values, traditions or practices based on different cultures, race, religions, gender, and age clash.
  - Within a learning environment, the various players can explore these sensitive issues and conflicts in a supportive way rather than confronting them in an actual case and further victimizing those involved.
  - Continuing education and training in these areas must be incorporated as integral parts of the larger education and training program for all justice personnel.

Public Education

- **The Educators**
  - Training for community justice committee members and JPs could also include training about broader legal concepts that would enable them to function as resource people in the community about such matters as the unified court, and other general legal concepts.
    - This use of the committee members and JPs as public educators would help to address the more chronic lack of Inuit understanding of the judicial system, particularly around such broad concepts as criminal procedure, the administration of justice, substantive and procedural law, the history of the justice system and the roles of justice personnel.
    - The lack of understanding among Inuit about such 'foreign' concepts is well documented and has been damaging to their support for the justice system.[11]100
  - Members of community-based justice committees have the potential to more easily convey information about this component of the justice process to the community, thereby increasing public confidence in the initiative.
    - As well, an increased awareness of the work of JPs and the committees will also equip community members enhance the community's confidence in the individuals performing these roles.
- **The Message**
  - In addition to increasing community awareness about the roles and responsibilities of JPs and community justice committee members, there is a need to increase the level of community support for their work and decisions.
  - If community members in their capacity as justice personnel are making decisions involving violence against women, more community education is required about these crimes.
  - The federal government could support the increased decision-making roles of these community members by undertaking a comprehensive public education campaign.
    - For example, public service announcements could be developed for radio and television (in Inuktitut and English) with simple messages, such as violence is a crime; sexual assault is a crime; child abuse is a crime, etc., from respected elders and other community members.
    - With this campaign, JPs and community justice committee members (and the judiciary) dealing with such crimes will be better understood by the community at large.

Increasing Public Confidence and Judicial Accountability

[11] 100 Katherine Peterson (1992). The Justice House Report of the Special Advisor on Gender Equality. pp. 14-15. cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

- The efforts to enhance the public's knowledge of the system and its players is important step to enhancing it's confidence in both.
    - In particular, an increased awareness of the work of the courts, JPs and committees will also equip community members to evaluate the performances of these players.
    - Also, it is anticipated that with an increase in people's knowledge of the roles of these various justice players, more community members will be encouraged to participate as JPs or committee members.
    - Ultimately, confidence in JPs, committees and the judicial process, in particular the confidence of Inuit women, rests with the individuals selected or appointed to perform these roles.
- The need continues for an improved mechanism to screen candidates for all judicial positions – community justice committees, JPs and the courts—regarding their awareness of gender, racial and cultural bias.
    - Engaging Inuit women and men in the selection and appointment processes and the development of a more transparent system of discipline of justice personnel is essential.
- These reforms will help to encourage, rather than deter, women turning to the justice system.
    - They will also help to convey the message that women are valued in the community and that violence against women will not be tolerated.
    - They will help dispel the impression Inuit women have that a judicial response to sexual assault is weighted in favour of an accused at the expense of the rights of the victim.

Support Services for All Community Members

- Adequate support and services for JPs and justice committees also includes supports and services for women and children who are victims, especially those who decide to participate in JP court or community justice initiatives.[12]
    - For these reasons, all victims who have the choice of participating in community-based initiatives, at a minimum, require support to make an independent decision regarding their involvement.
    - Anything less than a fully supported right to decide, has the potential to make the community based initiative as coercive as, and therefore no better for them than, the Euro-Canadian justice system can be.

Monitoring and Evaluation

- Many of the challenges identified in this report highlight the need for some mechanism to assess beforehand and monitor and evaluate the impacts of the system and its alternatives.
    - Moreover, since the potential for JP courts and community-based justice committees to further victimize women is no less than that of the existing system, it is equally important that mechanisms be in place to respond to complaints about the committees or JPs and their determinations.
- The prerogative writ remains in place for JPs, however there seems to be little, if any, discussion regarding how to deal with complaints involving community justice committees or how participants can seek redress.
    - There is a need to establish a system of evaluation and monitoring of the impact of these reforms.
    - The burden should not remain with Inuit women to continually speak out after the justice system has harmed them. As discussed, to speak out is a risky proposition in the communities.
- Evaluation and monitoring of the administration of justice, including such matters as the use of jury trials, community-based justice committees, JP decisions, are effective means of keeping officials and the public informed on how the system is operating.
- It is worth noting that under the federal Aboriginal Justice Strategy, the federal government will provide financial support of up to 50% (and in some instances 70% in any one year) of the costs of a justice program arrangement agreed to by the territorial government and the Aboriginal community.

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[12] 101 Pauktuutit, Inuit Women and the Administration of Justice, Phase II: Project Reports -Progress Report #2 (January 1, 1995 –March 31, 1995) -Appendix #6 - Minutes of Proceedings and Evidence from the Standing Committee on Justice and Legal Affairs Respecting: Bill C -41, Tuesday February 28, 1995. cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

- However, there are criteria that the communities must meet before the federal department will enter the agreement to implement the programs. The criteria include the following:
  - the *Charter* and the *Criminal Code* will apply to the program;
  - the community supports the initiatives, established through reports of consultations with the communities
  - the community demonstrates that support through financial assistance or in-kind community support;
  - the initiative also has the support of the territorial government;
  - women in the community play a significant role in all stages of the development, negotiation and implementation of the arrangements;
  - the program meets the community's needs;
  - the goals of the justice program can be met in a timely fashion, and at reasonable cost;
  - interrelated services such as police, health, education, substance abuse, welfare, child protections, and other services must be in place and that these services must be coordinated with the justice programs; and
  - programs have accountability mechanisms to ensure open decision making, that decisions are free from inappropriate influence, and conflict of interest guidelines are in place.[13]
- While these criteria are admirable, there do not appear to be any criteria that apply once the program is in place in order to monitor or evaluate whether the ongoing operation of the program continues to adhere to the criteria identified above.

- As noted in this report, Inuit women have raised concerns about the existing justice system and some of the alternatives being used in their communities.
  - In spite of these concerns, the system and alternatives continue to operate.
  - Failing to respond to these concerns challenges the intent of the system and alternatives and their potential effectiveness.
  - Ongoing evaluation and monitoring are also useful means to examine the impacts and better understand how the concerns being raised can be adequately addressed.
  - They may offer useful means of redress to those who have complaints about the system or its alternatives.
- Seldom are written judgments available in the areas of concern to Inuit women, such as criminal trials for sexual assault.
  - The expense incurred in having the transcripts of proceedings created makes this an unrealistic option for women in the communities to undertake.[14]103
  - Nonetheless, there is a need to monitor what is happening in the courts (judges and JPs) and within community justice committees.
  - How this work will be undertaken and by whom requires further discussion with all parties affected, including Inuit women in the communities.
- At a minimum, monitoring and evaluation of government-funded programs are integral components of funding agreements.
  - How the monitoring and evaluations are done and by whom are issues that go beyond the scope of this paper.
  - Evaluation and monitoring of the system, like the system itself, must be accountable to and fully representative of all community members, especially those marginalized and often silenced.
  - If evaluation and monitoring are to be used, a shared understanding of their purpose is required.

The next step…

[13] 102 Department of Justice, Aboriginal Justice Programs Handbook (Ottawa: Department of Justice Canada, 1997) pp.7-9. . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

[14] 103 Sheilah Martin raises this point in her article "Proving Gender Bias in the Law and Legal System", Joan Brockman and Dorothy Chunn (eds.), Investigating Gender Bias – Law, Courts, and the Legal Profession (Toronto: Thompson Educational Publishing, 1993), p. 33. . cited in Department of Justice Canada, Research Report, Research and Statistics, Mary Crnkovich and Lisa Addario with Linda Archibald Division, Inuit Women and the Nunavut Justice System, 2000-8e, March 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-8a-e.pdf.

- Reconstructing a model of a criminal justice system that meets the needs and reflects the culture, traditions, values, ideas, and ways of all community members is a monumental task.
- This work is developmental in nature and accordingly, is a major challenge not only to government and its funding agencies but also government agendas to move forward on certain issues and demonstrate "success" and the "effectiveness" of these government-funded initiatives.
- At the same time, it is also a major challenge to the communities designing and implementing justice alternatives and living with this work-in-progress and its impacts.
- Determining what is meant by "effectiveness" and "success" requires discussion and shared understanding by all members of the community.

4.4. The Housing Crisis and Violence – 1995 [15]

This report highlights the Northern environment.

General Overview

- Pauktuutit prepared this report for the Canadian Mortgage and Housing Corporation.
- The first section overviews the causes and consequences of the disastrous housing conditions in the North.
- The second part of the report links the housing crisis to domestic violence, making a strong case for the need to have the housing crisis adequately addressed in any strategy for change in Inuit communities, especially one that intends to meet the justice needs of the community.

Themes

- The high rates of spousal assault, Elder abuse and low education attainment in Inuit communities in the North are directly linked to the devastating and disastrous housing conditions.
- Inuit women are particularly vulnerable as a result of the housing crisis. The virtual absence of alternate housing arrangements makes it very difficult for women to leave an abusive relationship.
- The Northern context is very different from the Southern context. In the North, the small isolated communities, plagued by unemployment and poverty, require different 'solutions'. Strategies based in the Northern experience will have more success affecting the social conditions of the North than Southern ones.

Findings

- *Need for immediate attention:* While the population is rising in the North, housing is deteriorating. Severe overcrowding, inadequate and unsafe living conditions characterize the housing situation in the north where the Inuit occupy 90% of social housing units in the Inuit regions of the Northwest Territories. With a population of 57,649, more than 3,584 households are in need of core housing. That is, they are either unaffordable, inadequate or inappropriate for living in.
- *Lack of funding*: The lack of funding by the federal government and the limited resources of the Government of the Northwest Territories has contributed to this situation.
- *Dehumanizing living conditions:* These living conditions are related to substance abuse, family violence, child sexual abuse, suicide and low education attainment by youths. Students who lack a place to work and study will more often than not drop out of school. Elders suffer from physical and financial abuse as a result of overcrowding and the frustrations of younger generations as a result of their reliance on parents.
- *Housing and domestic violence:* The housing crisis in the North affects the dynamics and cyclical nature of domestic violence in a number of ways. Not only does the lack of housing and poor living conditions exacerbate the occurrence of domestic violence, the lack of alternative housing make it difficult for a woman to leave an abusive relationship. Community members, the network of family and friends are already overcrowded and as a result cannot offer respite to the victim. As options decrease, the potential violence increases. Further, most communities do not have a shelter that a woman can use. This means that the woman, to effectively escape the violence, more often than not has to leave the community. This necessary exodus creates a whole host of other problems. Being forced to leave a support system and employment, having to choose whether to go back to the community or make a new life in another one,

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[15] Pauktuutit. The Housing Crisis and Violence. Ottawa: Inuit Women's Association, 1995 cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

having to face the criticisms of the community for leaving, the high cost of travel and often being forced to leave the children behind are some of the problems that exist. These problems often seem insurmountable for woman to deal with and as a result, she may stay in the abusive home. The cycle of violence then continues, and part of that cycle is grounded in the housing crisis.

- *Role of Shelters:* There is much debate about the role of shelters. Shelters are often inaccessible to abused Inuit women in many ways: because of their location (they are often far from the community and as such high financial and human costs arise) and form (they are seen as an inappropriate way of addressing the problem). For some communities a shelter for women may be the answer. For others, however, shelters may be problematic. For example, in communities that are small and isolated and do not have adequate policing services, there must be attention paid to the question of how the woman and the shelter will be protected from the abuser. Similarly, in small isolated communities the physical and psychological effects of having the victim and the abuser in the community may be difficult for the shelter to address. This means that another, more geographically and culturally specific focus is necessary. Any justice initiative must be aware of the dynamics of domestic violence in the North and the tensions that potential solutions create.

Conclusions

- Funding must be supplied by the federal government to end the intolerable living conditions in Northern comminutes.
- Policies and decisions affecting housing must not re-victimize people seeking assistance or safety.
  - For example, rent should be based on income and number of children, and adequate and safe housing must be available to families. The problem of overcrowding must be addressed.
- The report discusses the innovative Northern solutions and strategies to ending family violence:
  - (1) Establish shelters for abusers so they can cool off and get counseling. The report holds that many Inuit women in the North do not necessarily want the relationship to end - just the violence.
  - (2) Develop second-stage housing for women just coming out of shelters. This ensures that follow-up support and a more effective healing period is possible. Without this support the cycle of violence continues because in many cases the abused woman has no other alternative but to go back to the community and family home.
  - (3) Develop multi-service centres as opposed to a victims' shelter, representing a holistic approach to addressing problems in the community. Such a multi-centre would address social services, education, and health, and would provide linkages to other agencies.

5. Relevant Documents, Studies and Practices – Other Canadian

5.1. The "Rural Lens" [16]

What is the Rural Lens?

- The Rural Lens is a way of viewing issues through the eyes of Canadians living in rural and remote areas.
  - Governments are increasingly aware of the effects of their policies, programs and services on rural Canada.
  - Consequently, when considering initiatives, decision-makers are able to make an effort to understand the impact of new policies and programs on rural Canada.

How to assess the effects of initiatives on rural Canada?

- There are two main tools available: the "Checklist for Rural Considerations" and the *Principles and Vision in the Federal Framework for Action in Rural Canada.*
  - These tools were constructed from citizens' ideas expressed during the Rural Dialogue, a discussion between the federal government and rural and remote Canadians.
  - With these tools, one could estimate the effects government services, policies and programs will have on rural Canada, in advance of their being set in motion.
  - This way, one can ensure, among other things, that programs and services could be accessible in rural and remote areas, and that there could be flexibility for decision-making at the local level.

By using the Rural Lens, government could ensure that programs, services and policies are appropriate for rural Canadians.

Checklist of Considerations for the Rural Lens

- The "Checklist of Considerations" is an assessment tool designed to help apply the Rural Lens and consequently to determine how government initiatives affect rural and remote Canadians.
- The objective is to improve the policy decision-making process by making rural considerations an integral part of the process.
  - What does one see when one looks through the Rural Lens?

Vision

- The Government of Canada is committed to a rural Canada with:
  - Vibrant communities and a sustainable resource base contributing to our national identity and prosperity.
  - Citizens making informed decisions about their own future.
  - Canadians sharing the benefits of the global knowledge-based economy and society, and taking full advantage of opportunities to develop sustainable communities and personal skills.

Considerations

- Key questions for policy/decision makers to address:
  - How is this initiative relevant to rural Canada?
  - Is the impact specific to a selected rural environment or region?
  - Have the most likely positive and negative effects on rural Canadians been identified?
  - How can the effects be measured?

[16] The "Rural Lens" http://www.rural.gc.ca/lens_e.phtml

- Is the initiative designed to respond to any of the priorities identified by rural Canadians? (see PRIORITIES)

- Have rural Canadians been consulted during the development or modification of the policy, program or service?

- Is the benefit to rural Canadians maximized through such methods as cooperation with other partners?

- How will this initiative advance the vision for rural Canada? (see VISION)

Delivery
Issues to consider for the delivery of initiatives:

- Delivery vehicles/instruments appropriate for rural Canada – differences for urban vs. rural;

- Partnerships and/or alternative service delivery – clustering/single window/co-location;

- Delivery by organizations closest to the client (community-based);

- Flexibility to allow for local decision-making;

- Sectoral or jurisdictional considerations.

Communications
Issues to consider for the communication of initiatives:

- Communications vehicles most accessible and familiar to rural Canadians;

- Key messages that address the concerns of rural Canadians;

- Communications products/messages tested with rural as well as with urban Canadians;

- The CRP and government's commitment to rural Canada mentioned where appropriate.

Results
Measurement and Evaluation of the Initiative:

How have the federal government's decisions affected the quality of life of Canadians in rural and remote areas?

Continuous Improvement:

Does the initiative require any fine-tuning to accommodate particular rural considerations of the kind described above?

5.2. Canadian Rural Partnership, Annual Report to Parliament 2000 – 2001 [17]

- Through the application of the Rural Lens, one can ensure that initiatives respond to the reality of rural Canada.

A Rural Portrait

[17] Canadian Rural Partnership, Annual Report to Parliament 2000 – 2001, Enhancing the Quality of Life for Rural Canadians http://www.rural.gc.ca/annualreport/2001/report_e.phtml

- Rural and remote Canada makes a vital contribution to the country's economy, quality of life and national identity.
    - In 1999, according to Statistics Canada, 17 per cent of total national employment was in rural Canada, accounting for 15 per cent of total national Gross Domestic Product.
    - Most of the contribution was from primary and natural resource sectors, which also contributed 40 per cent of total national exports.
    - Rural and remote communities, broadly defined, accounted for about one third of Canada's population or approximately nine million people in 1996.
- Approximately 90 per cent of Canada's land mass is rural and remote.
    - The contribution of rural Canada to the nation cannot only be measured in economic impact.
    - Its very existence has long defined Canada as a people and a nation.
    - All Canadians benefit from tourism, environmental stewardship and attractions available in rural and remote Canada.

Rural Lens

- This is a tool used to assess the effects of new policies, programs and services on rural Canadians before they are approved and implemented.
- The Rural Lens helps focus on issues related to specific geographical regions of Canada.
    - This has enabled the government to make informed policy and program choices, and provide needed investments that reflect the unique social and cultural aspects of rural and remote Canada.

Rural Dialogue

- The Rural Dialogue provides a voice for rural Canadians. Seven thousand Canadians contributed to the Federal Framework for Action in Rural Canada through the Dialogue process where they expressed their priorities and challenges. The Government of Canada is using the Rural Dialogue to act on its commitment to provide rural Canadians with the tools they need for community development. The Framework includes a vision for rural Canada, 11 Priority Areas for action, and a set of principles that guide the federal approach to responding to the needs of rural and remote Canadians. The Dialogue continued with regional rural conferences, hosted by the Secretary of State, in British Columbia, the Yukon Territory, Ontario and Nova Scotia, and through other regional events.

1. Improve Access to Services

Including Access to Federal Government Programs and Services, Health Care and Education
The Government of Canada strives to work with provincial and territorial governments to explore new ways to provide all Canadians with access to government programs, such as modern, efficient health and education services, at reasonable cost, regardless of where they live. The government is fulfilling its commitment to involve rural and remote Canadians in providing beneficial and supportive services and programs that are sensitive to the unique cultural diversity of all regions of Canada.

. The Government of Canada is providing access to government programs and services by improving traditional technology routes, call centres and in-person services such as Service Canada access centres. The government established 44 Service Canada centres in rural areas, which will provide information on the full range of government programs and services. Through its network of 7,100 retail outlets, rural post offices ensured accessibility to a wide variety of services, while the Canada Business Service Centres, through its network of 382 regional partners, expanded its in-person access to many communities.

More than 75 national and regional rural health projects have been funded through Health Canada's Rural and Remote Health Innovations Initiative. In addition, Health Canada's two-year, $80-million Canada Health Infostructure Partnerships Program is supporting collaboration, innovation and renewal in health care delivery. About $49 million is directly supporting 17 programs to improve access to medical care in rural and remote areas.

Through the Canada Student Loans Program, the Government of Canada continues to assist rural Canadians with access to education. A partnership with Human Resources Development Canada and Canada Post has

resulted in improved access to the Student Loans Program through 500 Canada Post outlets, many in rural areas. SchoolNet Network of Innovative Schools supports Canadian primary and secondary schools that have developed the ability to successfully integrate information and communications technology. Of the 85 schools in the program, 51 are from rural areas. Funding—up to $10,000 annually for up to three years—is available to SchoolNet schools. In addition, the First Nations SchoolNet program has provided computers and Internet access to 420 First Nations schools and 113 communities without schools.

2. Promote Economic, Business and Community Development

Including Access to Financial Resources, Economic Diversification in Rural Canada, and Partnerships for Community Development

The federal government is committed to making its programs and services flexible, to meet the challenges of rural business and community development. With programs that develop skills and technology, the government is helping Canadians take advantage of new and future opportunities in the global, knowledge-based economies. By working with rural and remote Canadians where they live, the Government of Canada is assisting the development of community and grassroots networks, and helping to develop strong communities through sustainable local initiatives.

Farm Credit Canada served 44,700 customers, issuing $1.8 billion in 13,289 loans last year. With a net income of $31.6 million, it experienced its eighth consecutive year of growth. The Farm Income Safety Net program is providing $5.5 billion in assistance over three years, while last year, the Canada Small Business Financing Act supported 17,667 small business loans, totaling $1.351 billion and creating 55,238 new jobs. Business Development Programs assist developing businesses, while Canada Post has teamed up with several financial institutions to offer rural and remote Canadians a wide variety of financial services. The Aboriginal Business Development Initiative has committed $14.6 million to investments over the next four years.

The Agricultural Policy Framework calls for a broad approach to managing the renewal of Canadian agriculture through the framework approved in principle by federal, provincial and territorial ministers in June 2001. The federal government supports the agriculture and agri-food sector in assisting development and meeting the risks of a rapidly changing industry. With the focus on an integrated approach to on-farm food safety, protection of the environment, farm income safety nets, and innovation and renewal of the agricultural sector, farmers acquire the tools they need to assess their situation and make the best choices.

In May 2000, the Government of Canada increased its commitment to the Community Futures Program by allocating $90 million for the next five years. The Matching Investment Initiative (MII) offered $29.7 million in 975 agri-food research projects in the fiscal year 2000–2001 to help diversify agricultural and agri-food markets, products and production.

Government partnership initiatives for rural and remote Canada include: Interdepartmental Partnerships with Official-Language Communities; Canadian Centre for Public-Private Partnerships in Housing; Integrated Coastal Zone Management Community Projects; and Reaching Out to Aboriginal Peoples. Rural Teams have greatly assisted rural Canadians in developing these partnerships.

3. Upgrade Rural Infrastructure

Including Rural Infrastructure for Community Development, Rural Telecommunications and the Use of the Information Highway Through increased access to infrastructure resources, telecommunications and Internet services, opportunities for growth can achieve long-term economic security. The Government of Canada is acting on its commitment to support innovation and help rural and remote communities to adapt and grow. Through a wide network of partners, many at the local level, the government assists with innovative solutions to maintaining and developing infrastructure.

. Under the Treasury Board Secretariat, the Government of Canada is investing more than $2 billion in Infrastructure Canada, and $600 million in the Strategic Highway Infrastructure Program of Transport Canada. With investments from provincial/territorial, municipal and private-sector partners, more than $427 million is

available specifically for investment in rural and remote Canada. In addition, the Airports Capital Assistance Program has committed $190 million to finance capital projects from 2000 to 2005.

Canada Mortgage and Housing Corporation continues to support the needs of rural and remote Canadians through public–private housing partnerships, rural and Native housing programs, on-reserve non-profit rental housing assistance, emergency repair support and residential rehabilitation assistance.

4. Provide More Targeted Opportunities for Rural Youth

Young people are the key to sustaining long-term social and economic development, and are an integral part of our rural communities. This priority responds to educational needs, work experience opportunities and entrepreneurship among all rural youth, including Aboriginal youth.

. The Government of Canada's Youth Employment Strategy supports a wide variety of initiatives in rural and remote Canada. Many offer hands-on experience in setting up and running a business. Through the Canada Economic Development's Youth Strategy Program, more than $16 million was invested in entrepreneurship, generating total investments of $102 million in Quebec. In Atlantic Canada, Open for Business centres have attracted 2,600 clients, while the First Nations and Inuit Youth Employment Strategy has created more than 24,000 opportunities, with a federal government investment of $24 million.

5. Assist Leadership and Community Capacity Building

The Government of Canada is helping Canadians to build on their achievements, and to use existing skills to take advantage of new opportunities. With a focus on self-reliance and entrepreneurship, strategies and programs are assisting rural and remote Canada in sustaining itself over the long term. . Non-profit groups across the country continue to benefit from the EcoAction Community Funding Program. More than 1,000 projects have been funded since its inception, with a total value greater than $5 million annually. The Pacific Resource Rebuilding Strategy has supported the preservation of West Coast salmon with a five-year, $100-million federal government commitment. The Canadian Agricultural Rural Communities Initiative (CARCI) is enhancing the viability of agricultural rural communities, particularly those undergoing change as a result of adjustment in the agricultural sector. CARCI funding is provided under the Canadian Adaptation and Rural Development Fund, which will amount to $9.3 million over three years. The Canadian Rural Partnership Pilot Projects Initiative funds creative approaches to development in rural and remote communities. During the 2000–2001 fiscal year, 100 projects with a total funding of $2.96 million, were supported.

6. Promote Rural Canada

The Government of Canada is committed to ensuring that rural and remote Canada is a great place to live, prosper and raise a family. The federal government remains a dedicated and helpful partner for rural and remote communities to achieve their potential.

. The federal government is further developing its rural Web site at http://www.rural.gc.ca into a "Rural and Remote Services" portal, an integral part of the main Government of Canada Web site at http://www.canada.gc.ca. The improvements will create a single-window access to services available to rural and remote communities. Through this site, citizens in rural and remote Canada will continue to be able to express their views on federal programs and policies, and be kept informed of ongoing government activities.

Rural and remote areas contain Canada's vast natural resources. The government, through National Parks, provides financial assistance for 25 of the 39 distinct natural regions in the country. The overall impact on the economy in 2000–2001 was about $1.75 billion and 43,450 jobs.

The Rural Lens will help integrate the needs and interests of rural and remote Canada into all new and renewed government initiatives. Pilot projects and the Canadian Agricultural Rural Communities Initiative will support innovative solutions to local challenges. An evaluation of the first four years of project-level experience will be carried out in 2001–2002, to share the lessons learned and improve future programming. The federal government is continuing to report back to citizens on the 54 areas for action identified following the 2000 National Rural Conference.

Rural Dialogues and a second National Rural Conference in 2002 will further define the path of the federal government in responding with initiatives to support sustainable development of our rural and remote communities. The rural policy and research agendas will focus on key assets and opportunities to provide greater support for community capacity building. The Rural Teams will continue to evolve and coordinate federal programs at the rural level through provincial Rural Action Plans.

Through the use of the Rural Lens and direction from the Rural Dialogue, the Federal Framework for Action in Rural Canada will continue to improve rural and remote Canadians' access to government programs and services, and to achieve positive, measurable results in 2001–2002.

Message from the Secretary of State

In 1996, the Government of Canada stepped up its strong commitment to partner with Canadians in rural and remote communities to meet the unique challenges they face. This commitment reflects the conviction that a strong Canada can only exist when all its component parts—rural and urban—are healthy and all its citizens have the opportunity to share in the wealth of the nation.

Rural and remote communities make a vital and significant contribution to the economy, society and well-being of all Canadians, including those who live in cities. Rural businesses account for 17 per cent of Canada's employment and 15 per cent of the gross domestic product (GDP). More important still, resource industries, including agriculture, fishing, forestry, energy and mining, based in rural and remote regions, produce about 40 per cent of our exports.

Rural and remote Canada is a source of much of the energy that drives urban industries. It extracts the natural gas and generates the electricity that heat and light homes and businesses. It produces the wood to build houses, the food that goes on the nation's tables, and the paper on which this report is printed. Rural and remote communities are also home to industries that add value to our natural resources.

The contribution of rural and remote Canada to the nation is more than simply a question of dollars. It is part of the fabric of the nation that has shaped our past and defines us as a country. It adds to the tapestry of our culture and its sense of community strengthens our society. In addition, we all enjoy the benefits of the pristine wilderness and wide-open spaces that rural Canada preserves for us. These resources benefit rural and remote citizens by attracting a growing number of tourists each year, contributing to the long-term stability of communities.

All Canadians—rural, remote and urban—can contribute to making our country a world leader, both as a place to live and as a place to work. As we strive for excellence in all aspects of our economy and society, it is important to harness the energy and enthusiasm of people living in rural and remote communities. With appropriate investments and the right tools, they can contribute even more to our national prosperity.

This second annual rural report to Parliament shows how the Government of Canada is working with rural and remote Canadians to provide those investments and those tools.

Andy Mitchell
Secretary of State
(Rural Development) (Federal Economic Development Initiative for Northern Ontario)

Introduction
About one third of all Canadians reside in rural and remote communities. They work and live in rural towns such as Peace River, Alberta; Pictou, Nova Scotia; Kenora, Ontario; Riviere–du–Loup, Quebec; and remote areas such as Tuktoyaktuk, Northwest Territories. Like most Canadians, they are concerned about their quality of life, and how economic, social and environmental changes will affect their future. However, many of their challenges are particular to the smaller communities in which they live.

These challenges of rural and remote Canadians have been heard by the Government of Canada. In the 1996 Speech from the Throne, the government made a commitment to assist these Canadians by taking steps to

renew the rural economy. Working with rural and remote Canadians, the government recognized the challenges and put in place initiatives, programs and services to serve the unique needs of the people.

In 1997, the Think Rural report of the Standing Committee on Natural Resources provided the basis for a federal rural economic development policy and future investments. It stressed the importance of ensuring a "bottom-up" citizen-driven approach to rural development. This philosophy was put into practice in 1998 when the federal government allocated $20 million over four years for the Canadian Rural Partnership and, subsequently, gave the Minister of Agriculture and Agri-Food responsibility for cross-government coordination of rural affairs.

In four short years, using innovative approaches, the partnership has produced positive results. The Rural Dialogue, a major component of the partnership, confirmed the key issues, concerns and challenges of rural and remote Canadians while identifying ways the government could help them achieve solutions that would lead to sustainable development of their communities. One result was the creation of the Federal Framework for Action in Rural Canada, announced in April 1999, which provided the federal policy response to the issues identified by rural Canadians through the Rural Dialogue. Along with a vision for rural Canada, the framework lists 11 Priority Areas for action that guide the federal approach in responding to rural needs. Detailed results and achievements under each priority area are outlined in the body of this report.

Also in 1999, the Prime Minister appointed a Secretary of State for Rural Development, tasking him with a mandate to improve the quality of life in rural Canada through a focus on rural development. In doing so, the government established a full-time focal point for Cabinet-level policy coordination and rural advocacy, and strengthened its capacity to manage relations with rural Canadians and other partners.

The government has made several significant national investments that are addressing priorities outlined in the framework. Examples include: a dedicated rural portion (more than $427 million) of infrastructure investments; $125 million in Green Municipal Investment and Enabling Funds; enhancing access to federal services through Service Canada, Government On-Line and Connecting Canadians; improving access to financial resources for business and community development through a $90 million infusion to Community Futures Development Corporations (CFDC); testing innovative ways to improve rural health care through the Rural and Remote Health Innovations Initiative; a three-year agreement on farm safety nets worth $5.5 billion. Continuing its commitment to rural and remote residents, in the 2001 Speech from the Throne, the government stated it would "strive to ensure that, wherever possible, its actions and programs are co-ordinated to help build local solutions to local challenges." Additionally, the government is leading the way to enhance technology in these areas through programs "critical to Canada's effort to close the digital divide, particularly in rural, remote, Northern and Aboriginal communities."

A citizen-centered federal rural development agenda means that government actions and programs are coordinated to help communities identify their own goals and futures, and deliver practical tools to bring substantial results in these communities.

The Government of Canada is accountable to Canadians for its responses to issues and for program results. It is establishing a system to measure how the government is working with rural and remote Canadians to assist them in improving their quality of life in the 21st century. Accountability can be measured through this annual report, Enhancing the Quality of Life for Rural Canadians. It highlights government achievements and results to date, and outlines future directions for priority areas.

In partnership with rural and remote residents, other levels of government, the private sector and stakeholders, the Government of Canada continues to work diligently to ensure the sustainability of rural and remote communities.

Rural Overview
A Global Portrait
Rural and remote Canada occupies over 90 per cent of Canada's land mass and is the source of most of the country's natural resources and environmental assets. Rural Canada accounted for 31.4 per cent of the population or approximately nine million people in 1996, based on the Organisation for Economic Co-

operation and Development (OECD) definition1[18]. Using Statistics Canada's "Rural and Small Town" definition, which includes communities with a population of 10,000 or less—outside commuting zones of large metropolitan areas and cities—22.2 per cent of Canada's total population in 1996 was in rural and remote communities.

Rural areas are different from urban in four fundamental ways:

- geography;
- distance from markets;
- population density; and
- reliance on traditional primary or natural resource sectors.

The diverse terrain of rural and remote areas presents social and economic development challenges for many communities—particularly due to constraints of climate and location. Distance from markets results in higher transport and business costs, while low population density can present challenges to marginal tax bases and smaller returns from private-sector investment. In some areas, reliance on a single resource-based industry leaves many communities vulnerable to resource depletion and economic downturns, often dictated by global market forces outside the control of the local community.

Dynamic Rural Economy

Despite challenges and obstacles, the Canadian rural economy remains dynamic and a new, vibrant rural enterprise is gradually emerging. Some areas are growing away from traditional dependence on a primary, resource-based economy. Their new rural environment has created more innovative and valuable resource-based industries as well as many new business opportunities.

Rural and Small Town Canada continues to make a significant contribution to the country's economy. In 1999, it accounted for 15 per cent of total national Gross Domestic Product (GDP) and 17 per cent of total national employment. Most of the GDP contribution was still from the primary and natural resource sectors, which also accounted for approximately 40 per cent of total national exports.

Overall, the rural economy is growing and diversifying. From 1995 to 1999, rural employment grew by 7.7 per cent and new industrial sectors are becoming more significant. Employment in producer services increased close to 12 per cent from 1995 to 1999 and personal services by over 14 per cent in the same period. Rural areas still account for the highest concentration of employment in primary industries, with over 15 per cent of employment in 1999, compared to two per cent in urban areas.

However, it must be noted that national figures can overlook significant regional and local differences in the industrial structure of rural economies. Due to the broad scope, it is less evident how rural Canada is coping with change. Rural areas are not always comparable for a myriad of reasons.

Canada is a land of diversity. Rural economies from east to west and north to south—as well as within regions—reflect the mosaic of the nation. The type of resources, income levels, employment opportunities, unemployment, and other economic and social indicators generate regionally unique development concerns and constraints.

The remote and northern communities of Canada face very different realities than rural communities near large urban areas. Against this backdrop are cultural and social differences across regions. Ultimately, while some rural and remote communities have embraced a new economy, others have untapped potential that needs to be developed.

Tourism

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[18] The OECD defines a predominantly rural region as a region with more than 50 per cent of its population living in rural communities. A rural community has a population density of less than 150 persons per square kilometre. In Canada, regions refer to census divisions and communities to census consolidated subdivisions.

Rural tourism is an emerging growth industry, in terms of both demand and supply. From 1996 to 1998, tourism demand (measured as number of visits) increased by 9.9 per cent in Rural and Small Town Canada compared with 5.2 per cent in urban areas. Employment in tourism-related sectors in Rural and Small Town Canada grew by 7.4 per cent compared with 3.4 per cent in urban areas during 1995–1998.

Small Business

Rural Canada is entrepreneurial. It is fuelled by small businesses— widely recognized as the engine of economic growth and job creation. Statistics Canada indicates that 35 per cent of people living in communities of less than 20,000 account for 38 per cent of all businesses in Canada. Small businesses are the bread and butter of the nation, with over 80 per cent employing less than 10 people.

Population Changes

From a national perspective, rural and small town population is increasing. However, in Newfoundland and Saskatchewan, rural numbers have been steadily decreasing for decades. That decline is offset by rural population growth in all other provinces.

Population growth for many rural communities has been generated by economic growth in nearby cities. However, rural populations in many regions away from metropolitan centres are growing more slowly or, in many cases, are declining. Rural areas that have grown most are on the outskirts of major cities.

Other rural areas that experienced population growth are those with attractive tourism, recreation and retirement destinations—primarily for urban populations. For many rural areas—particularly those outside the commuting zones of major urban centres—population out-migration remains a major concern. Between 1971 and 1996, all provinces sustained a considerable outflow of youth from rural areas, with the greatest losses in Saskatchewan and the Atlantic provinces.

The population changes are different for Canada's Aboriginal people. In 1996, 65 per cent of Canada's Aboriginal people lived in rural regions. This included 93 per cent of all on-reserve Aboriginal people (based on the OECD rural definition). The rural Aboriginal population is a young population, with 37 per cent under the age of 15 in 1996. Many social and economic indicators—employment rate, education, income level and health status—reveal the Aboriginal population is below the average for the Canadian population.

New Economy Requirements

Many rural regions do not have the necessary infrastructure and social amenities to capitalize on opportunities created by the new knowledge-based and technology-driven economy. For example, though Internet access for rural and remote Canadians increased from 20 per cent to 35 per cent from 1997–1999, the increase in urban areas was from 30 per cent to 47 per cent over the same period. As take up of Internet access is increasing at a faster rate in urban than in rural areas, the gap between urban and rural access is also widening.

Only 10 per cent of the rural workforce has a university degree (compared with 20 per cent in cities) and 30 per cent of rural Canadians have less than a high school diploma. Rural communities are also losing their educated leaders of tomorrow—university-trained youth. In 1996, 40 per cent of rural youth with a university degree left their community compared with 25 per cent in urban communities. Studies show that only 20 per cent of youth, whether urban or rural, are likely to return to their community as residents after they complete university-level studies elsewhere.

Health Care Access

Rural residents consider access to health services a critical factor affecting both social and economic development. Maintaining an adequate supply of health care professionals is a major challenge in rural and remote areas. Between 1991 and 1996, the proportion of physicians working in Rural and Small Town Canada decreased, while the population during that time increased.

The Rural Commitment

Rural Canada's ability to overcome economic and social challenges and to build upon its wealth of assets will depend upon local capability and innovation. This includes support from, and partnership with, various levels of government to provide appropriate programs, services and information.

The Government of Canada is committed to ensuring that rural Canadians share in the opportunities and benefits of national prosperity and quality of life. This commitment to rural and remote Canadians has grown over time. The 2001 Speech from the Throne reaffirmed the government's commitment, promising to "bring the benefits of our prosperity to all communities, whether urban, rural, northern or remote." Recognizing that Canadian communities, "whether urban or rural, Aboriginal or multicultural, face unique challenges and have unique needs," the Speech from the Throne further committed the government to ensuring that its "actions and programs are coordinated to support local solutions to local challenges."

Federal Framework for Action in Rural Canada

During the 1998 Rural Dialogue, rural residents identified their needs, reflected in the Federal Framework for Action in Rural Canada in April 1999. The framework defines the vision and goals of the federal response to the challenges and priorities facing rural and remote Canadians. It involves citizens making informed decisions about their own future, and all Canadians sharing the benefits of a global knowledge-based economy and society—taking full advantage of opportunities for personal and community development.

The framework lists 11 Priority Areas for action and sets out principles to guide the federal approach to responding to rural needs. An essential commitment of government is to maintain a bottom-up approach to rural development, recognizing that rural Canadians should determine their own future. It is also committed to developing a more concerted response to help address rural needs. This means involving rural people in decisions that affect their future and keeping rural citizens informed of actions taken. This second annual report to Parliament, which reports on progress to date, is part of this commitment.

Working Together

Working with 29 federal departments and agencies through an Interdepartmental Working Group (IWG), and through Rural Teams in every province and territory, the Government of Canada has established a more integrated approach to address rural residents' priorities and for working in partnership with rural and remote communities.

While responsibility for specific program and service delivery continues to rest with each federal department or agency, there is increasing emphasis on horizontal coordination and partnership.

Through information sharing, enhanced coordination and key horizontal cross-government initiatives, new methods to help rural communities are being developed.

Rural Lens

- The Government of Canada uses the "Rural Lens" for new policies, programs and services to better respond to rural realities. By using the Rural Lens checklist, and the vision, priorities and principles of the Federal Framework for Action in Rural Canada, the government can estimate effects of new federal services, policies and programs before they are established. Where needed, the government can make adjustments to ensure the initiatives respond accordingly. This approach helps the government ensure new initiatives are appropriate for rural and remote Canadians, and that the affected citizens are involved in the decision-making process.

The Rural Lens has helped the federal government make policy and program choices and needed investments in rural and remote Canada, such as:

A dedicated rural portion (more than $427 million) of infrastructure investments; improved access to federal tools and services through 44 Service Canada sites in rural and small urban communities and the Pocket Directory of Rural Programs and Services; established the Office of Rural Health in Health Canada; and infused $90 million in the Community Futures Development Corporations.

Partnerships

- The development of rural and remote Canada is a shared responsibility of all four levels of government (federal, provincial/territorial, First Nations and local) and with rural Canadians.
- While this annual report reflects the collective actions of the federal government, many of these initiatives are collaborative efforts with other levels of government, local stakeholders and private sector partners.
- Rural citizens across Canada are proud of their communities. They are ready to take on the challenge of the new rural economy. By working together, we can more effectively help rural and remote communities strengthen their own future and take greater advantage of their wealth of assets.

Rural Dialogues and Teams
Dialogue

- Federal government action and initiatives are designed to help communities identify their own specific goals and futures—and deliver practical tools that will work well in each community.
    - Launched in 1998, the Rural Dialogue, which includes surveys, workshops, regional and national conferences, provides a way for rural and remote citizens and stakeholders to discuss issues directly with the federal government.
    - The federal rural development agenda is citizen-centered.

Providing more government services on-line; increasing rural youth participation in community development; empowering community leaders and organizations to pursue economic and community development initiatives; providing affordable housing in rural areas, particularly in the north; providing rural and remote communities with telecommunications infrastructure; strengthening the Rural Lens; and broadening the Rural Dialogue to recognize and acknowledge the contribution of rural Canada.

The conference was also a time to take stock of the federal government's collective efforts to deal with the unique challenges of living in rural Canada. The results of the conference are being used to ensure policy and program decisions respond to the needs of Canadians living in rural and remote communities.

Since the conference, the government has conducted telephone surveys with citizens in Alberta and the Yukon. It has hosted dialogue sessions in Prince Edward Island, Quebec, Ontario, Saskatchewan and Manitoba, and held four regional rural conferences in Vernon, British Columbia (April 2001); Haines Junction, Yukon (June 2001); North Bay, Ontario (August 2001); and Cornwallis, Nova Scotia (October 2001).

A number of messages came out of these regional sessions and conferences. Youth expressed an interest in mentoring support, more access to education and counselling. Rural citizens wanted more participation between all levels of government on health care and easy access to information on government programs and services, particularly in a language that is understood. First Nations issues and concerns for persons with disabilities were raised.

The need for more federal government training and leadership skills development to better promote rural Canada, and to maintain and improve local infrastructure to encourage economic development was also expressed. Communities wanted to share information on development approaches, apply for government support more easily, and develop local capability to deal with issues. They wanted local control over their own resources and to accept responsibility for community development.

Rural Teams

- In the Yukon, the Rural Team conducted a telephone survey of 900 residents to determine their priorities, needs and suggested actions. The results were used during the Yukon Regional Conference in June 2001.

- In the Northwest Territories, the Rural Team worked with Service Canada to establish a pilot project that would improve access to government programs and services in Fort Simpson, Fort Providence, Rae-Edzo and Fort McPherson. The Rural Team also prepared a compendium of youth programs and services. As well, youth from across the territories were brought together to a NWT Youth Council conference to discuss opportunities and barriers that exist for young people.

- In February 2001, the Nunavut Rural Team organized a workshop on issues of community wellness. It was found that communities generally lacked an awareness and a capacity to access available resources. The Rural Team agreed to help improve the delivery of government programs and services so that communities could access these resources. The Team's recommendations and strategies were endorsed by a joint meeting with senior officials of the Government of Nunavut and the Nunavut Federal Council.

Canadian Rural Information Service (CRIS)
This service responds to the information needs of rural and remote Canadians by providing guides to information resources, customized information packages on specific queries, a Web site of rural development sources, referrals to expert sources of information, and customized bibliographic searches. The CRIS Web site can be found at http://www.agr.ca/cris.

The exhibits program, directory and CRIS all provide information to Canadians living in rural and remote communities on how to access government programs and services.

Royal Canadian Mounted Police
Information Resources
The Royal Canadian Mounted Police (RCMP) detachments in rural and remote Canada serve as service centres for the municipal, provincial and federal government. Through their Web site http://www.rcmp-grc.gc.ca, the RCMP offers information about employment opportunities and links to learning materials.

Young people receive access to federal government initiatives through the RCMP Web site created by and for youth at http://www.deal.org (English) or at http://www.choix.org (French).

Developing Aboriginal Business

- According to the latest census, about 65 per cent of Aboriginal people in Canada live in rural areas, and 68 per cent of them are under 30 years of age. This is the fastest growing demographic group in rural Canada.

Royal Canadian Mounted Police

- The RCMP also supports the Suicide Intervention Program and Victims Services Program, and offers referrals to family violence counselling and services.

Justice Canada
Training and Education in Nunavut

- Justice Canada is helping the north to bring new legal expertise to the area. The Nunavut-based Akitsiraq Law School Society and the Faculty of Law at the University of Victoria began a law program in Iqaluit in September 2001. Justice Canada has worked closely with the University of Victoria/Akitsiraq Law School group, and expect that the students will continue their careers in the north to help Inuit communities meet their legal needs in a culturally appropriate way.
- Justice Canada is also funding the Carleton University Centre for Initiatives in Education. The Centre and Nunavut Arctic College will offer the first year of a three-year Nunavut Bachelor of Arts pilot project in Iqaluit, September 2001. Justice Canada is also providing financial assistance for the training of justices of the peace, legal interpreters, court workers and for other positions in the Nunavut courts.

Royal Canadian Mounted Police

Crime Prevention Programs

- The Royal Canadian Mounted Police actively supports crime prevention programs and education initiatives delivered to community groups, parents and students in rural and remote communities in Canada. It also coordinates drug awareness programs.

Opportunities for Rural Youth

- There is recognition of the important role young people play in making our country prosperous for generations to come.
- Rural and remote Canadians are in the best position to identify the issues facing youth in their communities.
- Through consultation and partnership networking, the government helps communities meet the needs of young people to ensure that rural and remote Canada can provide a good quality of life and be a great place to live.

Royal Canadian Mounted Police

Experience Programs for Youth

- The Royal Canadian Mounted Police (RCMP) Auxiliary Constable Program provides work-related experience to youth in rural and remote Canada. The RCMP also offers cadet recruiting or referrals and RCMP volunteering opportunities in all detachments. Through its National Youth Strategy, the RCMP offers a co-ordinated local detachment response to issues facing rural and urban youth.

Transport Canada

Employment Equity Initiatives

Through practical work experience and mentorship, Transport Canada's Prairie and Northern Region working group is helping northern Aboriginal youth to develop the skills necessary to enter the field of aircraft maintenance engineering. Working group members include Transport Canada employees, northern air operators and educational institutions.

Participation in career fairs in Alberta and the Northwest Territories has also helped to develop an awareness of education and employment opportunities in rural and remote areas. The career fairs are very popular, attracting more than 1,500 rural and urban youth.

Leadership and Community Capacity Building

- Creating stronger communities through partnerships helps Canadians take advantage of new opportunities.
- They build on existing skills to achieve stability and to sustain themselves economically, environmentally and socially over the long term.

Pilot Projects Initiative

The Canadian Rural Partnership Pilot Projects Initiative funds creative approaches to community development in rural and remote communities. At a national level, the initiative provides a total of $12 million in funding over four years. Approximately $9.8 million has been approved in the first three years, for a national total of 239 projects. The Pilot Projects Initiative in the 2000–2001 fiscal year supported 100 projects, with total funding of $2.96 million.

The Pilot Projects Initiative fosters entrepreneurial spirit in rural communities and supports Canadians living in rural and remote communities as they pursue creative, community-based responses that promote self-sufficiency and independence. The projects are extremely diverse, ranging from youth and Aboriginal development to environmental conservation programs.

On Manitoulin Island in northern Ontario, for example, funding is being used to enable young people to complete their high school diplomas at home, through the use of technology-based distance-learning and other tools. Another example is a pilot project in the Powell River region of B.C., where the project funding is

bringing together First Nations groups, aquaculture organizations and the Department of Fisheries and Oceans in an effort to create sustainable abalone fish farms and to begin rebuilding this depleted fish stock.

Justice Canada

- A System for Nunavut Justice Canada made a commitment to help Nunavut Territory develop a justice system to meet the needs of residents of this new territory. As a small and dispersed population in a remote, isolated and vast geographical area, Canadians living in Nunavut face considerable challenges in the development of an effective and efficient justice system. The government of Nunavut will develop a justice system that emphasizes local institutions of justice and reflects local culture. General guiding principles in Nunavut include emphasizing community justice approaches, building capacity in communities to address justice issues at a local level, and engaging the community to ensure that all voices are heard in any community-based justice project.

National Strategy on Community Safety and Crime Prevention

- The national strategy is investing in projects that address risk factors in the lives of people, including abuse, violence, poor parenting, and drug and alcohol abuse. It is directed at removing those personal, social and economic factors that lead some individuals to engage in criminal acts or to become victims of crime. The National Strategy has three components: the Safer Communities Initiative, the Promotion and Public Education Program and the National Crime Prevention Centre. During the fiscal year 2000–2001, the Safer Communities Initiative supported 189 crime prevention projects in rural and remote communities, with a total investment of $4.8 million. For more information on the National Strategy, please visit http://www.crime-prevention.org.

The Aboriginal Justice Strategy

- The Aboriginal Justice Strategy provides 50 per cent of funding to 89 community-based justice programs, serving 298 Aboriginal communities across Canada. The strategy supports alternative justice programs in the areas of mediation, diversion and community sentencing.

- These programs encourage and empower Aboriginal communities to take greater responsibility for the administration of justice, and to help reduce crime and incarceration rates in Aboriginal communities. Of the 89 current programs, 69 provide services to 232 rural and remote communities that are located more than 50 kilometres from the nearest service centre or are without year-round road access.

- The following are examples of rural and remote area programs that are funded by the Aboriginal Justice Strategy:

    - Atikamekw Communities, Quebec – Conseil de la Nation Atikamekw Youth Justice Initiative
    - The Conseil de la Nation Atikamekw is developing a Youth Justice Initiative for the Atikamekw communities of Manouane, Obedjiwan and Weymontachie.
        - The communities have a population of approximately 5,000.
        - This initiative represents a culturally appropriate alternative to the mainstream child protection and young offender systems.
    - Big Cove First Nations, New Brunswick – Big Cove Restorative Advisory Committee
        - Since 2000, the Big Cove First Nations of New Brunswick has been developing an alternative justice program, overseen by a 15-member community justice committee.
        - Members represent the full spectrum of internal agencies, services and programs, as well as community members, including elders, youth and women.

Partnerships for Community Development

- Success comes when departments and agencies work together with other levels of government and non-government groups for the betterment of rural and remote Canada.

  - By developing policies and programs to meet specific needs identified at the community level, the government helps to provide knowledge, resources and expertise in these communities.

Royal Canadian Mounted Police
Community Initiatives
The Royal Canadian Mounted Police detachment in rural or remote communities is sometimes the only professional service provider, and is often asked to lead many community initiatives to improve social or economic conditions. Services provided include Victims Services, Aboriginal Liaison, Drug Awareness, Crime Prevention and Restorative Justice.

Statistics Canada
Rural Information Services

- During the past year, Statistics Canada has continued to publish the Rural and Small Town Canada bulletin on its Web site.
  - In total, 17 bulletins have been produced, nine in the last year.
  - Recent rural topics have included employment, income indicators, housing conditions, youth migration and demography.
  - The site also includes working papers on other rural topics such as agriculture, First Nations, defining rural in a geographical context…
  - Statistics Canada also publishes a wide variety of rural publications. A full list can be found at http://www.statcan.ca

Canada Post

Community Access Program
The Community Access Program (CAP) provides rural, remote and urban communities with affordable public access to the Internet, creating new opportunities to communicate, learn and do business. Administered by Industry Canada, the original CAP project pilot was introduced in six post offices in Prince Edward Island in January 2000. It showed a high level of satisfaction with both customers and employees. Canada Post and the Government of Manitoba have partnered to install 24 Community Access (CAP-Manitoba) sites in rural communities. This is part of an agreement signed between the Government of Manitoba and Industry Canada.

Industry Canada
Community Access Program
By partnering with provincial and territorial governments, municipalities, educators, libraries, schools and the private sector, the program has established public access to the Internet at over 8,800 locations. More than 5,500 of these are located in rural areas in Canada. A number of CAP sites in rural areas in British Columbia, Saskatchewan, Ontario, New Brunswick, Nova Scotia and Newfoundland are involved in the Service Canada pilots designed to improve access to Government of Canada information and services.

Smart Communities Program
The program assists communities by creating opportunities for learning through the sharing of information, communication technology activities, experiences and lessons learned. It has helped to provide new business opportunities domestically and internationally for Canadian companies in the area of application and service development. Of the 12 recent demonstration projects, seven took place in rural communities.

Voluntary Sector Network Support Program
Voluntary Sector Network Support Program (VolNet) is designed to expand the technological capacity of the voluntary sector by providing access to computer equipment, Internet access and Internet skills development to help voluntary organizations further their missions.

VolNet presently has 10,000 participating voluntary organizations, of which 8,800 are already connected and over 12,000 staff and volunteers received training. About 45 per cent of VolNet services recipients are in rural Canada.

FedNor Telecommunications Support
Through partnerships with non-profit organizations and private-sector suppliers, FedNor supports the development of telecommunications infrastructure and the development of new applications for the information highway. FedNor authorized more than $23 million in 374 projects in support of these activities. Community Futures Development Corporations continue to promote the use of telecommunications and the Internet as a communications tool throughout rural Ontario, and in most locations provide public access and support for users such as the Community Access Program, the Canada–Ontario Business Service Centres and Aboriginal Business Service Network sites.

Accountability, Process and Results
Public Accountability
Two-way Communication from Process to Results
Government management practices have been traditionally more about process than results. The focus was on resources spent, activities and outputs. Although important, they did not give Canadians a complete picture of the relevance and effectiveness of programs and services being delivered. In 1995, the Government of Canada committed itself to implementing results-based management in all federal departments and agencies.

Performance Measurement
The Government of Canada is committed to reporting to Canadians on how it responds to issues in rural Canada. It is important to determine whether programs are achieving results that Canadians value. The government needs to know if it has made a difference in improving the quality of life. When a federal initiative is put in place, it is followed by a system to measure and report on performance. In this way, government reports on and is responsible for the actions it undertakes and how it uses public funds.

Federal departments and agencies are now developing a cross-government performance framework for rural initiatives, linking actions to expected outcomes, practical indicators and relevant measurements. At an interdepartmental working session in March 2000, representatives of many government departments developed performance indicators for the 11 Priority Areas. In March 2001, workshop delegates reviewed and narrowed down the indicators under consideration to a manageable list, taking into account feasibility, meaningfulness and practicality. Examples include:

Number and proportion of rural Canadians having Internet access; and number and proportion of rural communities with various levels of approved hospital beds to 1,000 population.

- The final selection of key performance indicators to adequately reflect an improved quality of life in rural communities is still to be decided. Once these indicators are selected, an implementation plan will be developed and will contribute to a cross-government performance management system.

Interactive Process
Citizens to Government
While government reached out to communicate with people in rural and remote Canada, it also listened. Citizens brought concerns directly to the Government of Canada through national, regional and local forums. As an example, the 2000 National Rural Conference in Magog-Orford, Quebec, gave rural citizens a chance to express their opinions to influence decision-makers on policies, programs and services. Government committed action on 54 issues raised at the conference, contained in the Rural Action Plan released April 26, 2001.

The Rural Times, a quarterly tabloid newspaper issued by the Rural Secretariat, is an indirect conduit, providing articles, reports and valuable information on rural communities and their residents. Many rural Canadians have written articles for the publication, which is overseen by an advisory board of citizens from rural and remote communities. The Internet also offers rural citizens instant, direct, on-line opportunities to discuss concerns, through Web sites such as the Rural Secretariat's, among others. The Rural Fairs and Exhibits Program brings information on federal government programs and services to rural and remote communities.

All this input and sharing of information helps government identify emerging issues and define a role for itself in addressing key rural concerns.

Government to Citizens
The Government of Canada demonstrated its commitment to Canadians living in rural and remote communities with its first Annual Report to Parliament on Rural Canada in May 2000, Working Together in Rural Canada. The Canadian Rural Partnership Web site at http://www.rural.gc.ca and the Pocket Directory of Rural Programs and Services, which contain information on government programs and services, are other examples of that commitment.

Pilot Projects will continue to support innovative solutions to local challenges. These projects will strengthen the capacity of rural and remote communities to maximize their development potential and take advantage of opportunities. An evaluation of the first four years of project experience will take place in 2001–2002 to share lessons learned and improve future programming. Over the next three years, $9.8 million will be made available through the Canadian Agricultural Rural Communities Initiative to assist agricultural rural communities undergoing change.

The Rural Dialogue helps the federal government better understand rural opportunities while providing a forum for rural citizens to learn from each other. By discussing options, governments and communities can make the best use of opportunities. Four rural conferences were held across the country at the local/regional levels. These conferences will feed into the second National Rural Conference in 2002, which will further define the federal government path in developing responses to the issues and challenges of Canadians in rural and remote communities.

Communications is the key to increasing awareness of what the federal government has to offer rural Canadians and improving access to its programs and services. For example, through the Government On-Line initiative, the rural Web site at http://www.rural.gc.ca will be enhanced to facilitate access to information and rural government services in 2002. A rural policy agenda can help the Government of Canada respond more effectively to rural needs. It is committed to addressing issues in a results-oriented fashion. Specific approaches will focus on:

Improving access to programs and services within the context of long-term sustainable strategies; developing strong community capacity; and helping communities with initiatives such as Community Futures Development Corporations and the Community Access Program.

- Research is also key to a better understanding of rural Canada.
    - The government will need to explore a variety of issues in more depth to continue improving policy choices and decisions.
    - As issues affecting rural and remote Canada vary from region to region, the government will respond to issues in a regionally sensitive manner.
    - The way in which all governments are responding to the challenges of rural communities is an integral element of the rural policy perspective.
    - The relationship between rural and urban Canada must also be considered as a key policy question as both presently coexist and are mutually dependent.
    - However, there are issues and challenges which must be examined to create an avenue to better public policy decisions. Important policy questions to pursue are:
        - What are the key success factors and best practices for future rural development?
        - To what extent can urban economic development be the driver of a healthy rural economy and how far do such economic zones of influence extend?
        - How do we harmonize the potential benefits of urban economic development and the requirements of our rural communities?
        - What lessons can we learn from the experience of other countries?

5.3. A Rural Lens - Quality of Life Indicators – 2001[19]

Executive Summary
The results of a series of public dialogue discussions held across Canada in October 2000 reveal that Canadians agree that tracking the quality of life in Canada is a worthwhile endeavour and identify several common elements that they believe should be monitored. Nearly every group of participants addressed various aspects of democracy/political rights, health, education, the environment, social programs, personal well-being, safe communities, the economy and government as important to the quality of life in Canada. These common themes cut across regions, social backgrounds, and various demographic characteristics of the populace. Indeed, there appears to be widespread agreement among Canadians that the general recipe for a healthy quality of life must include certain key ingredients, even though the recommended "amounts" vary to some degree. This variation is revealed somewhat through a qualitative look at the dialogues in terms of a rural cluster analysis.

The central purpose of the Canadian Policy Research Networks' (CPRN) Quality of Life Indicators Project was to develop a prototype of national indicators to track Canada's progress in quality of life through a citizen involvement process. To learn about the issues that citizens view as important to quality of life in Canada and what indicators should be developed to monitor the issues, forty dialogue discussions were conducted in nine provinces across Canada over a two-week period in 2000. To focus a rural lens on quality of life, CPRN purposively selected a rural 'cluster' to participate in the public dialogues alongside the other 'clusters' of urban, influencers, and hard-to-reach.

In total, around one-third (32.7 percent) of the citizens who took part in the dialogue were Canadians living in rural locales. The participants reviewed background materials on quality of life issues and indicators prior to the dialogue sessions, engaged in three-hour dialogue discussions facilitated by trained moderators, and completed questionnaires prior to and following their discussions.

The overall results suggest that there were a number of common national indicator priorities to monitor quality of life in Canada. Differences across groups in their views on quality of life can be observed, however, and can be explained in part by the composition of the group clusters. The rural case illustrates the fact that some group clusters were more likely to highlight certain areas as prominent themes to be included owing at least in part to the direct impact that these issues have in their lives. Thus issues of accessibility to and availability of services resonated particularly well in rural groups, and rural participants were particularly concerned about issues surrounding the agricultural economy.

Regardless of the cluster, the groups emphasized the importance of the following: primary and secondary education, health care access, a healthy environment, clean air and/or water, social programs, responsible taxation, public safety or security, job security, employment opportunities, a living wage, time use or balance, civic participation, and children/youth programs.

Every group discussed political and democratic rights as important to the quality of life in Canada. As well, every group addressed various aspects of health; of particular importance to the rural groups were accessibility and health promotion. In terms of education, the participants suggested that access, quality, and funding levels should be monitored. Rural participants framed access to education in terms of general accessibility to services in rural Canada. The environment figured prominently in nearly every group's list of priorities, both as an important contributor to quality of life and as an area for which indicators should be developed (e.g., clean air, water, and waste disposal). Rural participants sometimes considered environment questions in the context of the economy, public infrastructure, and the rural way of life.

The participants further emphasized "social programs" as important to quality of life; while nearly half the groups discussed children and/or youth programs as a key dimension, rural participants stood out in drawing attention to childcare provision. At the same time, the dialogue participants suggested that responsible taxation should be a priority.

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[19] Canadian Policy Research Networks, Asking Citizens What Matters for Quality of Life in Canada - A Rural Lens - Quality of Life Indicators Project – November 2001 http://www.cprn.org/docs/corporate/qrl_e.pdf

The dialogue groups further stressed the importance of monitoring healthy, safe communities as a key indicator of quality of life. Similarly, civic participation represented another area that participants ranked highly in assessing quality of life in Canada. The idea of community support for families and children found particular resonance in rural locations. Moreover, most groups in various ways considered the health of the economy to be important. Rural participants' economic concerns often seemed to indicate a holistic view of rural quality of life, and they stood out in their concerns for economic growth, support for small business, indicators pertaining to agriculture, improved benefits or compensation, and in their concerns about the distribution of wealth. In the area of government, public trust was a feature of rural discussion.

Regarding justice/legal systems, rural participants were just as likely to talk about crime rate as their urban counterparts.

At the individual level, most people expressed at least some satisfaction with a range of different quality of life dimensions, though those who were older tended to have more positive views or expressed higher levels of satisfaction on several issues. Regardless of age or other background characteristics, the majority of participants ranked health care, education, the environment, and social programs as priority areas requiring improvement. As discussed previously, these areas (and sub-themes identified within the broader discussions) were often targeted as key factors that participants believed should be monitored more systematically to help track quality of life in Canada on a regular basis.

Participants often felt far less competent, however, in their capacity to suggest what the most helpful or relevant indicators might be; they were often comfortable to rely on other expert opinion in this regard. The data were more limited in thinking about who should be responsible for developing and reporting on the quality of life in Canada. The general view was that governments should work co-operatively with independent, non-profit organisations to support the development and ongoing monitoring of quality of life indicators. The participants recognised that funding might be necessary from governments and other sources to help sustain such an ambitious project, but believed further that independent reporting should be encouraged especially since government accountability might be incorporated as one of the dimensions monitored.

The participants, while not always optimistic that the process would yield tangible results, were nevertheless energised by their participation in the process. Most important, there was a general consensus that developing a quality of life indicators prototype was feasible and desirable. Canadians expressed a preference to have a more uniform and comprehensive system for evaluating quality of life in Canada than that which currently exists. While most continued to believe in Canada as offering a reasonably high quality of life, the participants voiced a number of concerns that should be addressed and monitored on an ongoing basis to establish priorities, to provide feedback, and assess changes in quality of life in the years ahead.

See online for remainder of document.

5.4. Responses to Crime in Northern Communities- 1994 [20]

- This article, part of a workshop compendium, addresses justice issues in the North, and draws some conclusions about crime patterns, the administration of justice and community justice initiatives in the Baffin region.
- The study highlights various issues concerning crime and justice in the Baffin Region, offers guidance for community planners and those involved in criminal justice and social services in the North.
- Running through this piece are lessons learned, an articulation of the Northern environment, the relationship with the mainstream system, as well as the dynamics of community mobilization and power dynamics.

General
This article is a discussion, by the researchers, of the preliminary findings regarding their study *Crime, Law and Justice in the Baffin Region* (available from Simon Fraser University, 1995). The purpose of the study is not to

[20] Zellerer, Evelyn, Greg Saville, Darryl Wood and Curt Griffiths. "Responses to Crime in Northern Communities", in Justice and Northern Families: In Crisis... In Healing... In Control, Burnaby: Northern Justice Society, Simon Fraser University, 1994.

make evaluations, but to gather information. It is intended as a useful tool for government and communities involved in the development and administration of justice at the territorial and community level.

The methodology of their study included RCMP files and official agency data from the Territorial courts, and RCMP and Corrections files at every RCMP detachment in the Region.

They also conducted in-depth interviews with more than 300 community residents, community resource people and individuals involved in the delivery of justice.

Themes

The community dynamics differ across the Baffin region; there exist great variation in a number of areas. These dynamics are very important to understand if community-based justice initiatives are going to meet with a measure of success.

Objectives and Preliminary Findings

- *Objectives of the project:*
- Various objectives guided the project.
  - (1) To gather rates and patterns of criminality in the Baffin region. (2) To gather the perceptions of Inuit political leaders, community leaders, community residents and criminal justice and social service personnel regarding the nature and extent of crime.
  - (3) To determine the factors that distinguish high and low trouble communities.
  - (4) To gather the views of community and criminal justice agents regarding the delivery of justice and the potential for developing community-based alternatives.
  - (5) To consider the viability of alternative models of justice delivery.

Preliminary findings:

- ***Crime rates:*** in the Baffin region are much higher than the Canadian average.
- ***Variations in patterns of crime:***
  - The study found that there is huge variation in rates and patterns across the Baffin region and the differences are a result of a number of factors.
  - Specifically, the level of disruption to traditional lifeways, the level of and working ability of an infrastructure of personal and community resources, the status of Elders in the community, and the level of intergenerational conflict in the community.
- ***High level of violence directed towards women:***
  - The researchers found that the levels of spousal and sexual assault indicated that the cycle of violence is destroying the lives of many victims and offenders. They held that even though the needs of victims in small communities may be a challenge to meet, those needs must be addressed.
- ***The role of alcohol:***
  - The role of alcohol and alcohol abuse in communities across the Baffin region, as well as community response to it, varies.
    - While some communities are dry because of by-laws enacted by the community, some are dry because of the strength of informal social controls and the dynamics of the community.
    - These differences in informal social controls and community dynamics are very important to understand if any initiative is to be effective.
- ***Property offenders:***
  - The researchers have found that in many communities a relatively small number of individuals are responsible for most of the property offenses.
  - The age median is 20 years.
  - However, they note there are different patterns that emerge for crimes of violence.
- ***Levels of dependency on the criminal justice system:***
  - The communities across the Baffin region differ in the demands they place on the criminal justice system agencies and personnel, as well as the expectations they have of what they, as communities, can and cannot accomplish to address crime.

- In other words, while some communities have developed a strong dependency on the criminal justice system and expect it to address their disputes, other communities see the community as the responsible agent for addressing anti-social or criminal behaviour.

- ***Perceptions of justice agencies and personnel:***
  - Although communities differed, there was generally more support in the community for the roles and functions of the RCMP and less for the circuit court.
- ***Absence of knowledge about Inuit culture:*** RCMP officers indicated that they were given little training and knowledge about the Inuit tradition, culture and ways of knowing and doing.
- ***The success of community-based justice initiatives is dependent upon a host of factors:***
  - The success is dependent upon such things as the dynamics of the community, specifically the support and involvement of community residents and the role and respect of Elders, as well as the political leadership.
- ***Community justice initiatives require a strong infrastructure***
  - Communities lacking a strong infrastructure are limited in their ability to develop and maintain effective community justice structures.
  - A strong infrastructure provides the basis for controlling criminal and troublesome behaviour.
  - Without one, the offender will not receive the needed assistance from the community and the behaviour will continue.
- ***The role of the formal criminal justice system***
  - The researchers held that an offence threshold should exist in community-based justice systems as they develop and operate in the North.
  - In other words, serious crimes should be dealt with and handled by the formal mainstream justice system.
  - When a violent crime occurs, a community-based initiative may not be able to adequately protect the victim and the community from the offender.
  - If the community-based cannot adequately protect the community and the victim, the offender will re-victimize and terrorize the community. As a result, the formal criminal justice system deals with offenders and offences that the community cannot adequately address.
- ***Conclusions***
  - Communities in the Baffin region represent a variety of needs, abilities and views.
  - Initiatives must be developed by and for the community.
  - The prevalence of spousal assault and sexual assault demands that the causes and consequences of these crimes are well understood in any community- based justice system.
  - Although it may be difficult to address and meet the needs of victims of violence in small isolated Northern communities it must be done.
  - If the community-based initiative cannot effectively do that, the larger formal system must.

5.5. A Community Perspective on Health Promotion and Substance Abuse – 1993 [21]

- The relationship between substance abuse and social problems (such as violence and criminal activity) is a link that is made in this report. To address crime, the health of Northern communities, along with the major community concerns that prevent the development of a healthy community, must be understood and acted upon. This report, addressing the Northern environment and the dynamics of community mobilization and power dynamics, holds that the justice system is only one area where change must come from.

General Overview

- This report is based on a survey, questionnaire distributed to individuals and organizations involved in the Inuit health field.
  - After summarizing the findings of the survey, the report profiles the communities within the NWT, Nunavik and Labrador that responded.

[21] Pauktuutit. A Community Perspective on Health Promotion and Substance Abuse; Ottawa: Inuit Womens Association, 1993. cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

- The methodology consisted of an 11- page questionnaire, geared towards determining community problems and community needs, which was distributed to 186 individuals and organizations involved in the Inuit Health field.
  - The questionnaire was in Inuktitut and English 55 questionnaires were completed and returned.
    - The survey was focused on gathering information on a wide range of factors that potentially impact upon the health of individuals, families and communities.

Themes/Assumptions

- A wide variety of personal, social, economic and political circumstances contribute to the problems of substance abuse. In turn, substance abuse exacerbates these (and other) personal, social, economic and political problems. The relationship between substance abuse and other serious social problems is a cyclical one.
- The World Health Organization's definition of Health is adopted for the discussion: Health is the "physical, spiritual, mental and social well-being of individuals and communities".

Findings

- *Many Inuit communities in the North are not health*y. *Substance abuse: variations and implications for delivery of services:* Substance abuse is identified as the most serious problem facing communities. However, there are regional differences in relation to the type of substance abuse. It is important to note that for the Northwest Territories the substance most concerned about is *drug* abuse, followed by *substance* abuse and then *alcohol* abuse. This has important implications for delivery of services.
- *Knowing the needs of the community:* While it is important to be aware of the regional differences that exist, the researchers hold that it is more important to be aware of individual community needs. This report, in the section on community profiles, provides a community-by-community breakdown of the issues that most affect each community. This is invaluable for the direction that should be taken by the community to adequately address their particular concerns.
- *Other serious concerns:* Other serious concerns, apart from substance abuse, were identified by the respondents. In the Northwest Territories the three major concerns (listed in order of importance) are housing, unemployment and drug abuse. In fact, housing is on the list of major concerns for all the communities that responded.
- *There exists a diversity of community need*s: There are a variety of circumstances, problems and resources between communities - some need immediate attention (such as sewage systems) whereas others speak to a long-term, holistic strategy. This diversity must be recognized and incorporated on two fronts. First, substance abuse and health promotion must be based on a holistic strategy that relies on coordinated efforts of varying agencies. Secondly, a community-level strategy must be developed by the community to meet their particular needs.
- *Community participation neede*d: When respondents were asked "in your opinion what is the most important thing needed to improve the overall health, well-being and happiness of people in your community" there was a strong desire for community participation and cooperation to guide the approach or strategies.
- *Importance of community participation:* The best hope in health promotion and addressing substance abuse in Inuit communities is to tap into and use the energy and commitment of the community and the resources it has to offer - its knowledge and human resources.
- *Inter-related nature of the causes of community illness and the solutions to address it:* By affecting alcohol and substance abuse, a community is actively addressing a number of other inter-related issues such as criminal activity, violence and abuse.

Recommendations

- *Community Resources Team:* A community resources team could be established to coordinate existing community services, creating a cooperative problem solving approach amongst all organizations at the local/community level. Resulting from such a holistic, grassroots approach would be a streamlined and coordinated system of service delivery that includes all relevant agencies and individuals.
- *National Inuit Substance Abuse Project:* Such a project would mobilize and coordinate local community resources (such as a Community Resources Team) and act as a resource/educator.

5.6. Fundamental Values, Norms, and Concepts of Justice – 1993 [22]

Although this was written with the interests of the Inuit communities of Northern Quebec at the fore, a number of issues that it addresses are relevant for justice dialogue in Nunavut. In this article, Iqaluit was deemed an example for Nunavik even though the programs Nungak speaks highly of have a number of problems that will be replicated if the program is adopted as it is. This article addresses the Northern environment and the relationship with the formal criminal justice system.

General Overview
This article was submitted by the author and presented to the Royal Commission on Aboriginal People's Round Table Discussion *Aboriginal Peoples and the Justice Syste*m. Nungak was the Chair of the Inuit Justice Task Force and is now vice-president of Makivik Corporation. Much of this discussion revolves around Nunavik and the Inuit experiences in Northern Quebec. Nungak speaks to the need for fundamental reform in the way the justice system operates in Inuit communities. He holds that the lack of Inuit control is the fundamental flaw of the justice system. In his four appendices Nungak explores justice issues affecting residents of the Arctic.

First, he briefly outlines the limitations of the justice system that is available to the residents of Nunavik and presents three alternative dispute resolution models. Second, he examines the unique justice needs of the Nunavik communities. Third, he looks to other jurisdictions, specifically Iqaluit, to examine how the justice needs of those Northern residents and Inuit are met. Fourth, he discusses the cross-cultural/training program in Quebec and raises important issues regarding Inuit peoples and the criminal justice system. Through his consultations with Nunavik communities and research into other Arctic communities and their handling of justice issues Nungak came to a number of conclusions regarding justice issues in the Arctic environment and Nunavik in particular.
Underlying Themes/Assumptions
Inuit perspectives and values are different from the dominant perspectives and values in many respects, and justice is one of them.
Fundamental reform to the criminal justice system and a large amount of resources –human and financial - are required before an effective justice system for Nunavik is realized. Even though this seems to be a huge task, it must be done. An effective justice system is needed immediately.
Pre-contact, traditional Inuit society represented self-sufficiency, ability, and organization. Contact and the policies of colonization contributed to the loss of the Inuit sense of adequacy and ability.
Findings and Conclusions
The shortcomings of the present justice system and its administration are numerous. Among the problems are the adversarial nature, the external site for control, the long delays, the cost, the reliance on specially trained professionals to decipher and interpret a complicated system, and the implications of being administered by those who are ignorant of Inuit culture and society and language. These are all serious issues that must be addressed when considering justice in the North.
*Northern environmen*t: The author points out that the issues of geography must be considered when planning justice forms and initiatives whether at the community level or the governmental level. Living in a remote Arctic environment means special needs arise. The distant and foreign detention centres, the lack of available legal services in the community, the lack of addiction healing facilities and family crisis services are all examples of the failure of the existing system to meet Northern justice needs.
Need for Inuit administration of justice: Nungak calls for a criminal justice system administered by Inuit peoples. There is a need for Inuit police, courts and detention facilities, operating on principles that reflect Inuit language, culture, and their environment.
Iqaluit justice system as an example for Nunavik: The correctional services, local court system (Justices of the Peace) and legal aid services of Iqaluit are seen by the author as an example of how the court and legal system in Nunavik can function and meet the needs of the community.
The detention centres are staffed almost completely by Inuit, and the programs that are used instill community-based and land-based skills that focus on teamwork and responsibility. The Justices of the Peace (JP) local court system represents a successful example of addressing community justice issues. Their success is due to the fact that "local matters are dealt with in a local basis and with local understanding". He goes on to say that

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[22] Nungak, Zebedee. "Fundamental Values, Norms, and Concepts of Justice" in Aboriginal Peoples and the Justice System. Ottawa: Royal Commission on Aboriginal Peoples, 1993 cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

"in the North there is a need for locally based problem solving rather than externally based problem solving, simply because things and problems are better understood on a local basis" (98-99). JPs are able to effectively deal with those issues while at the same time they are able to include the community in a meaningful way. The JP program in the Northwest Territories gives JPs all the power of a Provincial Court Judge. As a result, they are able to address and hear all but indictable offences.
These JPs are also given the authority to include the community in addressing conflict and criminal behaviour. Further, the Task Force found that in the smaller communities, the JPs are all Inuit. The Legal Aid Clinic in Iqaluit - Malihanik Tukisiiniakvik - was also seen as a positive step in addressing Northern justice issues and was deemed particularly important for Nunavik. Nothing like these structures existed in Nunavik.3
Variety of issues when discussing justice and justice delivery: Tensions exist regarding criminal justice issues in Nunavik. These tensions were articulated at a Quebec training course on cross-cultural information and understanding. They revolve around the role of traditional Inuit social control systems in modern Inuit society and the benefits and limitations of indigenizing the existing criminal justice system. While hard and fast answers are not available, the issues that are presented require serious attention so that a further understanding of the needs of particular communities can be discerned.

5.7. Future Aboriginal Community Needs – 1992 [23]

This piece highlights lessons learned and the dynamics of community mobilization and power dynamics.
General Overview

- This addendum is part of the Sandy Lake Pilot Justice Project Evaluation.
- In this addendum, a number of issues are addressed and conclusions are drawn regarding the development needs for future Aboriginal community justice projects.
- It was felt that such a focus required a separate annotation to ensure that the important 'lessons learned' from Sandy Lake are shared with communities who are undertaking the development of their own justice projects.
- In this addendum a number of findings, based on questionnaires, are shared; findings regarding what is needed in the community to accommodate a project such as the Sandy Lake Justice Project, the degree and type of training and community development work that is necessary before community justice projects can successfully be implemented, and the community resources needed. Based on these findings, the researchers draw a number of conclusions.
- The methodology that guided their findings included: Questionnaires distributed to community leaders and justice personnel in both Sandy Lake and Attawapiskat. 37 returned questionnaires (from both communities) form the basis for these findings.
- Many of the voices in this collection do not share this positive view of the services offered.
- Their analysis of justice delivery in Iqaluit would be quite different.

Findings

- *The developmental needs of future Aboriginal justice projects:* The respondents identified a number of areas that require attention when developing future community-based Aboriginal justice projects.
    - They responded that **community involvement** must be ensured in the development stage and in the discussion on alternative and dispositions.
    - They held that there is a need for conducting **legal education** sessions in the community for the community members and more **training** required for the Elders on the Elders' Council.
        - They point out that *Criminal Code* cases cannot be diverted until a better understanding of court procedures and court systems are developed.
    - It must be ensured that **community resources and facilities** are available to facilitate a wide range of sentencing options.
        - For example, institutional resources for implementing a community service order, availability of probation services, substance abuse counselling and treatment programs, and wilderness camps and adequate lock-up facilities for intermittent sentences.
    - The respondents supported the establishment of a **Community Justice Committee**.

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[23] Obonsawin-Irwin Consulting Inc. Future Aboriginal Community Needs: An Addendum to the Sandy Lake and Attawapiskat First Nations Justice Pilot Project Evaluation Reports, July, 1992 cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

        - Such a Committee is important prior to developing a justice project to ensure community involvement and provide adequate resources for the project.
        - The respondents also suggested that the community conduct a **needs assessment and develop a plan of action** prior to establishing a justice project.
    - Questions such as what the community leadership wants to achieve, previous community involvement in the justice system, court statistics and police occurrence reports and community perspectives on justice needs and how to address them would be incorporated.
    - Finally, the respondents suggested that the justice project develop separately from the political process.
- *Administrative needs:* Suggestions were requested for improving the administration of the justice project.
    - The respondents replied that proper record-keeping and follow-up to the courts was needed.
    - It was also noted that improvement of the courtroom and administration/counseling office facilities was needed.
- *Training need*s: The respondents identified a number of training needs.
    - Many held that training is required in understanding criminal and family law, in understanding the justice process and court procedure and that cross-cultural training was also required.
    - Further, the respondents noted that an understanding of resources and how to use them needs to be developed so that the resources available for dispositions are utilized.
    - It was also indicated that substance abuse training is required: the high number of alcohol-related cases requires an understanding of the root causes of substance abuse so that the court can adequately address and develop methods to deal with substance abuse.
    - Training in how to deal with more serious cases was also indicated as well as administrative and office skills for staff.
- *Degree of community control and Ontario justice system control:* A variety of responses were indicated when asked to comment on how much control the community should have and how much should stay with the government's justice system.
    - Some said the community should have complete control, while others said it should be an even distribution.
    - Some said it should not change from how it is at the time of the survey.
    - Although there was variety in the degree of control, a number of concerns regarding community control were shared:
        - Ensuring equality in the system,
        - ensuring the protection of individual and societal rights,
        - protecting the community from serious offences and offenders, and
        - ensuring that the political influence of the Band Council is not exerted on the justice process in the community.

Conclusions and Recommendations for Further Project Development

- *Community Developmen*t: The researchers hold that a project development process should be established. Such a process would consist of three phases: a needs assessment phase, a project development phase, and a pre-implementation phase.
- *Adequate training:* The researchers conclude that adequate training must be provided to all involved in the project. The training should reflect a balance between understanding and participating in the formal court procedures, while maintaining a level of creativity in recommending dispositions and sentencing. The researchers hold that all the staff has different training needs and these must be met.
- *Community resources required:* While recognizing the unique nature of First Nation communities, the researchers conclude that a number of community resources are required for a community-based justice project to be successful.
    - A **community justice committee** facilitates community involvement and agency coordination from implementation and operation of a justice project.
    - For **community service orders** to be effective there has to be community-based volunteers and employers to provide supervision.
    - **Adequate lock-up facilities** are essential in isolated communities where the residents intend to utilize intermittent sentences. Without it, the Elder is limited in his or her disposition options.
    - **Inter-agency cooperation** is also a community resource required to accommodate a justice project in the community. A number of agencies can and should be used to assist in the sentencing and counselling process. For example, substance abuse counsellors, probation

officers, group homes, child and family service workers, mental health workers, educational counsellors and schools are all vital agencies.

- **Adequate space** is required for court and office facilities. The court environment should represent the need to adequately participate. Office space must meet the need for privacy

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5.8. Intensive Supervision as an Alternative to Custody for Young Offenders – 1990 [24]

Intensive supervision is an alternative measure, one that is grounded in the resources of the community. It arises from the needs of the community to address the actions of the young offender. It is an example, one among many that are discussed here, of a community-based alternative that some First Nations are using. This presentation and the following discussion highlights lessons learned, the Northern environment, and the issues surrounding community mobilization and power dynamics.

General Overview

Through dialogue led by Lynne Mourot (Regional Young Offender Manager, North East Region, Saskatchewan; Social Services, Prince Albert, Saskatchewan) and Betty Bird (Intensive. supervisor in Little Red River Reserve, Saskatchewan) the use of intensive supervision is described, the roles of the agents are discussed, and the challenges it faces are articulated. Intensive Supervision is an alternative measure for young offenders (as outlined in the *Young Offenders Act).* It is used in conjunction with probation to maintain a young offender in his or her own home instead of at a custody facility.

Underlying Themes

A rigid structure is required when looking at alternatives to incarceration. The program must be carefully thought out and planned, representing the needs of the community and the young offender, and everyone must be clear about their roles in the process.

If alternatives to custody and incarceration are going to be successful, they must use the resources in the youth's family and community.

Alternatives to the existing system must recognize the need to balance a number of interests: the protection of society, the needs of the community, the needs of the victims, the special needs of the offender and at the same time encourage accountability.

Findings

Intensive Supervision as a community-based initiative/alternative: It is a model that emphasizes the community by using community homes and the resources that the community has to offer. It is based on the community's need to be involved in effectively addressing the behaviour. It is a program that is run by project coordinators and supervisors within the community.

*Intensive supervisor*s: Intensive supervisors, respected members of the community, live in the community and have cultural knowledge. They apply to become intensive supervisors and they are paid for their services. They are given training and they are teamed with a youth that the organization feels they are compatible with. For example, if a youth gets into trouble with the law, the project coordinator will go to the court and inform the judge that there is someone available in the community to supervise the youth, spend time with him or her and ensure that the conditions of probation are met. A contract is drawn up, agreed to and signed, by the youth, the supervisor, the youth court, parents, the lawyer and the youth services supervisor. In the contract the schedule is specified: the number of hours per week for so many months. The intensive time spent with the youth is intended to decrease as time goes on.

Criteria for recruitment of supervisors: Elders and community members choose a natural helper, someone who cares about the youths in the community. The individual cannot be a member of the youth's immediate family, they cannot live in the same house and they must not have a criminal record. The supervisor must represent a figure of authority for the youth.

Responsibilities/roles of the intensive supervisor: The intensive supervisor has a variety of responsibilities and roles. They ensure that the conditions of probation are followed (i.e. alcohol treatment, school attendance, getting home at particular times/curfews). It is important that the supervisor understand the needs of the youth, so that they can work with the youth in a way that will prevent the youth from being put into a position that will make failure imminent. For example, if the youth is 17 years old and not successful in school, it may be a bad idea for the supervisor to push school attendance. If they did, the youth may be 'set up' for failure..

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[24] Mourot, Lynne and Betty Bird. "Intensive Supervision as an Alternative to Custody for Young Offenders", in Preventing and Responding to Northern Crime Burnaby: Northern Justice Society, Simon Fraser University, 1990 cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

Consequently the intensive supervisor must know the youth, their strengths and weaknesses and have familiarity with the youth's environment. The supervisor is also responsible for attending to and knowing the youth's progress and behaviour at school or in the community generally. Finally, the intensive supervisor acts as an advocate for the youth, standing up for their interests when necessary and providing care, guidance and support. The supervisor works with the whole family, these activities are not done in isolation with the youth.
Challenges that face the program: (1) Addressing low levels of involvement in the community. The resource persons held that the answer to this real limitation is to give the community active roles and responsibilities in organizing and ensuring their representation. Doing so may inspire members to become more involved. (2) Participants held that some parents have treated this program as a babysitter service. This is a real problem. Referring to the intensive supervisors as babysitters of their children limits the parental involvement and belittles the important role that intensive supervisors play.

Conclusions

Intensive supervision is an alternative to formal court processing. It can be effective where the community resources, both human and financial, exist.

The success of the alternative is reliant upon a number of things. It is reliant upon the formal system for support. If the youth court judge does not agree to it, intensive supervision does not happen. It is also reliant upon the family of the youth to play a proactive role with the intensive supervisor.

It is an initiative that amalgamates the community and the formal system. They work together to meet the needs of the youth and the community.

5.9. Northern Fly-In Sports Camps – 1990 [25]

This article, part of a workshop compendium, provides an example of how to incorporate recreation into crime prevention techniques for youths in Aboriginal communities. Addressing the Northern context, lessons learned, and the dynamics of community mobilization, the presenters make cleat the idea that prevention is key in Aboriginal communities (as elsewhere) and that real prevention takes place outside of the criminal justice system.

General Overview

The Northern Fly-In Sports Camp (NFISC) represents a way that many Northern First Nations communities (in Sakatchewan, Manitoba and Alberta) are responding to and preventing youth from becoming involved in criminal activity. It is a non-profit national organization that supplies the infrastructure and resources for recreational activities. This article discusses the development of the NFISC , their experiences, and the impact it can have on Northern communities. The resource persons for this discussion was led by Neil Winther (President, Northern Fly-In Sports Camps; Associate Professor, Faculty of Physical Education and Recreation Studies, University ofManitoba), Corporal Paul Currie (Director, Northern Fly-In Sports Camps, Native Policing Coordinator, RCMP, Manitoba) and Ken Bighetty (Northern Fly-In Sports Camps Summer Employee, Pukatawagan Indian Band, Manitoba)

Themes

Northern communities present particular challenges that make organized recreation difficult. Vast spaces and limited resources make organized recreation a challenge.

There is a link between boredom and youth crime. It is not the only factor, but it is important. If that boredom is addressed, criminal activity may be affected. Physical recreation - through activities such as hiking, camping, organized sporting activities –is one way to do that.

Although this organization is Southern-based, it understands that there exists a wide variety of needs in Northern communities. Through consultations with the community, it makes available environment-appropriate activities.

Findings

Operation of the NFISC: The program, with the help of many sponsors and in partnership with the RCMP, meets with Chiefs and Community Councils to develop a plan. The resulting program comes out of the community and belongs to the community. The organization acts as a resource and implements the program. The NFISC organization has an infrastructure supplied by the sponsors - such as planes – as well as funding and the use of

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[25] Winther, Neil, Corporal Paul Currie, Ken Bighetty (Resource Persons). "Northern Fly-In Sports Camps: A Self-Responsibility Model for Delinquency Prone Youth", in Preventing
and Responding to Northern Crime, Burnaby: Northern Justice Society, Simon Fraser University, 1990 cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

specialists in the field of recreational activity. It is up to the community to decide the form and it is the youth that decide its success. The NFISC spends a couple of weeks or more with the community and provides recreation, leadership skills and activities to the youths. It is organized in such a way as to facilitate the maintenance of the skills and interests that are developed by the youth.
Role of boredom in youth crime and the NFISC: Currie, the RCMP officer, discusses how the youth crime in Northern Manitoba is often in the area of vandalism and property crime. He points out that these youths almost always leave a note with their name or some other identifying feature at the scene to ensure the authorities know who did it. This is so that they may be given a 'trip out of the community'. Activities, organized and relevant to the needs of the youths, may successfully address this.
Impact on crime: In Northern Manitoba, north of the 53 rd parallel, there have been considerable changes since the community youth participated in the sports camps. Although the RCMP officer noted an overall increase in crime rates, in the four communities that participated in the sports camps, there was a 17.4% drop in crime while the camp was there. They have not had any negative feedback from the communities, and the impact on youth self-esteem and community involvement has been great.

5.10. Indian Government Youth Court System - 1990[26]

This article, part of a workshop compendium, highlights the operation of a successful community-based justice initiative in Manitoba on a First Nation Reserve. The initiative focuses on young offenders. It is important to note that the objectives, issues and concerns of a community-based youth justice initiative will be very different from those revolving around the development and administration of community-based initiatives for adult offenders. Power dynamics, healing and prevention as well as types of offenses dealt with are issues that make it very important to know the goals and limitations of each community. This piece speaks to lessons learned as well as the relationship with the mainstream justice system.

General Overview

In this article the development, goals and operation of the Youth Court in St. Theresa Point, Manitoba, is outlined. The youth court is discussed as an alternative system, developed in the community, intended to not only keep the youths in the community out of the formal court system and custodial facilities, but also to address the problems that brought them there in the first place. The impetus for its design was the epidemic of sniffing in the community. Since it began in 1984 no youths have been found to be sniffing and the crime rate has deceased.73 significantly (as of 1990 when this was published). Robert Wood is the Coordinator, Indian Government Youth Court System, St. Theresa Point, Manitoba.

Themes

The amalgamation of traditional forms of dispute resolution and modern needs and processes can be a successful venture. Flexibility is important in ensuring success.
The formal system does not work. It fails the youths and the community.
Community involvement and representation underlies the initiative.

Findings

Goals and objectives of the Youth Court System: The main goal of the initiative is to keep youths out of the formal court system and address the problems that encourage them to engage in crime-related, anti-social activity. The focus is not just on applying sanctions to the youth, but on utilizing other resources - such as education and employment opportunity development, to create a holistic and relevant response.
Role of the community: The community determined and defined the needs that the Youth Court would fulfill (the need to take ownership of crime and related problems, the need to ensure that the youth take responsibility for their actions, and the need to deal with youths according to community standards and traditions). Community volunteers operate the Court and they attempt to not only incorporate the needs of the offender but also the justice needs of the community.
Operation of the Youth Court System: Referrals come from RCMP, an agency or individual within the community (such as schools, parents, and nurses). Once the cases are received the Community Youth Court Committee reviews them and assesses the types of services that will be required by the Youth Court Committee and the community agencies it is affiliated with. If they feel that the community resources can meet the needs of the

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[26] Wood, Robert. "Indian Government Youth Court System: The Case of St. Theresa Point, Manitoba", in Preventing and Responding to Northern Crime, Northern Justice Society: Simon Fraser University, 1990. cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

youth a Case Management Group will design recommendations (such as probation, community service, fines, apology or a combination). The youth and his or her parents sign the recommendation. There is also a Youth Court Judge, selected by the Chief and Council. The Judge is someone from the Band. They consult with Elders on how the disposition should be handled. He or she may dismiss the charge, assign a probation order or refer it to the provincial court system. The Youth Court deals with minor offences and follow-up is done on a monthly basis to ensure that the conditions are being met. The Youth Court system is accountable to the Chief and Council of the Band who retain final authority.
Role of outside agencies/agents: Like most alternatives, the initiative is reliant on approval and referral from the RCMP. As a result, it has to have the support of the RCMP. It also uses the mainstream system as a 'safety valve'. If the matter is too serious for the community and/or the community lacks resources to attend to the offenders needs and the protection of the community, the Youth Court Judge or the Committee will refer it to the provincial court. It is also important to be aware of the fact that the initiative operates without funding, relying instead on the resources available in the community.

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6. Relevant Documents, Studies and Practices – USA

6.1. Community Justice In Rural Areas -2001[27]

- Much of what has been reported about grassroots community justice efforts has focused on initiatives in urban areas.
- As a result, little is known about community justice in rural areas.
  - Has community justice taken root in rural and isolated towns?
    - If so, what quality-of-life issues are driving it?
  - Who in the community and local justice system is involved?
  - Are traditional actors in justice systems that serve rural communities resisting change?
    - And what is the likely future of community justice in rural America?
  - Will communities see their efforts fade away, be co-opted by the system, or evolve into vehicles for collaborative problem solving that transform the relationship between government and citizen?
- To find answers to these questions, the Bureau of Justice Assistance funded a project by the Center for Effective Public Policy to study rural communities in which *community justice is thriving*.
  - The communities selected for this study—Boise County, Idaho; Jefferson County, Oregon; Monroe County, Wisconsin; and Burlington, Vermont.
  - The four communities described in this monograph are but a few examples of the small towns, rural areas, and Indian reservations in which community justice is flourishing.
  - These four are not closer to being "state of the art" than others.
  - They found
    - all had different starting points,
    - projects in various stages of development
    - all existed in varying landscapes
    - all had varying assets, liabilities, crime/quality of life concerns and cultures
    - different example of the shape of community justice, a different way that it has grown in response to the community where it began
    - each shares the potential to improve the lives of community residents. Indeed, we found that a key quality of community justice is the unleashing of a community's energy to respond more effectively to its problems.
    - each shares a desire to look beyond remedies traditionally offered by the justice system for solutions to seemingly intractable problems.
- Each community highlighted in this monograph provides an example of how community justice grows in response to the unique needs it serves.
  - In Boise County, for example, the catalyst for community justice was the lack of adequate dispositions available to the juvenile court.
  - In Monroe County, the spark came from the former chair of the county board, who questioned the desirability of building a new jail in response to overcrowding in the local corrections system.
- We offer this monograph as a starting point for judges, prosecutors, public defenders, law enforcement chiefs, and other local leaders searching for examples of *how frustration can be transformed into action, even in isolated communities with limited resources.*

Rural Community	***Boise County, Idaho***	***Jefferson County, Oregon***	***Monroe County, Wisconsin***	***Burlington, Vermont***
Geography	Boise County is a geographically large, rural mountain county that adjoins Idaho's largest city, Boise. The scenic mountainous terrain makes these towns	Jefferson County is a high desert county on the eastern side of the Cascade Mountains, east and south of the city of Portland.	Monroe County is a rural county in western Wisconsin. It is primarily agricultural, and its rolling hills and forests combine with its large dairy farms to create stunning scenes of rural life.	

[27] U.S. Department of Justice, Office of Justice Programs, Walter J. Dickey, Professor of Law, University of Wisconsin-Madison, and Peggy McGarry, Principal, Center for Effective Public Policy, "Community Justice In Rural America Four Examples And Four Futures", February 2001 http://www.ncjrs.org/pdffiles1/bja/182437.pdf

Rural Community	***Boise County, Idaho***	***Jefferson County, Oregon***	***Monroe County, Wisconsin***	***Burlington, Vermont***
	more remote from one another and from Boise than the 50 or so miles between each suggests.			
Population	The county's population of 6,500 is concentrated in three small towns: Idaho City, Horseshoe Bend, and Garden Valley.	It is the only county in Oregon in which whites do not compose the majority of the population. One-third of the population is white, one-third is Native American, and one-third is Mexican American. The reservation of the Confederated Tribes of Warm Springs, which operates its own tribal police and courts, is located in the county.		Burlington, with a population of 35,000, is the largest city in Vermont.
Economy/ Social	The county is poor, with pockets of people living in remote places without electricity and running water.			
Spark for Community Justice	The spark for community justice in Boise County came from the county's ***magistrate judge and juvenile probation officer.*** (In three of the four counties profiled here, the court has only one or two judges who necessarily handle all cases—criminal, juvenile, family, civil, small claims, child abuse, and neglect, among others. It seems no accident to us that the judges are key sources of energy for community justice, given the breadth of their judicial experience, their strong feeling of connection to and responsibility for the people in their respective counties, their belief that progress is possible, and their willingness to gather people to solve local problems.)	The impetus for community justice in Jefferson County came from two judges in the county's judicial district.	The spark for the program came from the ***former chair of the county board,*** who questioned the desirability of building a large new jail in response to overcrowding in the current facility. She created a citizens committee to study the need for a new jail and alternatives to confinement in some criminal cases.	It is enthusiastically engaged in several community-based efforts. The impetus for community justice efforts came from ***various sources, and the most predominant were from outside the criminal justice system***. The mayor's office had a variety of neighborhood projects under way and believed that neighborhood disputes, public concern about juvenile behavior, underage drinking, and the desirability of more robust juvenile justice dispositions should be matters of government priority. Nearly concurrent with these activities, the Vermont Department of Corrections made funds available to communities throughout the state to create citizen-run reparative probation boards as a dispositional alternative in low-level criminal cases.
Initial Actions Taken	Concerned with the impoverished array of dispositions available to the juvenile court, they convened a series of meetings throughout the county to discover residents' attitudes toward the justice system in general and the juvenile justice system in particular.			
Result	These initial efforts resulted in the creation of an electronic monitoring			

Rural Community	***Boise County, Idaho***	***Jefferson County, Oregon***	***Monroe County, Wisconsin***	***Burlington, Vermont***
	program, a community service program, and a juvenile diversion program called the Accountability Network, or ICAN.			
Process	Through ICAN, juvenile offenders work with panels of adult volunteers to agree on contracts in lieu of sentences. The volunteers monitor the youth's progress in following through on the contract terms.			
Community Justice Committee	The judge and juvenile probation officer also helped create a community justice committee, made up of citizens from Idaho City, Horseshoe Bend, and Garden Valley. Initially serving in only an advisory role, the committee has since become active in identifying community problems, setting priorities for community justice efforts, and identifying and invoking resources to address community problems. Although it has no legal status or authority, it has become an important steering committee for community justice efforts. The committee held public meetings in all three towns to identify problems in each community. Although these meetings yielded expressions of concern about matters that might fairly be called, in conventional terms, criminal justice issues, their thrust turned out to be related to the widespread belief that a valued way of life is slipping away from this rural community. Community members want to preserve this way of life, if they can, or to at least manage or come to terms with unavoidable changes in a more satisfactory way. Specific concerns were about the behavior of children.		Although Monroe County has a community justice coordinator and a 14-member countywide criminal justice coordinating council, its community justice efforts were less developed than the other sites we visited. The committee recommended the creation of a broad-based effort to examine the criminal justice system and to look more closely at prevention-focused activities. This effort led to the creation of a community justice coordinator position and, more recently, a court service worker to help implement initiatives.	
Notable Projects		An example of more robust community-building efforts in Jefferson County is the bicycle pro-gram, created as an incentive for children to attend school regularly. The program was developed by HAABLA and involves various businesses, public		

Rural Community	***Boise County, Idaho***	***Jefferson County, Oregon***	***Monroe County, Wisconsin***	***Burlington, Vermont***
		officials, and agencies. Of particular concern was the high dropout rate of Native American students in the county. Each student signs a performance plan, which includes a contract to attend school and do his or her schoolwork regularly. The prize for each successful child is a reconditioned bike or roller blades and instruction on their safe use.		
Court				
Social Focus				Like the other sites, Burlington moved from criminal justice concerns to broader social, educational, and civic concerns. Whereas the center is administering the Department of Corrections Reparative Board process in Burlington, most of its activities do not focus on criminal justice.

COMMUNITY JUSTICE IN RURAL AMERICA: FOUR EXAMPLES AND FOUR FUTURES

Boise County, Idaho
(continued from Table above)

Juveniles were most common, although by no means was the referenced behavior necessarily delinquent. For example, one member of the committee, the owner of a local restaurant, said she wanted teen-agers who come into her restaurant to treat her employees and restrooms with respect. This theme, that a shared sense of values was being lost, recurred in all four sites. The committee has achieved an energy, passion, and vision that is hard to capture or convey in a simple description of its activities. Its members are determined, and their energy is contagious.

The second stage of Boise County's community justice pro-gram was decidedly non-criminal justice in nature. Drawing on the collective instincts of the committee and the experience of the justice system, the project created a Healthy Families Program to visit each pregnant woman in the county and to prepare those most in need of help (primarily unwed teenage mothers) to be parents. This foray into work with families led to the creation of an even more ambitious Parents as Teachers Project, which provides information and training about parent-child interaction as a crucial part of school readiness. The committee started a program to work with the public schools on reducing the frequency of student expulsions from the schools and on the nagging problem of truancy throughout the county. The juvenile probation department became the Community Justice Department, and, with a grant from the Albertson Foundation, created the first preschool programs in the county. Boise County is now the only county in

Idaho to offer preschool to all children in the county. The pro-grams are located within the public schools, further cementing the collaboration of these public agencies.

The third and continuing stage of Boise County's effort is community problem solving. An example of this effort is the community justice committee's response to the "dog problem" in a development of 67 homes in a remote part of Boise County. Several members of this development allow their dogs to roam freely, believing it is their right to do so. Several dogs have gathered in packs and, according to some residents, terrorized adults and children in the development. After several calls to the police failed to yield satisfactory interventions, a community member poisoned two dogs after warning their owners that they should be controlled. The owners demanded that the district attorney prosecute the man, who admitted poisoning the dogs, for felonies. The prosecutor instead charged him with two misdemeanors, expressing serious doubt that a Boise County jury would convict the remorseful defendant because of the underlying circumstances. The defendant, however, a federal civil service employee, is very concerned about the consequences of conviction for his employment and retirement, fearing that he will lose both if convicted. The dog owners are dissatisfied that the most severe consequence that can be exacted by the criminal justice system is prosecution of a misdemeanor. If the case goes to trial, the dog owners are likely to be unhappy with either outcome, an acquittal or a conviction for the misdemeanors. Although the defendant will likely feel relieved if the verdict is not guilty, a trial will be costly and put his family's future at risk. For both parties, the outcomes offered by the criminal justice system seem unsatisfactory, and the prospects or healthy community life in this development will remain dim unless these issues are resolved in a satisfying way.

Boise County's community justice committee is mediating this dispute. The committee has identified community members who are respected by the parties. They are working with the participants to reach a sensible resolution that will allow them to live together in peace. Accomplishing this will require a measure of shared responsibility and accountability. Having "imagined" what a sensible resolution to the matter might be, the community justice group is trying to move the participants toward it without dictating its ultimate shape and detail. This is the most dramatic community problem the committee has mediated, but it is not the only one. As a result of one of the community meetings, a group is trying to bridge significant gaps in expectations and priorities between one town's police chief and its citizens. Other groups are working to create circles of parents who can share information about and better supervise their teenagers' activities, and to create more recreational opportunities for youth. The contagious energy and vision of the community justice committee have been taken up by new groups in these towns. Their efforts are likely the beginning of many possible community-building initiatives in Boise County.

Jefferson County, Oregon

Their initial concern was the adequacy of dispositions available to them in juvenile cases. They responded by creating a peer jury program that relies on young people to "sentence" juvenile offenders in diverted cases. The judges created a merchant accountability board for first-time retail theft offenders that forces them to confront the con-sequences of shoplifting and take responsibility for what they did. In partnership with the district attorney's office, the judges successfully advanced a domestic violence initiative to strengthen and speed up the county's response to domestic violence. This effort includes additional resources for the prosecution of domestic violence cases, education and outreach programming, and diversion for low-level offenders. The judges also created a drug court for adults and a community service program for juveniles. Like their counterparts in Idaho, the leaders of Jefferson County's community justice initiative soon turned to non-criminal justice matters. They broadened the base of people involved in community justice by working effectively with the Hispanic, American Indian, Anglo Bureau for Love and Advancement (HAABLA), a community group dedicated to interracial understanding and harmony. They created an education program for divorcing parents to advance understanding of the repercussions of divorce on children. They created a small-claims and eviction mediation program that relies on citizen panels to resolve disputes more informally and rapidly than the courts. They were instrumental in bringing a Boys & Girls Club to Madras, the county seat, to create more recreational opportunities for young people.

The circuit judges in Jefferson County have worked closely with the tribal judges in nearby Warm Springs Reservation in their efforts to incorporate restorative measures into the tribal courts' dispositions. Among

the contemplated outcomes is the transfer from circuit court to tribal court of low-level offenders who are from the reservation as part of a diversion program. The judges are working with a local state legislator to explore the possibility of introducing legislation to allow some non-diverted cases to be handled in tribal court, a more appropriate site for handling many matters. As the judges succeed in broadening the involvement of this diverse community in their efforts, the possibilities for expansion of community justice in Jefferson County seem strong. The participation of the Warm Springs tribal government and courts may also lead to new dimensions in the programs that might be of interest across the country.

Monroe County, Wisconsin

Among the most important initiatives currently under way are an adult electronic-monitoring pro-gram; an effort to create pretrial services for people otherwise held in the jail; the creation of a community service program, including juvenile intensive supervision and electronic monitoring; and a restorative justice program. The coordinating council, working closely with the county's human services department, has also created an initiative to respond comprehensively to those convicted of drunk driving. Although the coordinating council is dominated by people from the criminal justice system, strengthening prevention services is becoming a high priority for the community. A large meat-packing plant has drawn many Mexican-American workers to the county, creating racial tension. The integration of these newcomers into the community has been filled with challenges, and resolving the cultural differences and tensions remains difficult. The coordinating council has begun a process of community meetings to expand the range and ownership of the activities..

Burlington, Vermont

The city hired a community justice coordinator and located a community justice center in downtown Burlington. Through the guidance of the coordinator, the Burlington Community Justice Center has become the hub of various activities loosely defined as community justice. The center created a focus group of formal and informal minority leaders to help develop effective and respectful outreach strategies to communities of color in Burlington. The center produces a bimonthly public access television show to inform the larger community about its activities and to air relevant justice issues. The center also supports the Neighborhood Action Project, the goal of which is to develop pre-adjudicative neighborhood solutions, such as community mediation panels and group conferences, for neighborhood problems and low-level crime. The center hopes to learn from these efforts and to move such activities into all neighbor-hoods in the city as an alternative to use of the criminal justice system..

Analysis

- **Model of Community Justice:** It is tempting to suggest that some model for community justice exists, but such a characterization would not do justice to the developmental and fluid nature of community-based efforts in rural America, which might take an entirely different shape in areas not discussed here.

- **It seems best then to embroider the factual stories with our analysis to tell more fully the stories of the four communities we visited.**

Phases of Community Justice Development: We see three distinct phases to community justice developments in the four communities discussed in this monograph.

- The **first** is the effort to **create more nuanced sentencing dispositions**.
- In the **second, the community seeks to address underlying social problems.**
  - Their greater exposure to the realities of offenders and their offenses through the sentencing process fuels the desire to prevent later delinquency and to create the possibility of better lives for its citizens, especially its young people. Inherent in this phase is explicit recognition of the desire to preserve a way of life, to re-create a kind of community that nurtures, protects, and holds its young accountable.
  - We call the **third phase community problem solving**. It is directed at specific community problems (not always well defined) and is a more immediate response to the desire for a better life now for all citizens of the community.

Beginnings - Dissatisfaction

- Community justice initiatives often begin because people are dissatisfied with the criminal justice system.
- In each rural community, frustration with traditional remedies fuels a desire for a more nuanced and appropriate set of consequences.
    - This need for alternative dispositions explains the creation of restorative justice programs, community service projects, merchant accountability boards, peer juries, and electronic-monitoring efforts.
    - The principals' desire for more robust dispositions leads them to invite citizen participation, in part because citizen involvement is thought to be powerful in creating satisfactory outcomes.
        - For example, it is thought that teenage offenders are more attentive to the judgments of a peer jury and that those juries identify sentences that are experienced more powerfully by young people.
        - Community service projects and restorative justice meetings between victims and offenders are also thought to advance the purposes of sentencing more effectively than conventional methods.
- However, there are other reasons for dissatisfaction with the criminal justice system in these communities.
    - The system is viewed as slow and formal, unable to cope with matters, particularly low-level offenses that demand rapid and informal responses.
        - Diversion pro-grams are created to speed up the justice system's response and to allow for more measured individualized approaches. Clearly, participants in these communities' criminal justice systems believe that many of the matters that come into the system would be addressed more appropriately through alternative sanctions.
            - Truancy, for example, is a problem in at least three of the four communities. Truancy tickets, although a common response, seem particularly unlikely to be effective, especially when truancy's diverse underlying causes are understood. This problem may yield instead to specific problem-solving approaches such as dealing with bullies who scare kids away from school, devising ways for children to get ready for school when their parents are not at home in the early morning, and demonstrating the value of education to parents.
    - Another reason for dissatisfaction with the criminal justice system is its perceived unfairness.
        - One sheriff noted that the only kids who receive underage drinking tickets are the truthful ones. It is impossible, he said, to "convict" a youngster for underage drinking in many cases unless the youngster confesses. In his view, the system teaches young people the wrong lesson.
        - Frustration with the criminal justice system's capacity to respond effectively to large-scale underage drinking parties and domestic violence is substantial in all four communities.
            - Enforcement of the problem, cited in each county as intransigent, is regarded as ineffective.
            - In some instances, efforts to crack down seem to exacerbate the risks of drunk driving, fights, sexual assaults, and property damage by driving parties to more remote spots.
            - In response, each site began a discussion of how to implement more carefully crafted approaches that reduce specific harms. For many sites, an important goal is to bring some measure of self-regulation to the drinking parties by reducing or eliminating drunk driving and by educating youth, parents, and other guardians. In this example, there is movement away from ineffective law enforcement and toward control of harms.
            - Judges, prosecutors, and probation officers in the four sites see children who have behaved inappropriately in juvenile court and believe their misbehavior is explained in part by their dysfunctional upbringing.
            - The participants, foreseeing wave after wave of similar kids in the future, wish to improve parenting from before birth through the high school years.
            - To confront these problems, the four communities look to social service and health programs that strengthen families.
                - They have created parenting, teen pregnancy, and healthy families programs that respond directly to important community needs.
                - Making these programs available is not conventionally thought to be the business of the criminal justice system. However, because the four sites are struggling with problems they feel are the product of social and family defects, they believe it is critical to seek broad community involvement in these programs.

- In all of these efforts, the official actors in the criminal justice system are not blind to its shortcomings, which explains in part why they seek to invent new responses. There is implicit recognition that the system as presently configured cannot deliver the outcomes desired. Instead, these actors seek methods of social control that rely on relationships among people rather than those imposed by government through the formal system.

Problem Solving and the Desire for Civility

- In every community, increased community participation led to a broader inquiry about community needs and desires.
- Many community members stated, in various forums, that a cherished way of life was changing for the worse.
  - Their robust sense of community was shrinking, and their belief that they knew their community's values and shared them was being undermined.
  - They desired a shared sense of rules that the community should live by, consequences for violating those rules, and incentives and opportunities for those who lived by them.
  - They also desired a better and more harmonious quality of life.
    - Most of the disharmony people were concerned about had to do with young people and the perceived failure of parents to raise them properly.
  - They did not believe that government and the criminal justice system could return their communities to the "state" they believe once existed but were determined to improve the conditions of their communities.

- **Community justice is** a condition of life that people desire, a condition in which people agree to, know, and play by the rules.
  - There are negative consequences for not abiding by the rules and rewards for playing by them, the most important of which is the opportunity to have a fulfilled, fully realized life.
  - The condition also requires solving problems that the justice system does not seem equipped to handle—to see to it that young people are properly socialized, for example, or to ensure that the places people inhabit are safe and secure.
  - Most people feel that the criminal justice system alone cannot create this condition and that substantial progress requires community-based involvement to create and preserve it.

- **If community justice is to be created,** two things must happen:
  - **Realignment:** The criminal justice system's relation to the community must be realigned, and
  - **Civility:** community members must work to create civility.
    - Realignment gives the natural forces of social control (personal and work relationships, for example) a more vital role in dealing with problems that yield to such involvement.
    - The creation of civility is everyone's responsibility, especially individual community members.
      - It is important to emphasize that these words—civility, harmony, and condition—are the authors', not those of the community members with whom they worked. However, when offered these characterizations and this overall analysis, the community members viewed them as a fair characterization of what they want and are in the process of doing.

When we discussed this realignment of responsibility with the communities, we used examples to inquire how community members understood relative roles. We offer them here to sharpen this point.

Example 1.

- Most communities would agree that a serial rapist should be isolated from the community, ordinarily through imprisonment.
  - Such a response provides punishment, promotes safety, reduces fear, and creates the possibility for healing and restoration of individual victims and the community.
- Other measures also might be invoked to provide some of these values.

- ♦ Therefore, the primary responsibility for imprisonment lies with government, although more complex approaches that include community involvement may be needed to promote healing and reduce fear.

Example 2

- ♦ Imagine a fight between two 14-year-old boys in which a teacher intervenes.
  - ♦ Unless there is something extraordinary about the boys or the incident, the teacher would probably call the parents of the boys, explain what happened, and expect the parents to deal with the behavior.
  - ♦ Ordinarily, we would hope that the relationship of the parents to the two boys, the desire of the boys to live within their family and community norms, and the boys' need for their parents' understanding and respect would lead to informal, natural forces working to restore order and teach lessons about living together.
  - ♦ The exact content of the social control exerted might vary, but some degree of accountability, healing, and restoration directed toward the individuals and the community could be expected.
  - ♦ An important objective would be for the youth to learn from the event and not repeat it.
  - ♦ Ultimately, the goal of "fully realized" people and communities would be paramount.
  - ♦ Although government plays a role in this example, it is minor compared with government's role in dealing with the serial rapist. Natural forces of social development and control probably would likely be much more powerful in the lives of the two boys than would **g**overnment in the form of the juvenile justice, child welfare, or criminal justice systems.

Example 3

- ♦ Imagine that there are frequent fights in a particular tavern. Several responses are possible.
  - ♦ One would be to arrest the participants after each occurs and punish them, which is how the justice system would respond in most communities.
  - ♦ A more robust response would strive to repair the relationship of the two individuals and repair the harm they have done to the community.
  - ♦ Another response would be to examine the sequence of events in the tavern to learn more about the fights, the time and place they occur, the participants, and why fights are occurring with such frequency.
    - ♦ This response would invoke combination of formal and informal social controls to prevent fights in the future and to deal constructively with those that had already occurred. We can imagine arresting some participants.
    - ♦ We can also imagine educating the bartender about how to stop fights when disagreements occur, when to refuse to serve drinks so that people do not become so intoxicated that they fight, and how to manage crowds, lighting, and other events in the bar that might contribute to the outbreak of fights.
    - ♦ In addition, we can imagine threatening civil action to revoke the owner's liquor license if disorder persists.
  - ♦ In this example, government activity and natural forces could work together to advance important private and community interests.
    - ♦ The configuration of government and natural forces most likely to achieve the purposes of the community and be most appropriate is difficult to determine.
    - ♦ Individual circumstances customized evaluations of assets and liabilities, and, ultimately, customized approaches must be considered.
    - ♦ At the heart of community justice is the process of deciding what this configuration of government and natural forces might be, who will decide it, and how it will be decided.
    - ♦ Greater clarity and specificity about what communities are engaged in, what assets and liabilities they have, what values they hold, what they want, and why they want it will greatly advance that process.

Our observation is that people are more likely to be in the condition they desire if they are doing some-thing about its creation. This seems like an obvious point: that the "doing" itself contributes to the condition, in part because it gives people the feeling they can do something for themselves and their communities. Coming together to share concerns, to look for solutions, builds confidence in shared values. Once the problem has a

name, its dimensions are understood, and the possible strategies for dealing are suggested, there is a feeling of relief, and of energy.

People think that together they can do something. So they do. And the "doing" satisfies. It helps create the condition of community justice.

Tensions (that affect the shape and progress of community justice efforts)

- Of course, everything is not all sweetness and light once community energy is released and directed toward solving community problems. We identified several tensions that affect the shape and progress of community justice efforts.
    - **Status Quo:** One readily identifiable source of tension is that many participants in the criminal justice system are stuck in their roles.
        - They are law enforcers, prosecutors, defense lawyers, and judges. They arrest, prosecute, defend, and sentence. They are not necessarily problem solvers.
        - This is by no means true of all the participants we observed, and, to be fair, being stuck in the role is not necessarily by choice.
        - Some police officers, for example, believe that enforcement alone will not solve the problem of underage drinking, but feel they have few options absent support for a more nuanced approach.
        - Simply, they are not always appropriate or sufficient to solve community problems.
    - **Definition of Community:** A second tension revolves around the definition of community.
        - In everyday use in the sites, the term means those not part of government.
        - However, each place implicitly understands that there are distinct communities within a rural county because of their history, geography, size, culture, assets, and liabilities.
        - When assessing a problem and taking action, people know their differences and tend to define community according to their perception of who contributed to a problem, is affected by it, or has a role in solving it.
    - **Community Action:** A third tension is the question of how to spur communities to act.
        - We expected to hear that the spark was an incident or event that galvanized action.
        - Although such events occurred in the communities we visited, the spark really was the accretion of dissatisfaction over time.
        - For the spark to become a flame, however, the right mix of grassroots action and leadership must be present.
        - Top-down efforts to galvanize communities alone seem insufficient, but without leadership, grassroots efforts may become muddled.
        - Ironically, the leadership comes from government, participants in the system who see the limits of what they have the capacity and authority to do.
    - **Solutions Readily at Hand:** A fourth tension involves the human instinct to reach for solutions readily at hand.
        - Doing otherwise— defining problems in terms of unknown or unavailable solutions— would be daunting.
        - Fortunately, communities can learn from one another when their problems are similar.
        - However, each community's assets, liabilities, and culture are different, requiring local strategic thinking to solve problems.

The Future of Community Justice

- **Key Success Factors:** What is the future of community justice in rural communities? The experiences of the communities studied for this monograph indicate that success will be dictated by three factors: value, capacity, and authority.

- Community justice is unlikely to develop and flourish unless it develops outcomes that have value in the community.
- Development requires capacity—the will, means, and skill to create value in the world. Finally, there must be authority to act.
- The authority can be legal (the court's authority to fashion dispositions, for example) or informal, with its legitimacy derived from its popular approval.

- Community justice initiatives now in place have four possible futures.
  - Some communities will see their efforts fade away.
    - **Fade away.** Community justice could fade away for several reasons.
      - The conventional criminal justice system might discourage and stymie efforts to reorder its relationship with the community.
      - Or the requisite leadership or communal sense of urgency may not be present.
      - If the participants in the criminal justice system lack the imagination to see beyond the system's available solutions, they will likely only give lip service to greater community involvement.
      - Because the community justice movement lacks legal authority, it relies on community demand for its power and legitimacy. If such support is lacking, the movement will be unable to survive resistance from the criminal justice system or indifference from community leaders and members.
      - In this future, the community justice movement is likely to wither.
  - In others, community justice will become a minor adjunct to the system or a conventional prevention-focused effort.
    - **Adjunct to the system.** The community justice movement typically starts in low-level cases, in efforts to create more robust dispositions, divert appropriate cases, and enlarge community involvement in the dispositional process. Manifestations include community service, peer juries, and reparative boards.
    - A second possible future for community justice is that it will continue as an adjunct to the criminal justice system. Although it may appear that this development will relieve the system and communities of business that ordinarily is processed through the criminal justice system, this is not necessarily so. The availability of more dispositional alternatives may lead to more business for the system because more dispositional alternatives are available to it. Although most efforts to enlarge dispositional alternatives through community justice clearly are not designed to increase business, they surely have this potential.
  - In others, community justice will become a conventional prevention-focused effort.
    - **Prevention.** A third possibility for community justice is that it will focus efforts on prevention.
      - In several of the communities we observed, the community justice system devoted energy and attention to the creation and delivery of social services, particularly in the areas of teen pregnancy and healthy families.
      - Most, but not all, such efforts quickly became government programs and no longer relied on the energy of community members for their continued existence.
      - In this future, the efforts become institutionalized while continuing to create great value.
  - Finally, a few will transform their efforts into ongoing problem-solving endeavors.
    - **Community justice as problem solving.** A fourth possibility for community justice is that it will evolve into a community problem-solving effort.
      - The basis for this conception of community justice is the notion that community justice signals a reordering of the relationship between government and its citizens and that natural forces of social control that exist in ordinary human relationships have more power than does governmental authority.
      - The community effort to solve the dog problem in Boise County, Idaho, for example, shows that informal influences on human behavior may be more apt to yield value, satisfactory solutions, and stronger communities than the criminal justice system.
      - In this future, communities become a nearly inexhaustible supply of informal possibilities for social control. This energy can be brought to bear and may be more effective and satisfying than current efforts.

- Some proponents of community justice see its ultimate goal as the building of stronger communities.
  - Stronger communities can be built on more robust dispositional alternatives (the starting point), but this approach seems unlikely unless efforts at prevention and problem solving that contribute to justice and civility also occur.

Choosing the Future

- Reflecting on the experiences of the communities we have visited, we offer the following conclusions about **creating conditions in which community justice thrives.**
  - **Creating opportunities and rewards.**
    - Communities are built on shared values, and community justice exists when those values are honored and their rules upheld. Our current justice system stresses the interdiction and sanctioning of rule violations and ignores the necessity of rewarding abiding by the rules. Community justice is a vehicle for creating rewards and reminding government of the need for careful attention to the availability of opportunities for achieving a decent life.
  - **Honoring differences while reinforcing shared values.**
    - From Vermont to Oregon, every town in America, no matter how small, holds within it a rich diversity of cultures and ways to lead a fulfilling life. Community justice thrives when those differences are acknowledged and celebrated. The process of building community justice will succeed when opportunities are created to fully explore what values are shared and what outcomes are desired. However, community justice will be neither just nor community based if it signals a way to enforce one group's notion of propriety on everyone else.
  - **Creating opportunities for participation.**
    - The value of community justice to the whole community will likely be greater if the process by which it is built includes ample attention to who is involved and how they are involved. Where meetings are held, at what time, and with what support (such as child care and transportation) all affect who can participate. How the meetings are structured and how voices are acknowledged affect the power of the participation. Faith institutions, workplaces, schools, coffee shops, barber shops, and social clubs are but a few of the places where different parts of the community gather and can be reached.
  - **Making use of private resources.**
    - The addition of resources from non-governmental sources, whether grant funds, office space, staff time, or goods and services, can play a vital role in changing the balance of influence between government and the community and in keeping governmental participants committed to the process. When private and public resources are joined in response to problems identified collaboratively, the value of each is enhanced.
  - **Using the power of position.**
    - Frequently, those who sit in the highest positions in the justice system have the clearest view of their community's problems. That view, when backed by a desire to go beyond the limitations of their position in the system, can be an important impetus for starting community justice efforts. Judges, prosecutors, sheriffs, and police chiefs can call on others to begin conversations, plan, and take action. Typically, they are also in a position to seek assistance from state or federal sources or from their own professional associations.
  - **Supporting community justice.**
    - Foundations, professional associations, and state and federal government agencies have roles in supporting the development of community justice.
    - Providing funds for courts to create community service programs or teen courts, funding a staff position in a probation agency to do home visits, or offering training in mediation, dispute resolution, and community organizing are ways that outside organizations can help.
    - However, subtler and simpler ways exist. Public officials engaged in building community justice need the endorsement of the highest officers within the state, including the state supreme court or the attorney general.

- State officials must encourage their agents to think differently about their roles, adopt a more problem-solving approach, and then lead discussion of these approaches at official meetings and conferences.
- At a national level, professional associations can offer training, materials, and ideas.
- Individuals need the support of communities to lead safe and decent lives.

6.2. Resolving Disputes Locally in Rural Alaska -1993[28]

- This analysis, based on a much larger research project, outlines some of the factors that contributed to the success of three very different forms of community-based dispute resolution in Alaska.
- Although the environment is not the same as Nunavut and as a result many of the issues will be different, it highlights some of the initiatives going on, their characteristics and the factors that have contributed to their success.
- This piece addresses lessons learned, the relationship with the mainstream criminal justice system, and issues surrounding community mobilization and/or power dynamics.
- This article summarizes the findings of the Alaska Judicial Council's evaluation of community-based dispute resolution models in Alaska.
    - The project involved the evaluation of three community-based, culturally appropriate organizations in rural Alaska that provided alternative means to addressing conflict in their community.
    - The purpose of the evaluation was to conduct a neutral review that would benefit the local organizations, the state, non-governmental agencies, and other community organizations.
    - There are over 100 Alaskan Native villages with active justice programs and initiatives in operation.
- This article compares three communities and their local, culturally relevant dispute resolution organizations:
    - The Minto Tribal Court (representing Athabascan Native groups),
    - the Sitka Tribal Court (representing the Tlingit communities) and
    - PACT, a conciliation organization in Barrow (representing the whole community of Barrow).
- A variety of methods were used by the researchers in stating their conclusions and making their recommendations.
    - The evaluators had access to each of the organization's case files as well as data from the state court files.
    - They also conducted interviews with decision-makers in each organization, volunteers associated with the organization, state court judges and others who had knowledge and a relationship with the organization.
    - The research was an example of 'participatory research'.
        - In other words, a final draft of the evaluation was reviewed by all of those who were interviewed for the study to check for accuracy and completeness in the description of the organization.

Underlying Themes/ Assumptions

- These initiatives are intended to benefit and meet the local justice needs of the community they serve.
- The author discusses the possibility of replicating these initiatives in other communities and draws conclusions about these organizations that can serve as a basis for similar community-based, local initiatives in other Northern areas.
- The author, however, recognizes that each initiative must be uniquely suited to the community it intends to serve.
- Findings: Each initiative varied in a number of ways:
- ***Variation in populations served by the initiative**:* For each initiative the 'community' and its interests were defined differently.

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[28] Connors, Joan F. "Resolving Disputes Locally in Rural Alaska", in Mediation Quarterly Volume 10, no. 4, Summer 1993 http://www.ajc.state.ak.us/Reports/rjdirfram.htm
cited in Department of Justice Canada, Research and Statistics Division, by Naomi Giff, Nunavut Justice Issues: An Annotated Bibliography, March 31, 2000, http://canada.justice.gc.ca/en/ps/rs/rep/rr00-7a-e.pdf

    - For the Minto Tribal Court the community served is restricted geographically to those people who live in Minto.
    - The Sitka Tribal Court's community is defined by tribal membership.
    - For PACT the community served is all of Barrow, Alaska.
- ***Variation in the types of cases they handle**:* While PACT handles ˜civil actions' (simple civil matters) and community relationships and misunderstandings, the Minto and Sitka Tribal courts address local ordinances, criminal matters and family law matters.
- ***Variation in dispute resolution form and style:*** Although each initiative had the same goal (resolving the dispute) the philosophy that guided them, and in turn the styles that each initiative adopted, was different.
  - In other words, each of the organizations desired the resolution of disputes and conflict at the community level to take place in a particular way and this influenced the form that they adopted.
  - In PACT the focus is on *conciliation* and the resolution of conflict within a neutral, panel process.
    - They focus on the disagreement as opposed to the legal aspects of the case.
    - As a result, their style is based on **mutual problem solvin**g, not upon the decision of one individual.
  - On the other hand, the Minto Tribal Court focuses on the incorporation of **traditional Athabascan values** into its dispute resolution style.
    - The Minto Tribal Court serves all the residents of Minto, described as a Native village, where the majority of the population is Athabascan Indian (97%).
  - The Sitka Tribal Court on the other hand, applies traditional Tlingit law, written tribal law, as well as federal laws.
    - It is seen as ˜harmonizing˜ federal and traditional Tlingit law in both its processes and decisions.
    - The Sitka Tribal Court uses a judge to hear evidence, make decisions and generally preside over the court.
    - Mostly however, he or she acts as a mediator/negotiator between the conflicting parties.
  - Both Tribal Courts use the process of counseling the ˜offenders˜ about their roles and responsibilities within the community.
- ***Variation in their reliance on state agencies:*** Each organization varies in terms of their interactions with and dependence upon state agencies.
    - PACT has no direct interaction because of the fact that it handles ˜extra-legal˜ cases, cases that are not defined and regulated by a written statute.
      - As a result they do not rely on the police or courts for support or referrals.
    - The Tribal Courts on the other hand, because of the types of cases they deal with (criminal, civil and family), have interactions on a number of levels. Specifically, they rely on the police and courts for referrals and support.
- ***Similarities:*** The three community-based organizations share many things in common.
    - All three have the help of dedicated volunteers.
    - The cases they address have the voluntary participation of all the parties involved.
    - All three ensure confidentiality and record the proceedings to some extent.
    - They all try to ensure the equality of the participants through the physical structure and the focus on consensus decision-making.
    - Finally, they all exhibit some form of follow-up strategies.

Conclusions

- Based on the evaluation of the three forms of community-based dispute resolution by the Alaska Judicial Council, the author argues that the following conditions play a large role in a developing a successful community-based initiative:
- Reliance on volunteers: None of the initiatives/organizations had any outside funding.
    - Each organization relied on the individuals who were strongly committed to the ideas, goals and values of the initiative.
    - Although funding might help the organization, it seems that the dedication of those involved is more important.
- Community support and acceptance: From the initial drafting of the goals of the organization to the decisions and sanctions imposed, each initiative has had the support of the communities it served.

- Community participation was integral to the development of the Tribal Court in Minto, where every member of the village had the opportunity to assist in drafting the village ordinances that the court enforces.
- Further, communities are aware of the organizations and they use them.

- State and governmental agency support and acceptance:
  - Each of the organizations has a formal or informal relationship with the State.
  - In these examples, the interactions with state agencies were beneficial and cooperative.
  - The initiative requires a good working relationship with the outside, formal agencies if they are to have an effective referral system, one that both supplies enough referrals for the initiative to operate (issues of quantity) and that also refers cases that can be adequately addressed and resolved by the community (issues of quality).
- Case selection/screening criteria: Each of the organizations has a clear understanding of the types of cases that they were able and willing to address.
  - The criteria reflected their mandate, their dispute resolution style, the needs of the populations they served, and their own strengths and weaknesses.
  - They seemed to understand their abilities and what they could accomplish.
  - Recognition of particular dispute resolution style adopted.
  - Each organization believed strongly in the importance of resolving disputes in a particular way, and they recognized the importance of being aware of their own community-based dispute resolution style to achieve this.
  - For these three organizations the styles were based on conciliation (PACT), tradition (Minto), and equal participation (Sitka).
- Cultural cohesiveness:
  - These organizations exhibited varying degree of cultural cohesiveness, but that did not seem to affect the success of the organization.
  - What seemed more important was the high level of community support and commitment.

7. Relevant Documents, Studies and Practices – International