
LEARNING INDIGENOUS LAW: REFLECTIONS ON WORKING WITH WESTERN INUIT STORIES

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I INTRODUCTION

As Jutta Brunnée and Stephen Toope remind us, law is constituted and maintained through ongoing engagement.¹ Taking this to be true, we believe that any commitment to law entails a commitment to continue to engage with it. Of course, Canada's history is replete with colonial practices of non-engagement with (or indeed, criminalization of) Indigenous legal orders; there has been a long history of people denying that Indigenous communities have even had legal orders at all, or asserting that any such legal orders have been extinguished.² But there has also been a long tradition of people from across the country (Indigenous and settler³) continuing to do the hard and rewarding work of engagement—enacting, maintaining, nourishing, revitalizing, and living Indigenous law.

We are at what seems to be a moment of change in our history, a possible shift of official understandings of the place of Indigenous law in Canada's legal order. Certainly, in the Truth and Reconciliation Commission's (TRC) Calls to Action #28 and #27, law schools and law societies across the country have been tasked with new forms of engagement.⁴ Indigenous law is to be a mandatory part of legal education, something students are to learn, practitioners are expected to know, and judges will have to work with. Clearly, against the backdrop of our colonial history and the active suppression of Indigenous legal orders, there is much work to be done. This is visible in the ways in which Calls #27 and #28 include "Indigenous law" as a subject distinct from the other included (and related) topics that appear more frequently in law school and Continuing Legal Education (CLE) curricula: *The United Nations Declaration*

¹ See Jutta Brunnée & Stephen J Toope, *Legitimacy and Legality in International Law: An Interactional Account* (Cambridge, UK: Cambridge University Press, 2011) at 355 for an account of how ongoing engagement with law is what constitutes and maintains it.

² For an elaboration of these histories, see John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010) [Borrows, *Canada's Indigenous Constitution*].

³ We have had many interesting discussions about the politics of using the term "settler" with or without capitalization. Our choice on this occasion to proceed without capitalization takes inspiration from the powerful argument made in Rachel Flowers, "Refusal to Forgive: Indigenous Women's Love and Rage" (2015) 4:2 *Decolonization: Indigeneity, Education & Society* 32.

⁴ Truth and Reconciliation Commission of Canada, *Truth and Reconciliation Commission of Canada: Calls to Action* (2015) online: Truth and Reconciliation Commission of Canada <www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf> [TRC, *Calls to Action*].

on the *Rights of Indigenous Peoples* (UNDRIP),⁵ Treaties,⁶ Aboriginal Rights,⁷ and Aboriginal-Crown relations.⁸

Even as the TRC identifies the importance of teaching and learning Indigenous law, there are persistent barriers that, while not insurmountable, present challenges to people's ability to recognize Indigenous law.⁹ One barrier is the tendency to keep the focus solely on the Canadian state. In taking Indigenous law seriously, one needs to make a shift, to begin with Indigenous people. The starting point must be an acknowledgement that Indigenous peoples (be they Salish, Cree, Dene, Anishinabek, Inuit, Malecite, etc.) are and have been lawful people, with forms and practices of law that are robust and complex, capable of precision, include spaces for contestation and disagreement, and can be both learned and applied. One looks to Indigenous peoples themselves, and their descriptions of their forms of legal ordering (including practices of governance, rules regarding belonging and citizenship, authoritative decision making, conflict resolution, obligations and rights, marriage and divorce, harms, legal processes, and mechanisms of enforcement). One accepts that Indigenous legal orders (like all legal orders) have their roots in territory, and move in a stream of time and context. It is important when thinking about Indigenous law not to proceed in a pan-Indigenous

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- ⁵ GA Res 61/295, UNGAOR, 2008, Supp No 53, UN Doc A/61/53. The study of the UNDRIP takes one in the direction of international law, and aims to work across national boundaries. For one collection of approaches to the UNDRIP, see Jackie Hartley, Paul Joffe & Jennifer Preston, eds, *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope and Action* (Saskatoon: Purich Publishing, 2010).
- ⁶ Treaties are formally concluded and ratified agreements between sovereign bodies. As John Borrows points out, the study of treaties can take us not only in the direction of treaties entered into between Canada and different First Nations, but can also take us in the direction of treaties entered into between Indigenous Nations, such as a 1701 treaty between the Haudenosaunee and the Anishinabek. See Borrows, *Canada's Indigenous Constitution*, *supra* note 2 at 130. See also Aimée Craft, *Breathing Life Into the Stone Fort Treaty: An Anishinabe Understanding of Treaty One* (Saskatoon: Purich Publishing, 2013). See also Michael Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada* (Toronto: University of Toronto Press, 2014).
- ⁷ Aboriginal rights draw on the jurisprudence and discourses linked to Canada's acknowledgement of the collective rights of peoples who occupied the land when Europeans began arriving in the territory. Much energy has been devoted to Aboriginal rights, so there are resources to learn from, both for law students and legal practitioners. See generally Olthuis, Kleer, Townshend (OKT), *Aboriginal Law Handbook*, 4th ed (Toronto: Carswell, 2012).
- ⁸ A study of Aboriginal-Crown relations involves an understanding of the history of these relations across geographical territories and time. See e.g. Frank James Tester & Peter Kulchyski, *Tammarniit (Mistakes): Inuit Relocation in the Eastern Arctic, 1939-63* (Vancouver: UBC Press, 1994); James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2013).
- ⁹ For a discussion of common barriers, see Borrows, *Canada's Indigenous Constitution*, *supra* note 2 at 137 (Chapter 6, "Challenges and Opportunities in Recognizing Indigenous Legal Traditions"). Borrows identifies five particular challenges that continue to act as barriers to the recognition of Indigenous law. These are: intelligibility (the problem of settlers not "recognizing law when they see it"), accessibility (difficulties in locating relevant materials and sources), equality (the failure of people to treat Indigenous law with equal respect), applicability (uncertainty as to the reach of the law to both persons and places), and legitimacy (which raises complex questions about emotion and trauma in discussions over the need for internal critique of Indigenous laws, and where they too may need to change). For a related and helpful articulation of institutional and intellectual challenges to practical engagement with Indigenous law, see Hadley Friedland, "Reflective Frameworks: Methods for Accessing, Understanding and Applying Indigenous Laws" (2012) 11:1 *Indigenous LJ* 1 at 13-17 [Friedland, "Reflective Frameworks"].

way, but, as Kris Statnyk puts it, to “take seriously the multiple and diverse legal systems of indigenous peoples.”¹⁰ In approaching Indigenous law it is also important to acknowledge that different legal orders have experienced colonization in different ways, and may be differently situated with respect to the aspects of their legal orders that are operating well, and those aspects that are in need of repair or revitalization.

Certainly, for those focussed on learning and teaching Indigenous law, it seems clear that the work needs to proceed in at least two directions. First, there is the work of people *within* different Indigenous legal traditions, who focus on documenting, living, and revitalizing their own legal orders.¹¹ Second, there is the work of people *outside* those traditions, who are seeking to develop the kind of knowledge that is crucial in order to rekindle and maintain mutually respectful legal relationships across legal orders. Note that those *outside* a legal tradition include not only settlers, but also people from different Indigenous legal traditions. Questions about how to learn, work with, and apply different bodies of Indigenous law are as important to Indigenous people as to settler people in Canada.¹² In our own work to extend our understanding of Indigenous law, our assumption was therefore *not* that this work could *only* be done by Indigenous people from within their own legal orders. On the contrary, our presumption was that people from outside a given order could engage, and, indeed, needed to engage.¹³ In the words of Doug White II (Kwulasultun), of the Snuneymuxw First Nation: “Indigenous law is the great project of Canada and it is the essential work of our time. It is not for the faint of heart, it is hard work. We need to create meaningful opportunities for Indigenous and non-Indigenous people to critically engage in this work because all our futures depend on it.”¹⁴

In this article, we share some of what we learned during one of the meaningful opportunities we have had to critically engage with Indigenous law while working in

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- ¹⁰ Kris Statnyk, “Why does the Canadian justice system treat aboriginal people as if they’re all the same?”, *CBC News* (1 January 2015), online: CBC News <www.cbc.ca/m/touch/aboriginal/story/1.2886502>.
- ¹¹ In the context of Coast Salish laws, see e.g. Robert YELKATFE Clifford, “WSÁNEĆ Legal Theory and the Fuel Spill at SELEKTEL (Goldstream River)” (2016) 61:4 McGill LJ 775. See also Sarah Noel Morales, *Snuw’uyulh: Fostering an Understanding of the Hul’qumi’num Legal Tradition* (PhD Dissertation, University of Victoria Faculty of Law, 2015) [unpublished], online: University of Victoria <<https://dspace.library.uvic.ca/handle/1828/6106>>. For an exploration of the seasonal round as a complex practice of applied Tsilhqot’in law, see Alan Hanna, “Making the Round: Aboriginal Title in the Common Law from a Tsilhqot’in Legal Perspective” (2015) 45:3 Ottawa L Rev 365.
- ¹² For a Dene story explicitly acknowledging a Dene obligation to be attentive to the legal order of other communities, see “Echsone Saves His Family” in George Blondin, *Yamoria the Lawmaker: Stories of the Dene* (Edmonton: NeWest Press, 1997) at 89. For a rich articulation of this point in the contemporary context of the Kawaskimhon Moot, see Lara Ulrich & David Gill, “The Tricksters Speak: Klooscap and Wesakechak, Indigenous Law, and the New Brunswick Land Use Negotiation” (2016) 61:4 McGill LJ 979.
- ¹³ It goes without saying that this work can involve a certain amount of “unsettling,” as it may involve the letting go of sometimes deeply held beliefs about what one thinks one knows. Humility and openness to being corrected are important assets in projects of decolonization. For two helpful resources on how this work can be approached from the settler side, see Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2010) and Emma Battell & Adam J Barker, *Settler: Identity and Colonialism in 21st Century Canada* (Fernwood Publishing, 2015).
- ¹⁴ Truth and Reconciliation Commission of Canada, *Final Report of the Truth and Reconciliation Commission of Canada, Volume One: Honouring the Truth, Reconciling for the Future* (Toronto: James Lorimer and Company, 2015) at 207 [TRC, *Final Report*].

collaboration with the Indigenous Law Research Unit (ILRU) at the University of Victoria. In this project, we sought to learn more about Western Inuit law (Inupiaq) using published and publicly available stories about harm. In Part II we will first say more about the background to this project, with its grounding in “story” as a way of learning law. In Part III, we will turn to the specifics of our project, a project that drew on an adapted (common-law) case analysis method. We will first model the case-briefing aspect of the method by using the Inupiaq story *The Wife Killer*. We then discuss the process of scaffolding our understanding of Inupiaq law through creating a synthesis based on the many stories we read. Finally, in Part IV, we reflect on the experience of learning Indigenous law in this way, using accessible public sources, and drawing on a combination of adapted common-law and Indigenous methodologies. We reflect also on how this experience made visible to us that the work of engaging with Indigenous law is not only about documenting a past, but also about working in the present with a view to the future. Indigenous law (in this case, a body of Inupiaq stories including *The Wife Killer*) offers insight into contemporary legal problems confronting Indigenous and settler people alike, including the need to think more broadly about the conditions and contexts that will support safety for those who are vulnerable.

II A METHODOLOGY FOR LEARNING INDIGENOUS LAW FROM AND WITH STORIES—WORKING WITH PARTNER COMMUNITIES

As background, in 2012, ILRU began work on the Accessing Justice and Reconciliation Project (AJR).¹⁵ The context was informed by the work of the TRC, which was beginning to make publicly visible the magnitude of harms experienced by those impacted by residential schools. Many Indigenous communities were exploring ways to address the legacy of these harms by drawing on their own traditions and legal resources. In this context, the AJR project involved ILRU entering into partnership with seven Indigenous communities.¹⁶ The AJR project focussed on developing and articulating a methodology to enable each community to work on researching and rebuilding their own legal tradition.¹⁷

Such work required that one begin with a specific research question; the AJR project focussed on the harms caused by and flowing from the experiences of residential schools. Each partner community focussed on the community’s own legal resources for dealing with such harms. Thus, the question for the project was “how did and does this Indigenous group respond to harms and conflict?” The harms included both those occurring “between”

¹⁵ The Accessing Justice and Reconciliation Project was an extraordinarily rich and exciting collaborative research project, done in conjunction with the Indigenous Bar Association, the Truth and Reconciliation Commission, and the Ontario Law Foundation. Materials produced throughout the project can be located at Accessing Justice and Reconciliation Project, online: <www.indigenousbar.ca/indigenoulaw/>.

¹⁶ The project involved seven partner communities representing six different legal traditions. Moving from West to East, those were: Coast Salish (Snuneymuxw First Nation and Tsleil-Waututh First Nation), Tsilhqot’in (Tsilhqot’in National Government), Northern Secwepemc (T’exelc Williams Lake Indian Band), Cree (Aseniwuche Winewak Nation), Anishinabek (Chippewas of Nawash Unceded First Nation #27) and Mi’kmaq (Mi’kmaq Legal Services Network-Eskasoni).

¹⁷ For a full description of the project and its methodology, see Hadley Friedland & Val Napoleon, “Gathering the Threads: Developing a Methodology for Researching and Rebuilding Indigenous Legal Traditions” (2015) 1:1 Lakehead LJ 16–44 [Friedland & Napoleon, “Gathering the Threads”].

groups (harms caused by the state, religious orders, and residential schools to students, their families, and their communities) and those occurring “within” groups (the legacy of harms, and intergenerational trauma involving Indigenous people harming others in their own community).

The project’s starting point was the community’s stories. That is, it began with published and publicly available stories, stories from the past that could provide a window into ways that the community had once responded to harms and conflicts. In large measure, it was an exercise in using story as a way of learning law. In this regard, ILRU was drawing on well-established traditions amongst both Indigenous and non-Indigenous scholars who understand story as central to law.

As Julie Cruikshank points out, from Walter Benjamin to Mikhail Bakhtin to Harold Innis, scholars from around the world have understood the power of stories to sustain social (and legal) life.¹⁸ Even within the Western legal tradition, with its emphasis on authoritative articulations of law (cases, statutes, regulations, and orders), it is clear that stories play a crucial part in giving meaning to even the most seemingly banal concepts of the reasonable, ordinary, and expected. Indigenous scholars have pointed to the (sometimes magical or alchemical) stories that underpin many Western legal concepts.¹⁹ One has but to recall Robert Cover’s well-accepted claim that “No law or institution exists apart from the narratives that locate it and give it meaning.”²⁰ We are, indeed, constituted through story.²¹

In many Indigenous legal orders, often grounded in oral tradition, story has played an important role.²² Stories are, to return to Cruikshank, social practices, and the stories told are often structured in ways that carry important knowledge.²³ As Val Napoleon and Hadley Friedland note, there are different types of stories, and they can be structured to record different things: some record relationships and obligations, decision making and resolutions, legal norms, authorities, and legal processes; others record violations and abuses of power, and

¹⁸ Julie Cruikshank, *The Social Life of Stories: Narrative and Knowledge in the Yukon Territory* (Vancouver: UBC Press, 1998) at xiii.

¹⁹ For two articulations of this concern with the legal concept of “sovereignty” see Gordon Christie, “Indigeneity and Sovereignty in Canada’s Far North: The Arctic and Inuit Sovereignty” (2011) 110:2 *The South Atlantic Q* 329. See also John Borrows, “Sovereignty’s Alchemy: An Analysis of *Delgamuukw v. British Columbia*” (1999) 37:3 *Osgoode Hall LJ* 537.

²⁰ Robert Cover, “Nomos and Narrative” (1983) 97 *Harv L Rev* 4 at 4. See also Anthony G Amsterdam & Jerome Bruner, *Minding the Law: How Courts Rely on Storytelling, and How Their Stories Change the Ways We Understand the Law—and Ourselves* (Cambridge: Harvard University Press, 2000).

²¹ Hester Lessard, Rebecca Johnson & Jeremy Webber, eds, *Storied Communities: Narratives of Contact and Arrival in Constituting Political Community* (Vancouver: UBC Press, 2011). See Aaron Mills, “The Lifeworlds of Law: On Revitalizing Indigenous Legal Orders Today” (2016) 61:4 *McGill LJ* 847 (arguing that all law is storied).

²² For an exploration of stories as tools for teaching and for thinking, see Louis Bird, *Telling Our Stories: Omushkego Legends and Histories from the Hudson Bay* (Toronto: University of Toronto Press, 2005) at 33–47.

²³ Julie Cruikshank, *Do Glaciers Listen? Local Knowledge, Colonial Encounters, & Social Imagination* (Vancouver: UBC Press, 2005).

responses to these breaches of law.²⁴ Stories also feature characters that enable us to explore different principles or lessons, and so, as John Borrows argues, there may well be different things to draw from stories structured around heroes, tricksters, monsters, or caretakers.²⁵ Stories operate in layered fashions, with each telling operating to validate, to extend, and to pass law forward.²⁶ Even in tales that seem to be little more than entertainment, or ways of passing time, the stories will carry the traces of their animating philosophical and theoretical foundations.²⁷ In short, stories are important tools for thinking.

And so, in the AJR projects, each team began by gathering published and publicly available stories from their partner communities. The stories were then viewed through the lens of the research question (inter- and intra-community harms). Students worked on briefing each story, using a modified case briefing methodology developed by Napoleon and Friedland, one similar to that used for studying and articulating the Canadian common law.²⁸ The case briefs were then used to develop a synthesis of the legal question—a synthesis set in a framework, which included a “primer” (the basic background context necessary to enable the stories to be placed in the intellectual life of the community) and a “preliminary legal theory” (including general concepts, working theories, and an intellectual history and tradition of critique).²⁹

Once the work of producing the preliminary synthesis and framework was done, the researcher teams travelled to spend time with the partner communities, where the work was considered, revised, honed, and developed in conjunction with elders, leaders, and the wider community. At this stage, the work was extended through additional storied resources, including life histories, interviews, additional stories, or the addition of details that had not been present in the stories gathered. This provided occasions for validation, modification, and extension. It provided space for the emergence of divergent interpretations and spaces of contestation. The preliminary frameworks were revised, and the final reports were delivered

²⁴ Val Napoleon & Hadley Friedland, “An Inside Job: Engaging With Indigenous Legal Traditions Through Stories” (2016) 61:4 McGill LJ 725. See Emily Snyder, Val Napoleon & John Borrows, “Gender and Violence: Drawing on Indigenous Legal Resources” (2015) 48:2 UBC L Rev 593 at 628–29 [Snyder et al, “Gender and Violence”].

²⁵ John Borrows, “Heroes, Tricksters, Monsters, and Caretakers: Indigenous Law and Legal Education” (2016) 61:4 McGill LJ 795.

²⁶ Ellen White Swalasalwut reported: “When the stories were told to us over and over again, we’d say ‘We already heard that story.’ Granny would say, ‘If you are smart, you will be listening for the words that are added from the last time the story was told.’” As she went on to note, “the stories were very easy in the beginning when we were young, and then the stories became more involved as we got older. In this way the lessons were reinforced.” Ellen White Kwulasulwut, “Kwulasulwut: Teachings of the Past, Treasures of the Future” in Barbara Brotherton, ed, *S’abadeb, the Gifts: Pacific Coast Salish Art and Artists* (Seattle: University of Washington Press, 2008) 18 at 18.

²⁷ See e.g. Rebecca Johnson, “Notes on Using Film to Engage with Philosophy of Law in the Arctic” in Dawid Bunikowski, ed, *Philosophy of Law in the Arctic* (Rovaniemi: The University of the Arctic, 2016) 123, online: UArctic <www.uarctic.org/media/1596449/tn-arctic-law-_bunikowski_-_philosophy-of-law-in-the-arctic.pdf>.

²⁸ For a theoretically rich articulation of the challenges of practical engagement with Indigenous legal traditions, and an articulation of the ways the case briefing method can address questions of accessibility, see Friedland, “Reflective Frameworks”, *supra* note 9 at 1–40.

²⁹ Friedland & Napoleon, “Gathering the Threads”, *supra* note 17 at 31. This is also the method used by Napoleon in her exploration of Gitksan Law. See Val Napoleon, *Ayook: Gitksan Legal Order, Law, and Legal Theory* (PhD Dissertation, Faculty of Law, University of Victoria, 2009) [unpublished], online: University of Victoria <hdl.handle.net/1828/1392> [Napoleon, *Ayook*].

to the communities. At this point the materials were in the hands of the community, who could then make decisions about next steps and questions of implementation, application, and critical evaluation. The purpose of this work was to produce materials that would be useful for the partner communities. There was hope that the materials would function in two directions: as resources for the community itself and as the foundation for people from outside the legal tradition to begin to engage with the community's law.

The AJR Project involved a richly textured way of engaging with Indigenous law. The first steps of the projects began with (what some might argue are) less than ideal resources. That is, the stories were ones that required little community connection (such as language fluency or cultural immersion), but were easily accessible.³⁰ Of course, one needs to be conscious of limitations in such resources: some flexibility is sacrificed when stories are reduced to writing, and important nuance may be lost in the translation into English. However, there are practical advantages in working with materials that are easily accessible. Certainly, in the context of the AJR project, the limitations of working with publicly available resources were, one might say, offset through the grounding of the project in community-partnership. Indeed, the process was driven by community engagement, and in this context, the advantages of beginning with publicly available resources were real. The stories were able to lift themselves from the printed page to again become part of a social practice in communities who had access to language speakers, elders, artists, and other knowledge keepers. One can see this part of the AJR project as sitting firmly in the first dimension mentioned earlier—communities doing the work of documenting, exploring, and revitalizing their own legal order.

³⁰ For a discussion of tradeoffs inherent in working with different sources of Indigenous law, see Friedland, "Reflective Frameworks", *supra* note 9 at 8–13.

III A METHODOLOGY FOR LEARNING INDIGENOUS LAW FROM AND WITH STORIES—WORKING WITH STORIES ALONE

A. An Overview

As the AJR Project was proceeding, we were involved in conversations about the second dimension of engagement—ways that settler scholars could begin learning how to learn from Indigenous resources in contexts where the scholars did not have established partnerships with knowledge keepers from a particular Indigenous legal order. While such partnerships are ideal, challenges of both funding and distance make it inevitable that they are not always possible. One hopes that at some point there will be as many resources for teaching and learning Indigenous law as there are for Canadian law. But until then, could aspects of the adapted case-briefing methodology enable scholars without proximity or relationship to specific Indigenous communities to begin engaging with their law? That is, to begin developing the skills of literacy (familiarity with stories, practices of engagement, contexts, legal theories) that would facilitate meaningful engagement with that legal order?

Our project thus began as an exploration of this question.³¹ To build on the work already done by ILRU through the AJR project, we chose to continue with a focus on inter- and intra-community harm. We went to published and publicly available collections of Western Inuit stories, reading through to find ones that dealt with questions of harm. All together, we gathered approximately fifty stories.³² For each of the stories read, we asked a common set of questions:

1. What is the main human problem the story focusses on?
2. What facts matter?
3. What is decided or how is the issue resolved?

³¹ In part, turning to Inuit stories seemed a logical extension. UVic had been involved in the Akitsiraq program, delivering legal education in Nunavut between 2001 and 2004. Several UVic professors had some experience of working in the North. As an extension of that work, Rebecca Johnson had been working on a legal theory course using Inuit film as a primary resource. It seemed to make sense to see if it was possible to further extend our engagement with Inuit Law through exploring Western Inuit stories. See Rebecca Johnson, “Reimagining ‘The True North Strong and Free’: Reflections on Going to the Movies with James Boyd White” in Julen Etxabe & Gary Watt, eds, *Living in a Law Transformed: Encounters with the Works of James Boyd White* (Ann Arbor: Maize Books, 2014) 173. See also Rebecca Johnson, “Justice and the Colonial Collision: Reflections on Stories of Intercultural Encounter in Law, Literature, Sculpture and Film” (2012) 9 *No Foundations: An Interdisciplinary JL & Justice* 68.

³² The stories were taken from Wannu Anderson, *The Dall Sheep Dinner Guest: Inupiaq Narratives of Northwest Alaska* (Fairbanks: University of Alaska Press, 2005); Edwin S Hall Jr, *The Eskimo Storyteller: Folktales from Noatak, Alaska* (Knoxville: The University of Tennessee Press, 1975); Leoni Kappi, ed, *Inuit Legends* (Yellowknife: GNWT, Department of Education, 1977); Tom Lowenstein, *The Things That Were Said of Them: Shaman Stories and Oral Histories of the Tikigaaq People* (Berkeley: University of California Press, 1992); Agnes Nanogak, *More Tales from the Igloo* (Edmonton: Hurtig Publishers Ltd, 1986); Hother Ostermann, ed, *The Mackenzie Eskimos: After Knud Rasmussen’s Posthumous Notes*, (New York: AMS Press Inc, 1976) (This publication is a reprint of the 1942 edition published by Gyldendal, Copenhagen which was issued as v 10 no 2 of Report of the Fifth Thule Expedition 1921–24); Herbert Schwarz, *Elik, and other stories of the MacKenzie Eskimos* (Toronto: McClelland and Stewart, 1970). For a full list of the individual story names, see *infra* note 73.

4. What explanation (said or unsaid) is given for the decision/resolution?
5. Are there unresolved questions that could be bracketed?

As one might expect, particularly at the beginning of the project, the exercise of briefing the stories was sometimes quite challenging for us. While some stories seemed straightforward, this was not always the case: the characters, the actions, and the conventions of storytelling were sometimes very different from what we expected or knew. There were many things we just did not know. We tried not to deal with our uncertainties by turning too quickly to secondary literature for answers. Part of the exercise was to see if some questions could be answered (or if we could at least come up with better questions) by “staying with the trouble,” making connections by working through those parts of a story that seemed odd, or confusing, or unexpected.³³ The point was to immerse ourselves for longer in the stories themselves, trusting that there were things that could be learned by reading them closely. We also discovered early on that the process was most robust when we worked together and could talk about differences in what we saw or noticed.

Let us turn then to an example of the case briefing process, using the story *The Wife Killer*, as recounted by Inupiaq elder Nora Paniikaaluk Norton.³⁴ This is one version of a devastating but widely told story about a man who was a serial killer of women in the community.³⁵ Then, using *The Wife Killer* as a thread, we will discuss the ways in which individual cases were used to develop a legal synthesis concerning Inuit legal responses to harm. We will close with some observations about the ways this project helped us grapple with contemporary questions about gendered violence and about learning, not merely *about*, but also *from* Inuit law.

Here then, is the story.

B. Beginning with a Story: *The Wife Killer*

I'm going to tell a story about a Point Hope person. A Point Hope man was making a living. When the caribou was ready to be harvested during the summer, he would go hunting with his wife. He would be gone all summer with his wife as his companion. He would use the caribou hides for bedding.

The man returned to the village during the fall. He was crying and grieving as he was approaching home. The boat he returned in was filled with dried meat and hides that his wife had worked on all summer. The man told others that he had lost his wife. Once back in the village, he stopped at the houses

³³ Donna J Haraway, *Staying with the Trouble: Making Kin in the Chthulucene* (Durham: Duke University Press, 2016). For a larger discussion of preliminary worries about the ways outsiders might approach Indigenous stories, see Lori Groft & Rebecca Johnson, “Journeying North: Reflections on Inuit Stories as Law” (2014) Accessing Justice and Reconciliation Project (University of Victoria - Indigenous Legal Research Unit), online: Indigenous Bar Association <indigenousbar.ca/indigenoulaw/wp-content/uploads/2014/05/Groft-and-Johnson-Journeying-North.pdf>.

³⁴ Nora Paniikaaluk Norton, “The Wife Killer” in Anderson, *supra* note 32, 87.

³⁵ For other versions of the story, see Edna Hunnicut, “Lake of Worms” in Hall, *supra* note 32, 90; Angusinaq, “The Man Who Threw His Wives into Worm Lake” in Ostermann, *supra* note 32, 69; Paul Monroe (as told by Makan), “The Man Who Lost His Wives” in Hall, *supra* note 32, 268; Agnes Nanogak, “Kopilgok (Worms)” in Nanogak, *supra* note 32, 53.

of his wife's relatives. They welcomed him because they still considered him their relative.

The man didn't live long without a wife. He remarried. Since he was a good hunter, the women didn't shy away from him. So he married again. And when the caribou were ready to be harvested during the summer, he took off again with his wife. He took off with his new wife in the boat and boated away from Point Hope. He returned home during fall, again with no wife.

He married again, a daughter of a couple. This new wife had two brothers. When time came for the man to leave, as usual he left with his wife. When they arrived at the location where the husband usually did his hunting, he didn't stay around with his wife. Most of the time he would be out hunting the caribou. The husband was acquiring his bedding and his food in preparation for the coming winter. He was a good hunter. He had his wife work all through the summer. She dried the meat and the hides.

The wife worked all summer, wasting nothing. She did whatever her husband told her to do. When it was time to return home, back to Point Hope, the husband told his wife to ready for the trip back. She was told to tie up all the meat and hides into bundles. The wife did as she was told. She got everything ready for their trip back to the village.

They spent their last night at the camp. Early the next morning, the husband told his wife that it was time to leave. He told his wife to load the boat. The young woman did as she was told. All the food and hides were loaded onto the boat. All that was left to do was for the two of them to step into the boat. When the boat was ready, the husband invited his wife to walk up the hill with him. "We'll leave right after taking our stroll on the hill."

His wife hesitated, saying, "There's nothing up there. There's nothing to be picked."

The husband however insisted on taking her up the hill. After more persuasion, the wife eventually gave in and walked up the hill with him. "What are we doing on the hill?" she asked. "Nothing really," her husband replied.

While walking up the hill, the woman noticed something on top of the hill. When they reached the top, she saw a big, gaping pit. She could hear humming sounds coming up from the pit. The husband told his wife to take a look. "This is your place!" he told her. "Oh no, no!" The wife had no wish to be in such a place.

The husband had put all kinds of meat into the pit and all through the summer the rotten meat had produced maggots. The husband had been using this place to kill his wives. Year after year, he had been killing them. Point Hope people, however, didn't know that was what he had been doing.

The woman insisted that she didn't want to stay in such a place. She wanted to return home. She started to run but her husband chased after her, trying

to seize her. For a long time, the two of them ran around the pit. The wife, perspiring heavily, began to feel as if she was going to faint. The husband was perspiring too from the chase, but he was a man and had plenty of energy. The poor woman grew weaker and weaker as she tried her best to flee from her husband. Finally he seized her and dragged her to the pit.

The wife tried to stop her husband. "If I had known you'd do this to me, I wouldn't have followed you. Is that why you always returned home without your wife? Is this how you did away with your wives? I want to go home," she tried to tell him. But the wicked man wouldn't listen. He only wanted to drop her into the pit.

The wife got weaker and weaker, trying hard to hold on to her husband. Her hands grew weak. The husband fought, wanting to push her into the pit. There was no ledge for her to try to climb up. Unable to hold on any longer, her hands finally let go, and she dropped into the pit. The husband had been using this pit to kill women.

The husband was definitely demented. He took off and returned to Point Hope. As he was arriving, he could be heard crying. He was grieving. The villagers had no knowledge of what he had done. He told them that he had lost his wife and that she had got sick and passed away. The parents of the young woman took her husband into their home. The family tried to keep the memory of their daughter and sister alive through her husband. They believed that their daughter had really gotten sick and passed away. They didn't know the truth.

Thus the family continued to live together until fall arrived. The sea froze. During fall, the mother began to make new clothing for her sons and also for her son-in-law. She made them from the hides her dead daughter had prepared.

One night while spending the evening together inside the house, the mother was as usual busily making the clothing. After a while the rest of the family, her husband, her sons, and her son-in-law, felt drowsy and retired to bed. The mother, however, continued with her sewing.

All of a sudden her ears picked up a sound. At first she couldn't tell what the sound was. She continued to listen. Soon the sound came closer and she could hear it plainly. She began to recognize it as that of her dead daughter. The sound was that of a woman crying and calling out for her mother.

"Mother, my husband who is living with you dropped me into a pit of maggots! I can't come back to be with you. I'm not allowed to return home. I wasn't sick and died. My husband who is living with you dropped me into a pit of maggots. Other women before me were all dropped into that pit too!"

She was sobbing as she was telling her mother the story. The rest of the family woke up and understood what she was telling. She told them she had to go back and that she came only because she wanted to give them the facts. She wanted her parents to know how she was treated.

The husband continued to lie. He insisted that he could never think of doing what she said. “She really got sick and died,” he kept repeating to his wife’s family. But the family had already heard the words of his victim. The two brothers jumped up and seized their brother-in-law. The brothers killed their sister’s murderer on the spot. Afterwards, they felt bad because murder was what the man did to their sister.

C. Briefing *The Wife Killer*

1. The Problem/Issue (What is the Main Human Problem the Story Focusses On?)

While some stories (like some court cases) seem to address only one problem, others are complex and raise several legal issues. Sometimes an optimal strategy was to write up separate case briefs for each legal issue.³⁶ This enabled us to shift our focus within the story and to better identify threads that became visible as the questions shifted. At other times, such as here, we explored the issues related to harm in a single brief. In this story, we identify two problems related to harm, one centering on the response of the woman herself to the harm directed at her, and the other on the response of the woman’s family to the harm she endured. In short:

- How should a woman respond when someone is trying to kill/harm her?
- How should family members respond towards a person who has killed a relative?

2. The Facts (Which Facts Matter?)

Determining which facts matter in terms of the harm and the legal response to the harm can be difficult. Indeed, it is one of the central challenges of learning law in a common law context. As Qallunaat (non-Inuit) readers of Inuit stories, we were worried that our lack of familiarity with the North might lead us to omit facts that were relevant because we did not understand them.³⁷ At the beginning of the process we leaned towards including facts when we were uncertain of their relevance.³⁸ Indeed, sometimes our summaries of the facts were not

³⁶ For an example of three different ways to brief the same story, see Emily Snyder, Lindsay Borrows & Val Napoleon, *Mikomosis and the Wetiko: A Teaching Guide for Youth, Community, and Post-Secondary Educators* (Indigenous Law Research Unit, University of Victoria, 2014) at 65–67 online: Indigenous Bar Association <www.indigenousbar.ca/indigenoulaw/wp-content/uploads/2013/04/Mikomosis-and-the-Wetiko-Teaching-Guide-Web.pdf>.

³⁷ We suspect that this is a set of worries that might simply need to be grappled with as Indigenous and non-Indigenous communities begin the harder work of reconciliation. Some of the challenges we experienced are nicely described by Paulette Regan in *Unsettling the Settler Within*, *supra* note 13. It is possible to understand this settler worry as one common to any experience of working across a new boundary, where one needs to develop literacy, particularly in contexts complicated by questions of power.

³⁸ In this story, for instance, we are told that the daughter (wife) returned when her mother was sewing with the skins that had been prepared by her daughter. Is this a fact of significance, or a detail? We were also uncertain as to whether there was significance to the fact that the harm happened during the caribou season. Would familiarity with the caribou season, or caribou hunting tell us more about the distance of the couple from other Inuit? Was the death of a wife from illness during this season unusual or in the course of events? Would a death in this context raise suspicions or not? Is the point simply that the couple had left the community to go hunting, or is there something particular about caribou?

much briefer than the story itself! As we continued, however, the bank of stories consulted provided us with better context, enabling us to make more comfortable choices about facts to draw up in the face of different problems and questions. In this context, here is a summary of the facts in *The Wife Killer*:

- A man marries, takes his wife hunting during caribou season, and returns saying she has died. A second time, the man marries, takes his wife hunting during caribou season, and again returns saying she has died. He marries a third time and again takes his wife hunting.
- During the summer, the wife works hard, wasting nothing, and doing as she is asked. After the wife has prepared everything for the return home, the husband persuades the wife to walk up a hill, where he has prepared a pit of maggots to kill her.
- The wife tries multiple strategies to save herself: she reasons, begs, runs, struggles, and fights, but to no avail. She is thrown into the pit and killed.
- The man returns to the community again grieving that his wife became ill and died, and is taken in by his in-laws, who provide food, shelter and clothing for him.
- The dead wife returns one night to tell her family what had happened to both her and the other missing wives. She said she only came back because she wanted her family to know the facts about what her husband had done to her.
- The husband denies the murdered woman's testimony. The family believed the words of the dead woman. The two brothers of the dead woman killed their brother-in-law. Afterwards, they felt bad because "murder was what that man did to their sister."

3. Decision/Resolution (What is Decided, or How is the Issue Resolved?)

This third aspect of the brief requires a description of how the story answered the questions posed above in the problem section. What was decided, and by whom? In this context, we looked for decisions by i) the woman, and ii) her family.

- (i) *The woman's response/decision*: The woman struggled against the man to fight for her life. After her death, she came back and told her family about what her husband had done to her.
- (ii) *The response of the dead woman's family*: The family of the woman witnessed the dead woman's testimony about what her husband did to her. In response to their sister's testimony, the brothers killed the husband. That is, the family responds to a killing with a killing.

4. Reasoning (What Explanation (Said or Unsaid) is Given for the Decision/Resolution?)

In this section of the brief, the aim is to consider the reasons for the resolution of the problem presented in the story. This is based on the presumption that all legal orders are based on reasons, not just action. The challenge for all legal orders is that the reasons are sometimes articulated, and they are sometimes part of the taken-for-granted context that

informs an action. Sometimes a particular Inuit story will explicitly describe some of the reasons for a given legal response to harm. But many times, the reasons for a legal response will be unstated in the story. This may be because the storyteller assumes that listeners already know the reasons and do not need to be told. Perhaps reasons are also unstated at times to engage the listener, and to encourage thinking about why a particular action was taken. In any case, the unsaid reasons supporting a legal response must be considered for the legal synthesis. This was another place where conversation with others could help us begin to think about the importance of the unsaid, and of the importance of looking to not only words, but also description and facts in order to find reasons.

In terms of describing the magnitude of the wrongdoing in this story, we are directed not only to the husband's acts of violence, but also to his patterns of deceit. The story emphasizes the fraudulent grieving of the husband and the ways he made use of the hospitality of the wife's family even after her murder. In this, there is an unstated and stated affirmation of the importance of being truthful, and of knowing the facts. We are told that the woman came back in order to make sure that the family "knew what had happened." We are also told that the brothers "had heard the words of his victim."

Unsaid here is that, having witnessed the wife's testimony, the brothers had an obligation and right to respond to the harm that was done to their sister. Given that the woman's husband had murdered their sister and other women, he was a threat to the community women. The story says that the brothers felt bad after killing the man because murder is what the man did to their sister. This might suggest that killing goes against how they would usually conduct themselves, but that this situation required them to do it regardless. Alternatively, it could mean that after they killed him they had the chance to reflect on what the man did to their sister, causing them to feel bad.

5. Bracketing (Are There Unresolved Questions That Could Be Bracketed for Further Study?)

The bracketed aspects of the stories were things that we did not fully understand, or which might not have been fully addressed but which nevertheless seemed important to the story. These were sometimes things that seemed not to be answered in the story, or that complicated it, and thus needed more space for consideration. We tended to put aspects in brackets not because those things were unimportant, but because they seemed to open up other questions and we could see there was more thinking or learning to do. As we moved forward with the stories, we also noted the ways in which aspects might move in and out of the brackets based on our increasing familiarity with a range of stories and sources.

For example, we were uncertain how to grapple with the woman's return from death to tell her family about what had happened. Should we understand this as a mystical or magical event, as a haunting? Was it an unusual event? Or, was her return to be understood as not only possible, but as a real possibility? We began to lean more towards this latter direction as we encountered more stories involving cosmological cycling (the return of spirits or souls into

new bodies and forms).³⁹ Indeed, we began later to wonder if her return did not say something about legal obligations she may have had? Was it linked to her obligation to share important information with others, and, particularly, in order to stop violence against other women in the community? Was this linked to the family's right to be informed about her death?

In the brackets, we also included questions we had about gender norms and the ways the larger community was implicated. What was the role of the community, for example, in failing to address conditions that made the women vulnerable? Did the community have an obligation to raise questions about the missing wives? Did gender roles play a part in creating conditions for the wife's vulnerability? What kind of conditions made it such that the woman's "obedience" (working hard and doing as she was instructed) reduced her options for escape? We noted that such questions could be explored by going to the story using Indigenous feminist legal analysis.⁴⁰ They could also be explored by re-briefing the problem with a new question focussed on community and gender. For example, "How should a community respond when women from the community are going missing or are being murdered or are dying suspicious deaths?" Since we could not see enough material in this story to answer that question (we are told only that the community did not know what was happening), we kept it within the bracket of our brief, making space for it to continue to work in our minds.

D. Synthesizing the Cases

1. Overview of Our Process

As Emily Snyder, Val Napoleon, and John Borrows put it, "One story does not show the complexity and breadth of a given legal tradition any more than one legal case."⁴¹ And, so, we began the work of drawing together fifty western Inuit stories related to harm,⁴² cross-referencing them, and putting them into engagement with each other to see if we could develop a deeper understanding of Inuit law and its operation. We were drawing deeply on the methods modelled both in Napoleon's exploration of legal principles in Gitksan law, and Friedland's work with the legal concept of the *Wetiko* in Cree and Anishinaabe legal traditions.⁴³

As we engaged in the process, we found ourselves losing some of our fear that the method would function in a "colonizing way" with respect to the stories. Indeed, the process of briefing individual stories was less important for helping us "condense" the cases (identify *ratio* or *obiter*) than it was for helping us "engage" with them; it seemed to open more space for us to think about principles and general statements that might be informing the actions, processes

³⁹ In working through questions of cosmology, we profited greatly from Bernard Saladin d'Anglure, ed, *Cosmology and Shamanism Interviewing Inuit Elders: Volume 4* (Iqaluit: Nunavut Arctic College, 2001). See generally Edith Turner, "Behind Inupiaq Reincarnation: Cosmological Cycling" in Antonia Mills & Richard Slobodin, eds, *Amerindian Rebirth: Reincarnation Belief among North American Indians and Inuit* (University of Toronto Press, 1994) 67; Bernard Saladin D'Anglure, "From Foetus to Shaman: The Construction of an Inuit Third Sex" in Antonia Mills & Richard Slobodin, eds, *Amerindian Rebirth: Reincarnation Belief among North American Indians and Inuit* (University of Toronto Press, 1994) 82.

⁴⁰ See Snyder et al, "Gender and Violence", *supra* note 24.

⁴¹ *Ibid* at 628–29.

⁴² The stories were gathered from many sources. For a full list of the individual story names, see *infra* note 73.

⁴³ Napoleon, *Ayook*, *supra* note 29; Hadley Friedland, *The Wetiko (Windigo) Legal Principles* (LLM Thesis, University of Alberta, 2009) [unpublished].

and outcomes that were elaborated in the stories.⁴⁴ We found it particularly helpful to put the stories into engagement against six questions formulated by Napoleon and Friedland in the context of the AJR Project:

1. Who made the decisions regarding responding to harm?
2. What were the procedural steps taken to determine the response to the harm?
3. What were the legal responses to harm?
4. What were the principles informing people's responses to harm?
5. What were people's legal obligations relating to harm?
6. What were people's legal rights relating to harm?

The first three of these questions pushed us in the direction of explicit actions taken in the stories, actions that could be described from the perspective of someone not yet deeply familiar with Western Inuit stories or culture (i.e. who made decisions, what steps they took, what actions were followed). The latter three questions pushed us to look more transversally in the direction of concepts, principles, values, and entitlements. As we worked with the latter three questions, we also found that our understanding of the stories was extended by returning to the questions we had initially put in the "bracket" section of the briefs. Together, all six questions formed the backbone for our working synthesis.⁴⁵ We began drawing lines between cases in order to organize and elaborate the principles that emerged from a sustained exploration of each of the six questions across a larger group of stories. As we worked, we somewhat re-organized the questions. We began to see the first two questions as simply two aspects of legal process (authoritative decision makers; and legitimate processes of decision making); and we found ourselves exploring the view that legal rights and obligations contain both substantive and procedural dimensions. In the end, we organized our explorations of the stories into a working synthesis using the following five headings:

- 1.0 Legal Processes
 - 1.1 Decision making/Decision makers
 - 1.2 Procedural Steps for Determining a Response to Harm or Conflict
- 2.0 Legal Responses
- 3.0 Legal Principles
- 4.0 Legal Obligations
 - 4.1 Substantive Obligations
 - 4.2 Procedural Obligations
- 5.0 Legal Rights
 - 5.1 Substantive Rights
 - 5.2 Procedural Rights

Under each heading, we attempted to identify general statements of law, each of which would be followed by a discussion of each source that supported the general statement including our reasons for seeing the principle operating (or failing to operate) in that story.

⁴⁴ Friedland, "Reflective Frameworks", *supra* note 9.

⁴⁵ Currently, our Western Inuit working synthesis is one hundred and sixty pages long.

In some ways, the synthesis took inspiration from texts like Peter Hogg's on Constitutional Law:⁴⁶ the working synthesis functions as a tool, making visible the scaffold used to organize the work in order to help us identify connections between the stories and to see overarching principles more clearly.⁴⁷ The purpose of organizing in this way is to enable one to be perfectly transparent with respect to both sources consulted and reasons given. It also enables space for different interpretations, and disagreement about the application or utility of different stories in different places. It also allowed us to begin to see connections that were less visible when we worked only at the level of individual stories.

2. Exploring the Synthesis through the Lens of *The Wife Killer*

To give a sense of how this worked, we will return to *The Wife Killer* to show how it contributed to the production of the synthesis, and to illustrate how some of the general principles were developed as we read the story in conjunction with others. In the work that follows, the principles we reference are taken from our working synthesis using five headings, and the numbering system we employed there.

i. Legal Processes

The "Legal Processes" part of our synthesis addressed two major questions: the first (Section 1.1) focussed on decision makers, and the second (Section 1.2) on processes. Thus, on the first of these two questions, we looked to the stories to identify (authoritative) decision making: Who makes the decision to respond to a harm? In the stories consulted, we identified seven different categories of decision maker: the person harmed; the person *doing* harm; families (of both the person harmed and of the person doing harm); leaders; elders; shamans/medicine people/people with special skills or knowledge; and the community. The process of synthesizing does not stop at the level of identifying general categories of decision makers, however. For each type of decision maker, the goal was to articulate some general statements of law that emerge. The general statement would be accompanied by the sources from which we drew the proposition. Following the general statement would be a short discussion of each of those sources, including the evidence or reasoning in the story to support the proposition. For example, the person harmed is almost always involved in the decision making regarding responses to that harm. Thus, under heading 1.1.1. (The Person Harmed), here are two general statements of law:

1.1.1.1 Generally, persons harmed have a right and responsibility to respond to the harm, with or without the assistance of others. (*Malicious Youth, Three Brothers, The Wife Killer, Sigvana and the Old Shaman, Fast Runner, Najuko, Northern Lights People, One Who Walked, Pinaqtuq, Smoking Mountains, Sky People, Tuakikipakaktuk, Utuagaaluk, Magic Bear, Atangana 3, Worm Lake, Kopilgok, Atangnak, Good Ears, Duel Between Shamans, Beluga Hunting Fails, Akaluk (Stolen Soul)*)

⁴⁶ Peter Hogg, *Constitutional Law of Canada*, 5th ed (Toronto: Thomson Carswell, 2008).

⁴⁷ The synthesis is a work in progress. At the completion of the project, it was one hundred and sixty pages long [on file with authors].

1.1.1.2. Decisions regarding the response to harm may be made without the person harmed if that person is unable to respond or the response needs to be immediate and there is no time to involve the person. (*Ululina, Raid and the Kobuk River Grandmother, Aagruukaaluk, The Man Who Caused Blizzards with an Axe*)

Following those two general statements is a discussion of the stories. In these stories, we see that sometimes those harmed responded to the harm by acting on their own, while other times others assisted them. There were some occasions where persons harmed were not involved in the decision making. In these stories, it was generally because the person was unable to respond (perhaps they were dead, injured or incapacitated, too young, etc.), or because necessity required that another person make the decision without them.

These principles of decision making were visible in the *Wife Killer*. Though the woman ultimately died, she is also shown to be a decision maker who responded to the harm through her active fighting against her husband as she attempted to save herself. The story positions her not simply as a passive recipient of trauma, but as one who continued to exercise her will in attempts to respond to the violence.⁴⁸ We find it significant that the story also shows us that she continues to participate as a decision maker by returning after death to her family to give testimony about what had happened to her. Though it is her brothers who do the actual killing of the husband (as she is unable to kill the husband directly), the story tells us that they did so based on the testimony of their sister. In this way, the wife remains as a participant in the decision making and the response.

The second portion of the Legal Processes section of the synthesis (Section 1.2) organized the procedural steps taken to determine the response to harm. What, in the stories, could be seen as elements of procedure? This has required some ongoing thought, as we attempted to put our Western/settler understandings of procedure into respectful engagement with this body of stories. In each story, we asked how the harm became visible to others, about the people that were or were not consulted, about practices of information gathering, about considerations of context by decision makers, and about the deliberative processes that were undertaken. With these questions in mind, it became easier to see six common procedural steps: (i) community gathering and consultation; (ii) considerations of context; (iii) consultations; (iv) investigations/inquiry; (v) waiting/deliberation; and (vi) asking for help.

⁴⁸ We have been influenced by Michael White's ideas that "[n]o one is a passive recipient of trauma" and that "the ways in which people respond to trauma are based on what they give value to, on what they hold precious in life." Michael White, "Working with People Who are Suffering the Consequences of Multiple Trauma: A Narrative Perspective" (2004) 1 Int'l J of Narrative Therapy & Community Work 45 at 48. In our readings of the stories, we have tried to ask how responses to harm have made visible that which is held precious. We have been conscious of a desire to ensure we are watchful for the agency of those who suffer trauma. The challenge of operationalizing the insight is nicely articulated by John Borrows in a 2015 lecture on governance under the *Indian Act*: "People are not just passive victims in the stream of history. People find ways to use their agency. They find ways to persevere in the face of great disappointment, and harm and abuse." John Borrows, "Lecture 2: Governance - Canada's Indian Act" (Lecture, 14 September 2015), online: YouTube <<https://www.youtube.com/watch?v=3lgrZCBIwwA>> at 00h:43m:20s. For an extended exploration of how to look for women's agency and decision making even in the context of gendered (and murderous) violence, see the discussion of the stories "The Wolf Crest" and "The Rolling Head" in Snyder et al, "Gender and Violence", *supra* note 24.

In the context of our synthesis, one general statement of law concerning procedural steps that related to investigation is articulated as such:

1.2.4.1 INVESTIGATION/INQUIRY: In determining the proper response to harm, an investigation or inquiry into the harm should be conducted. (*Lake of Worms, Ululina, The Man with a Scourge of Bearded Sealskin, Kagsagssuk, Akaluk (Stolen Soul), Eagle-Man, Kopilgok (Worms), Wife Killer, The Lost Little Brother, Tigguasina: A Boy Shaman and a Fraud, Pinaqtuq Who Had No Wish to Marry, Utuagaaluk: Murder Mystery, Sky People, The Northern Lights People, Fast Runner, One Who Walked Against the Wind, The Young Man Who Married a Wife From Across the Sea, Inaagiruk, Tuakipakaktuk*)

In *The Wife Killer* story, one can see this and several other procedural steps. We see the wife gather the community together and ask for help. The testimony of the wife can be understood both as commencing a process, and as part of the evidence in an investigation or inquiry (to provide proof as to what had been done). The story also shows that the investigative processes enabled the husband to respond to the allegations made against him (in his opportunities to deny the wife's accusation). As the story is read alongside other stories, one begins to develop a better sense of different kinds of investigation that arise in different contexts—one begins to think more broadly about the forms that "inquiry" can take.

ii. Legal Responses

Here, we gathered together a range of legal responses available to respond to harm. In the stories consulted, we found the range of responses to harm to be extensive. We finally settled on fourteen categories, including the following: acts of will; sharing; public exposure; acknowledgement of harm; compensation and gifts; isolation/shunning/abandonment/leaving; telling, sharing information; punishment, revenge, equalization; self-defence; deception; removing access to power that allows person to harm; prevention; and education.⁴⁹

We note here that, in many of the stories we read, there seemed to be a principle of equalization in which death was an outcome. Under our heading 2.9, we identified this general statement of law:

2.9.1. PUNISHMENT/REVENGE/EQUALIZATION OF HARMS.

A response to harm may include equalization of harms or punishment, in order to promote deterrence or retribution or rehabilitation. (*Akaluk (Stolen Soul), Aagruukaaluk, Kagsagssuk, Fast Runner, The Malicious Youth, Avaotok, Wife Killer*)

Though death was not an uncommon outcome, as we became more familiar with the stories we were less inclined to believe that these stories were necessarily saying death *should* be a primary legal response. We were struck by the number of times that the primary legal response seemed to simply be the acknowledgement that a wrong had been done, even where

⁴⁹ Note here that there is some fluidity across categories. For example, in some stories, "telling what has happened" is a procedural step, but it may also be a legal response in and of itself. It may also be a substantive legal obligation. At this point, we see this fluidity of concepts and categories as a strength rather than a limit of the project, as it encourages attention to the ways in which procedures, obligations, and responses are interwoven.

no other consequence seemed to flow from that acknowledgement. Certainly, in the context of *The Wife Killer*, one can see a variety of legal responses to the harm identified. The story speaks to the legal response of the equalization of harms (in the killing of the husband), but it also shows us a range of responses being attempted first. In response to the threat of harm, we see the wife attempt to defend herself through talk, physical resistance (self-defence), and an attempt to flee. We also see her return after death to tell her family what had been done. The story centres the importance of acknowledgement—of accurately naming the injury she had suffered, and of having people witness her testimony.

iii. Legal Principles

In reading the stories, we began to get a better sense of some of the deeper principles that were informing the actions. While we did our best to find the right English words to capture the values and principles that were being played out, we were also hyper-conscious that Inuktitut is crucial for articulating an internal understanding of the principles. We attempted to stay within the stories as much as possible, rather than going to secondary literature. This was *not* the case with respect to legal principles. Here, we sought out sources that would give us better English translations of the Inuktitut words for important Inuit values. Such articulations were crucial in helping us better understand the structural values informing the stories we read. We were grateful for opportunities to draw on the insights of those working from the centre of the language out.⁵⁰ The experience reminded us of the Truth and Reconciliation Commission’s Call to Action related to language and culture, and affirmed for us the necessity of multiple methods of engaging with the law.⁵¹ The Inupiaq legal principles we saw in the stories were also identified (sometimes in the language of “values” rather than “principles”) in a number of government documents, including:

- sharing/generosity (*Aatchuqtutitijiq Avatmun*⁵² or *Sibñataiññiq*⁵³);
- helping, caring for others; serving (*Avanmun Ikayuutiniq*,⁵⁴ *Ippigusuttiarniq*,⁵⁵ *Piliriqatigiingniq*⁵⁶);

⁵⁰ On the importance of thinking these principles through language, we often find ourselves reflecting on Alexina Kublu & Mick Mallon, “Our Language, Our Selves” in *Nunavut ‘99: Changing the Map of Canada* (Nunavut: Nortext Multimedia Incorporated & Nunavut Tunngavik Incorporated, 1999), online: Nunavut ‘99 - Changing the Map of Canada <www.nunavut.com/nunavut99/english/our.html>.

⁵¹ TRC, *Calls to Action*, *supra* note 4. Calls 13–17 specifically address “Language and Culture”. In addition, see Call 10(iv) (“Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses”) call 61(ii) (Church parties to provide funding for “Community-controlled culture and language-revitalization projects”) and Calls 84 and 85 (on Media and Reconciliation).

⁵² “Inupiat Ioitqusiatic”, *University of Alaska Fairbanks*, (19 October 2006) online: Alaska Native Knowledge Network <www.ankn.uaf.edu/curriculum/Inupiaq/Iloitqusiatic/Sharing.html> [“Inupiat Ioitqusiatic”].

⁵³ “Inupiaq Cultural Values”, *University of Alaska Fairbanks*, (3 November 2006) online: Alaska Native Knowledge Network <ankn.uaf.edu/ANCR/Values/Inupiaq.html> [“Inupiaq Values”].

⁵⁴ *Ibid.*

⁵⁵ Borrows, *Canada’s Indigenous Constitution*, *supra* note 2 at 103.

⁵⁶ “Educators Guide”, *Inuit Qaujimagatuqangit Adventure Website*, online: Inuit Qaujimagatuqangit Adventure Website <inuitq.ca/learningresources/educatorsguide/Educators_Guide.htm> [“Educators Guide”].

- respect for others, animals, land (*Kipakkutaiññiq*,⁵⁷ *Avatimik Kamattiarniq*⁵⁸)
- fair treatment (*Uppiriqattautiniq*);⁵⁹
- honesty and information sharing (*Pitqiksigautaiññiq*⁶⁰ and *Qaujimautiltiarniq*⁶¹);
- collaboration and cooperation (*Pilirriqatigükniq*,⁶² *Savaqatigiyyujiq*⁶³ or *Paammaagigniq*⁶⁴);
- non-violence/conflict avoidance (*Paaqtakautainniq*);⁶⁵
- patience/flexibility/humility (*Qimmaksautaiññiq*⁶⁶ or *Qinuusaaniq*);⁶⁷ and
- resourcefulness and problem-solving (*Qanuqtuurungnarniq*).⁶⁸

One can see that many of the above principles are visible in some form in *The Wife Killer*, either through their enactment or through their violation. The violation of the principles of honesty and trust in relationships contributes to an understanding of why and how the wife returned from the dead to speak of the harm that had been done, and to the ways in which the family responded. The magnitude of this violation is visible in the husband's ongoing deceit in acting the part of the grieving spouse, of living with the wife's family, of sharing in their resources and support, and in his refusal to acknowledge his actions.

iv. Legal Obligations

We saw many obligations articulated in the stories. We identify twenty-two substantive obligations and another seven procedural ones. Undoubtedly, this is a place where fluency in Inuktitut might give us better categories to organize the obligations. But much of what we saw involved obligations including practicing awareness towards others, practicing generosity and hospitality, treating animals respectfully, assisting those in need, telling what you know,

⁵⁷. "Inupiaq Values", *supra* note 53.

⁵⁸. "Educators Guide", *supra* note 56.

⁵⁹. Law Commission of Canada, "Indigenous Legal Traditions in Canada", by John Borrows, Report (Canada: LCC, January 2006) at 76, online: Law Commission of Canada <publications.gc.ca/collections/collection_2008/lcc-cdc/JL2-66-2006E.pdf >.

⁶⁰. "Inupiaq Values", *supra* note 53.

⁶¹. Department of Justice Canada, *Review of Nunavut Community Justice Program: Final Report*, by Research and Statistics Division (Canada: Research and Statistics Division, 2004) at 62, online: Department of Justice Canada <www.justice.gc.ca/eng/rp-pr/aj-ja/rr05_7/rr05_7.pdf>.

⁶². Nunavut, The Honourable Robert Stanbury, Conflict of Interest Commissioner of Nunavut, *For a Culture of Integrity: Review of Conflict of Interest Legislation Applicable to Members of the Legislative Assembly of Nunavut* (Nunavut: LAN, 15 November 2000) at 5, online: <integritycom.nu.ca/sites/integritycom.nu.ca/files/int_act_con_rep.pdf> ["Integrity"].

⁶³. "Inupiat Ioitqusiak", *supra* note 52.

⁶⁴. Ilisagvik College Mission Statement, online: Ilisagvik College <www.ilisagvik.edu/about-us/mission-statement/>.

⁶⁵. *Ibid.*

⁶⁶. "Inupiaq Values", *supra* note 53.

⁶⁷. "Integrity", *supra* note 62 at 5.

⁶⁸. "Educators Guide", *supra* note 56.

and caring for children. We also identified an obligation to do no harm, and an obligation to maintain trust in trust-based relationships. In *The Wife Killer*, it is easy to focus on the husband's devastating failure of these obligations towards his wife. But we found the story even richer when we began to ask about obligations being performed in the story by other characters. For example, one might ask about the obligations of those whose kin do harm. One might articulate a general statement of law thus:

4.1.8.1.1. There is an obligation to prevent kin from harming others. (*Eagle-Man, Paniunayuk and Aqsaqauraq: A Feud Averted, Alaaqanaq, the Man with a Little Drum, Raid and the Kobuk River Grandmother, Akaluk (Stolen Soul), Atangana (Part 3), The Wife Killer*)

In *The Wife Killer*, while one could focus on the killing of the husband by the brothers as retribution for the death of their sister (or as an instance of vengeance), one could also understand the brothers as fulfilling their obligation to ensure that their brother-in-law (kin) was not able to harm others.

In terms of procedural obligations owed to both a person harmed and the one harming, the stories illustrate such obligations as those to:

- tell what you know about the harm (the murdered woman told her family about how her husband had killed her);
- witness (the family witnessed the woman's testimony);
- show respect and affirm equality-constituting practices (the family of the woman listened to her testimony and took seriously what she said by killing her husband in response); and
- assist family members in need (the brothers assisted their sister by listening to her testimony and then killing her husband).

One of the many substantive legal obligations we saw in the stories might be articulated as the following general statement:

4.1.1.1 PRACTICING ACKNOWLEDGEMENT/AWARENESS TOWARDS OTHERS. There is an obligation to acknowledge and practice awareness towards others in the community. (*Northern Lights People, Raven and the Whale, Akaluk (Stolen Soul), Orphan with No Clothes, Raid and the Kobuk River Grandmother, Alaaqanaq, the Man with the Little Drum, Lake of Worms/Worm Lake, Wife Killer, The Wife with a Jealous Husband, Fast Runner, Utuagaaluk: Murder Mystery*)

In many of the stories we read, including *The Wife Killer*, it is the failure to be aware of others that opens space for the harm to occur. Sometimes the failure of awareness seems obvious, but at other times, stories show us situations where it is difficult to be aware, precisely because of complicated contexts or practices of deceit. *The Wife Killer* story draws this to our attention when it states that the villagers had no knowledge of what the wife killer had done when he returned to the village grieving because of his lost wife. Whether or not the community members had done all they could, the synthesis did help to make visible that there are additional obligations of awareness that may apply beyond the boundaries of an individual family.

v. Legal Rights

For our analysis, legal rights can be understood as the flip side of legal obligations. In the stories as a whole, some of the rights seemed to attach to people who had been harmed, and some to people who were thought to have done harm. Some of the rights identified in the stories included the right to acknowledgement, to share in necessities of life, to hospitality and respectful treatment, to help when in need, to information, to compensation (in certain situations), to equality, and to freedom. One particularly interesting legal right relates to the need to see harms acknowledged:

5.1.12 RIGHT TO ACKNOWLEDGEMENT OF HARM (see also 2.5.1. and 4.1.12). There is a right to have harm acknowledged, whether the harm was accidental, negligent, or intentional. (*Pinaqtuq, Who Had No Wish to Marry, The Lake with No End, Utuagaaluk: Murder Mystery, The Duel Between the Point Hope Shaman and the Barrow Shaman, Akaluk (Stolen Soul), Orphan with No Clothes, The Wife Killer, The Brother with Good Ear, Kopilgok (Worms), The Young Man Who Married a Wife From Across the Sea, The Raid and the Kobuk River Grandmother, Lost Little Brother, One Who Walked Against the Wind, Northern Lights People, Sky People, Malicious Youth, Boy Shaman, Utuagaaluk: Murder Mystery, Three Brothers, Raven and the Whale*)

In terms of *The Wife Killer* story, the woman had suffered a great harm. One of the more obvious rights one might see is the right to have her killer brought to justice. But the above principle suggests additional ways of understanding rights. In her return to her family, one can see not just an assertion that a killer should be brought to justice, but also an articulation of her right to have the harm of her death correctly described. It could also be seen as addressing rights to information—in this case her family’s right to information. We articulated the general principle thus:

5.1.11.iii RIGHT TO INFORMATION. Family members of those harmed have a right to information regarding the harm done to their kin. (*The Brother with Good Ears, The Wife Killer, The Man with a Scourge of Bearded Sealskin, Ululina, Fast Runner*)

Focussing on this informational right gave us yet another angle for thinking about the decision of the wife to return to her family. It also reminded us that the wife had not only told her family about her own murder, but shared information about the deaths of other women in the community, information that her family members may then be obliged to share with the families of the other murdered wives. Placing the principles in 5.1.11 and 5.1.12 side-by-side also helped us think about the differences between the right to have a harm named/acknowledged, and the right to have information available about a harm (even if the information is incomplete, or even if other direct remedies seem unavailable).

IV CONCLUSION: RETURNING TO THE STORIES WITH A QUESTION

To conclude this general discussion of the process of building a synthesis from stories, it should be clear while it is the product of (seemingly objective) texts, the processes of

interpretation are inevitably shaped by the socially constructed narratives and experiences accessible to the interpreter. This synthesis is “our” synthesis, shaped by our own understanding of and work with the stories, and designed to help us learn. While it is “ours” (that is, reflecting our understanding of stories and law), because the processes of building the synthesis are open and transparent, our conclusions are also open for dialogue, contestation, and debate. Just as clearly, any synthesis must be an ongoing project, open to modification as stories are added, and as different interpretations gain ascendancy. This legal synthesis is a work-in-progress and we are still working with the stories to understand them in ways that respect their complexity and nuance. In thinking about the interplay of law and story, we have taken comfort from Julie Cruikshank’s observation that she would have been unable to understand the stories Yukon women were telling her about their lives, without also understanding the rich world of stories in which those lives were embedded.⁶⁹ We believe this to be true of both Indigenous and non-Indigenous legal orders alike: the knowledge of a legal order is informed by the stories that circulate in that order. There are good reasons to believe that stories provide one powerful vehicle for learning about Indigenous law.

We have, in the process, been struck by the ways that the activity of constructing a synthesis of legal principles from publically available Inuit stories has provided valuable tools for us as non-Inuit women grappling with the reality of gendered harms in current Canadian society. We live on the west coast of British Columbia, where the fabric of our daily living is woven through with the aftermath of the Pickton serial killings, and the devastation of missing and murdered Indigenous women and girls. We too are storied people, and our stories (like those of Western Inuit) raise questions about gender, human vulnerability and safety. Our own questions and concerns were present as we did the work. And those concerns about gendered violence, in its epistemic and structural forms, were matched and mirrored in stories like *The Wife Killer*. We could see that the stories often addressed similar human problems. How might society respond in the face of these deep injuries? Does one need to wait until there is a death? Is it enough to “find and punish the guilty?” How is the larger community implicated in these stories of violence against women? Are there ways to find new lines of response? The process of working with *The Wife Killer* and other stories has helped us to ask other questions about the ways Western Inuit law has developed important and useful “tools for thinking.”

Let us then return for a moment to *The Wife Killer*. In the version we shared, little direct attention is paid to the community; we are told only that they did not know that the husband had been preparing a pit of maggots to kill women. In the story, the wife demonstrates “exemplary” behaviour: she is not vulnerable to violence because of her actions (risky behaviours), nor does she succumb due to weakness (failure to learn important skills). She succumbs because the husband has done all he can to hide his intentions (the pit), and to prepare the trap. The story does not enable one to argue that the wife could have escaped if only she had been better, or worked harder. In short, victim-blaming is not a strategy for explaining the outcome, nor for addressing the risk men such as the husband posed to other women.

The story, even in its silence about the community, asks us to think about the obligations of others to disrupt the harmful outcome. The story invites us to consider other stories we know. Consider Edna Hunnicut’s recounting of *The Lake of Worms*, another version of *Wife Killer*.⁷⁰

⁶⁹ See Cruikshank, *supra* note 18.

⁷⁰ Hunnicut, *supra* note 35.

In this story, the brothers of the husband's newest wife become suspicious. They wonder why it was that this man was always losing his wives on his hunting trips. Because of their awareness of the suspiciousness of the deaths, the brothers were able to rescue their sister before she could be killed. If one places the two stories together, one begins to see them in dialogue.⁷¹ One can return to *The Wife Killer* asking more about ways that a community might need to practice the kind of awareness demonstrated by the brothers in *Lake of Worms*. Questions about how a community practices its obligations then become visible in many places.

Thinking about how Canada will move forward with the Inquiry into Missing and Murdered Indigenous Women, we found ourselves thinking about “ourselves” as people who might be called upon in thinking about how to respond to the great harms that have been done. We found ourselves reflecting on the stories and the synthesis, particularly those aspects that seem to foreground obligations of caring and sharing, rather than “rights.” We found ourselves thinking back to the community as a decision maker, and one of the general statements of law:

1.1.5.2. Community or group decisions are required when the community or group is needed to perform obligations such as caring for others and assisting and protecting those in need or at risk of harm. (*The Man Who Was Saved by a Salmon Fin, Atangnak, The Man with a Scourge of Bearded Sealskin, Orphan With No Clothes, Selawik and Buckland Wars, Utuagaaluk: Murder Mystery, Aagruukaaluk and Kippagiak, Aagruukaaluk, Sky People, Northern Lights People*)

Based on these stories, caring for, sharing with, assisting and protecting others are important western Inuit principles informing legal responses to harm. It seems that when someone is in need or at risk, and others are aware of this, there is an obligation to assist if there is an ability to help. All the above stories also make visible the importance of the principle of collaboration in the western Inuit stories (people listen, talk, and take action together).

This principle appears necessary to ensure people are acknowledged, and treated with respect. But it is also necessary in order to ensure the safety of oneself and of others in the community; it makes it possible to recognize danger and harm, so that one can respond wisely and uphold one's obligations to others.

Let us then return to the question of the community's involvement in *The Wife Killer* story. It would seem that since women in the community were being targeted by the wife killer, the problem could be considered one that affected all the villagers and thus a collective response would be appropriate. This fits with the principle regarding community and group decision making articulated in the statement of law (1.1.5.2) above. Also, since the women were in need of protection and assistance from the community, the principle above concerning community

⁷¹ We have slowly come to appreciate the importance of multiple versions of stories. When one stops searching for the most “authentic” version, it becomes possible to better appreciate the ways that small changes in the stories enable stories to make new arguments, and to elaborate new options in the context of new circumstances. This point is powerfully made in considering the multiple variants of the Inuit story of Atanarjuat, and Zacharias Kunuk's decision (working with multiple elder's accounts) to change the ending of the story in his filmic account of the story of Atanarjuat. See Michael Robert Evans, *The Fast Runner: Filming the Legend of Atanarjuat* (Lincoln: University of Nebraska Press, 2010) at 63–85 (Chapter 5, “The Legend and Its Variants”).

obligations to assist and care for those vulnerable or in need also supports the importance of a community response to the harm.

When we return then to the question of violence against women, and do so while attentive to the importance of the values of awareness and collaboration, we can see that the stories provide us with an additional resource: they can help us identify situations of particular risk, and places where communities will confront particular challenges in responding to harm.

One could think about *The Wife Killer* through this lens, and come to a number of conclusions. One might simply say, as the story does, that the villagers were not aware that the wife killer was killing his wives. This might then explain why the villagers did not respond to the harm. But one might then pose the question for the future: what ways of practicing awareness might have led the community to be able to identify the harm more quickly? With knowledge of the story, one might consider the ways that people can identify situations in which women may face heightened risk. That is, one can look to the story not to judge the community of the past, but rather as a source of information about contexts in which one might anticipate the value of heightened awareness. This is just a reminder that the point of a synthesis is not simply an elaboration of rights and responsibilities, but a way of organizing the many insights a story has to offer, a way of putting stories in conversation in order to better see the puzzles and patterns they make visible, and then working toward using these insights to better prevent and tackle current situations of harm. So too, one can read the stories together, and ask how those principles and insights might help us today, as we work towards reducing vulnerabilities, and increasing conditions for both safety and thriving.

In short, our experience of working with stories has been that they open more questions than they resolve. While we, as elaborated earlier, feared that this work would participate in the flattening of Inuit legal principles, our experience has rather been one of increased appreciation for the richness of the stories and principles that circulate through them. The experience of using this approach left us seeing the generative capacity of both the stories and the project. This synthesis opens up space for asking questions about the application of these stories and principles to the contemporary landscape. Far from providing simple answers, the stories provide rich context for asking pressing questions about how we structure a world to first avoid, and then respond to harm.

There are of course challenges that come with any project that seeks to build bridges across legal traditions, or indeed, languages. Certainly, there were many occasions where others gave us guidance, or helped us to see places where our own presumptions about the world were making it difficult for us to “see” the possibilities in the stories. The challenge lies in remaining open to the processes of learning. As Cruikshank pointed out, stories are social activities requiring engagement on the part of the listener.⁷² The more we engaged with the stories, the more they yielded new insight. We noticed differences between our early attempts to brief and our latter attempts. This reminded us that story-telling and listening are social activities, and that stories link to other stories. For Inuit and non-Inuit alike, stories are embedded in a rich social life; the more stories we encountered, the easier it was for us to see the richness in them.

The adapted case briefing and legal synthesis methodology presented in this paper represents only one approach to learning Indigenous law. We agree with Napoleon that there are many strategies and methods for renewing the relationship of Canadian and Indigenous

⁷² See Cruikshank, *supra* note 18.

legal orders. Of course, many substantive engagements with Inuit law are needed. What is offered here is one productive way to open richer conversations between and amongst communities. What this project has helped us see is that there are pathways towards more active engagement with Indigenous legal orders in Canada. There are many ways to make good on the TRC Calls for education about Indigenous laws. While this requires a willingness to move beyond taken-for-granted assumptions about law, it also acknowledges that there are resources within common law legal traditions, in this instance the use of modified case briefing method, which can be mobilized in the service of collaborative engagement.⁷³

⁷³. See generally the following list of stories in the project: Robert Nasruk Cleveland, “Aagruukaaluk” in Anderson, *supra* note 32, 135; Nora Paniikaaluk Norton (as told by Riley Jim Sugunnuuquu), “Aagruukaaluk and Kippagiak” in Anderson, *supra* note 32, 137; “Akaluk and the Stolen Soul of Ugpik” in Schwarz, *supra* note 32, 31; Nora Paniikaaluk Norton, “Alaaqanaq, the Man with a Little Drum” in Anderson, *supra* note 32, 94; Agnes Nanogak, “Atangana and the Giants” in Nanogak, *supra* note 32, 24; “Atangnak” in Nanogak, *supra* note 32, 83; Agnes Nanogak (as told by Mamie Mamayook), “Avaotok” in Nanogak, *supra* note 32, 48; Paul Monroe (as told by Carl Stalker), “The Brother with Good Ears” in Hall, *supra* note 32, 48; Edna Hunnicutt, “The Dead Seal” in Hall, *supra* note 32, 80; Nora Paniikaaluk Norton, “The Duel Between the Point Hope Shaman and the Barrow Shaman” in Anderson, *supra* note 32, 84; Angut Kayuq, “Eagle-Man” in Kappi, *supra* note 32, 90; Leslie Tusragviurag Burnett (as told by J Wells), “Fast Runner” in Anderson, *supra* note 32, 96; Paul Monroe (as told by Charlie Goodwin’s wife), “Inaagiruk” in Hall, *supra* note 32, 114; Robert Nasruk Cleveland, “Isiqiak” in Anderson, *supra* note 32, 121; Angusinaq, “Kagsagssuk” in Ostermann, *supra* note 32, 99; Nanogak, *supra* note 35; Hunnicutt, *supra* note 70; Agnes Nanogak, “The Lake with No End” in Nanogak, *supra* note 32, 105; Angusinaq, “The Legend of Najuko” in Ostermann, *supra* note 32, 75; Nora Paniikaaluk Norton, “The Lost Little Brother” in Anderson, *supra* note 32, 179; Asatchaq, “The Malicious Youth” in Lowenstein, *supra* note 32, 130; Paul Monroe (as told by Ahsitjuk Kilyikvuk), “The Man who Broke the Polar Bear’s Law” in Hall, *supra* note 32, 195; Agnes Nanogak, “The Man Who Caused Blizzards with an Axe” in Nanogak, *supra* note 32, 31; Monroe, *supra* note 35; Angusinaq, *supra* note 35; Paul Monroe (as told by Carl Stalker), “The Man Who Was Saved by a Salmon Fin” in Hall, *supra* note 32, 358; Angusinaq, “The Man with a Scourge of Bearded Sealskin” in Ostermann, *supra* note 32, 130; Nora Paniikaaluk Norton, “Niglaaqtuugmiut and Kuukpigmiut” in Anderson, *supra* note 32, 125; Herbert T Schwarz, “Northern Lights People” in Schwarz, *supra* note 32, 15; Nora Paniikaaluk Norton, “One Who Walked Against the Wind” in Anderson, *supra* note 32, 153; Nora Paniikaaluk Norton, “Orphan Who Married an Umiialuk’s Daughter” in Anderson, *supra* note 32, 208; Emma Atluk Skin, “The Orphan with No Clothes” in Anderson, *supra* note 32, 204; Paul Monroe (as told by Frank Glover), “Paaluk and the Feast” in Hall, *supra* note 32, 258; Asatchaq, “Paniunayuk and Aqsqaquraq: A Feud Averted” in Lowenstein, *supra* note 32, 116; Andrew Nuqaqsrauraq Skin, “Pinaqtuq, Who Had No Wish to Marry” in Anderson, *supra* note 32, 103; Nora Paniikaaluk Norton, “The Raid and the Kobuk River Grandmother” in Anderson, *supra* note 32, 130; Susie Tiktalik, “Raven and the Whale” in Schwarz, *supra* note 32, 43; Paul Monroe, “Selawik and Buckland Wars” in Hall, *supra* note 32, 303; Asatchaq, “Sigvana and the Old Shaman: Terror in the Entrance Passage” in Lowenstein, *supra* note 32, 85; Aunaraitsaiq, “The Smoking Mountain at Horton River” in Ostermann, *supra* note 32, 60; Nora Paniikaaluk Norton (as told by Edward Norton), “The Sky People” in Anderson, *supra* note 32, 78; Paul Monroe (as told by Leonard Brown), “Three Brothers” in Hall, *supra* note 32, 371; Asatchaq, “Tigguasina: A Boy Shaman and a Fraud” in Lowenstein, *supra* note 32, 78; Paul Monroe (as told by Frank Burns), “Tuakikipakaktuk” in Hall, *supra* note 32, 221; Asatchaq (as told by Niguvana), “Unipkaluktuq: A Woman’s Story Comes to Life” in Lowenstein, *supra* note 32, 95; Angusinaq, “Ululina” in Ostermann, *supra* note 32, 80; Asatchaq, “Utugaaluk: A Murder Mystery” in Lowenstein, *supra* note 32, 120; Nora Paniikaaluk Norton, “The Widow and the Stingy Sister-in-Law” in Anderson, *supra* note 32, 225; Norton, *supra* note 34; Nora Paniikaaluk Norton, “The Wife with a Jealous Husband” in Anderson, *supra* note 32, 90; Edna Hunnicutt, “The Woman Who Killed Herself” in Hall, *supra* note 32, 88; Flora Kuuqaaq Cleveland (as told by Jack Pungalik), “The Young Man Who Married a Wife From Across the Sea” in Anderson, *supra* note 32, 211.