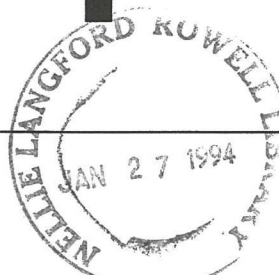


Suvaguuq

PAUKTUUTIT
INUIT WOMEN'S ASSOCIATION OF CANADA

National Newsletter on Inuit Social and Cultural Issues



SPECIAL ISSUE ON JUSTICE

President's Message:

SEEING THE UNSEEN: **Inuit Women and Justice**

In Ottawa, at the Supreme Court of Canada, there is a statue of a woman with her eyes covered. She represents justice. Justice, like this statue, is not supposed to see colour, gender, race, poverty, or other differences in society. Justice is blind, and it is supposed to treat everyone the same.

This is a nice idea but it does not reflect our experiences with the justice system in the north.

Justice is not something we think of everyday, unless it confronts us directly or someone we know becomes involved with the police or courts. When confronted in this way, we often see the unseen shortcomings of the justice system.

Justice brings to mind images of laws, judges and lawyers. It is a world of legal experts and lofty principles where people without legal educations do not appear to belong.

It is time to unmask the truth and begin to dispel the myth that justice is blind, that it is incomprehensible to all but lawyers and judges.

This special issue of our newsletter is an update on justice projects and activities taking place throughout the north and the rest of Canada. As you will see, there is a lot of work taking place to change the justice system, and Pauktuutit is inviting you to get involved.

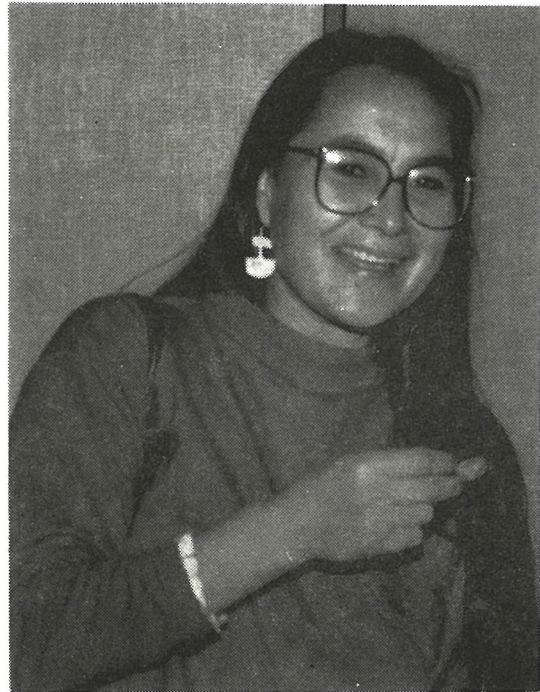
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Seeing the Unseen: Inuit Women and Justice

President's Message (continued from page 1)



focussed on reacting to specific situations where the system has failed Inuit women, but this project allows us to move forward and examine what kind of a justice system we want and need in the north.

For example, Inuit women clearly want a more culturally sensitive approach to justice administration. We are deeply committed to the preservation and enhancement of the language, culture, values and traditions of our society, and we are searching for ways of incorporating these into the laws which govern us - at the national level (including the Canadian constitution) and at the provincial/territorial level (particularly family law). However, a great deal of preparatory work must be completed before Inuit women are in position to contribute to the processes and negotiations already underway, let alone participating in new initiatives.

Over the next decade, Inuit will be increasingly involved in the administration of justice in our regions, and Inuit women must begin now to if we are to participate as equals in the design and administration of Inuit justice systems in Nunavut, Nunavik and Labrador.

Through this project, Pauktuutit intends to set a process in motion which will enable Inuit women to participate fully and effectively in the development of policies and programs within the justice system which reflect the unique values and needs of Inuit women within Inuit society.

In 1992, Pauktuutit received funding from the federal Department of Justice to undertake a study on Inuit women and justice administration in Inuit communities in Canada. This project came about because Pauktuutit found itself more and more involved in criminal justice issues as a result of our work on family violence and sexual assault. Involvement in these issues naturally led to an examination of related concerns - the treatment of women in their dealings with the justice system; sentencing practices; the need for cross-cultural training for judges, lawyers, police and others involved in the justice system; access to legal services; training and recruitment of judges and Justices of the Peace; and gender and racial bias in the justice system. To date, Pauktuutit's work has

At the upcoming 1993 Annual General Meeting (February 23-25 in Goose Bay, Labrador), the first major consultation with women will be held. We hope that the dialogue beginning at the AGM will continue at the regional level once women return home. With ongoing consultations and the necessary research and analysis to support the conclusions and recommendations, this Justice project is expected to generate change throughout Inuit communities.

Clearly, a major goal of this project is to generate change. During the past few years, many studies have been conducted, reports have been issued, and recommendations have been made... but little has changed. We want to ensure that Inuit women are in a position to contribute fully and effectively in the justice debates taking place in regional self-government initiatives, land claims and the national aboriginal justice scene, and we want to see these discussions leading to action. We hope you, too, will become involved.

Best wishes to all in 1993.

Martha Flaherty

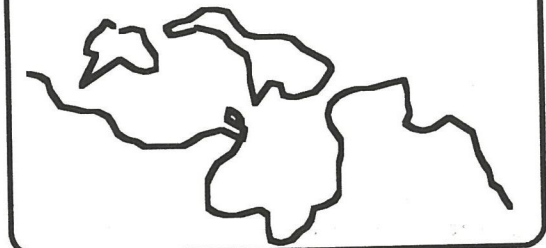
President

Pauktuutit's

9th Annual General Meeting

**February 23, 24, 25, 1993
Goose Bay, Labrador**

For further information,
contact your
Regional
Board Member
or call Pauktuutit's
Ottawa office.



Aboriginal Justice Issues - Task Forces, Commissions, and Inquiries in Canada

If patterns in the first two years of the 1990s are any indication of trends for the decade, aboriginal justice inquiries, commissions, and task forces should be ranked quite high. Between 1989 and 1992, there were approximately 11 provincial and federal inquiries, task forces or commissions dealing with some aspect of aboriginal justice. In addition to these, the Royal Commission on Aboriginal Peoples has also included within its mandate a round table on justice issues.

Most of the task forces, commissions and inquiries have focused primarily on the criminal justice system. While each initiative is unique and often geographically specific, the recommendations are common. This repetition only serves to reiterate how the existing justice system is unable to meet the needs of aboriginal peoples in Canada.

Implementation of the recommendations made in these initiatives do not appear to be forthcoming. Often the recommendations encourage extensive restructuring of the system and construction of alternative systems reflective of and sensitive to aboriginal cultures. The long-term commitments of governments required to implement many of the recommendations is varied and in some instances non-existent.

The notable task forces, commissions and inquiries undertaken recently include:

Nova Scotia, 1989	Royal Commission on the Donald Marshall, Jr. Prosecution
Manitoba, 1991	Aboriginal Justice Inquiry of Manitoba
Alberta, 1991	Justice on Trial: The Report of the Task Force on the Criminal Justice System and its Impact on the Indian and Metis People of Alberta
Saskatchewan, 1992	Report of the Saskatchewan Indian Justice Review Committee
NWT, 1992	Report of the Saskatchewan Metis Justice Review Committee
NWT, 1992	The Justice House: Report of the Special Advisor on Gender Equality
NWT, 1992	The Family Law Review Report: Report of the Ministerial Working Group on Family Law Reform
Nunavik, 1992	Inuit Justice Task Force (in progress)
Canada, 1990	Indian Policing Policy Review: Task Force Report
Canada, 1991	Creating Choices: Task Force on Federally Sentenced Women
Canada, 1991	Report on Aboriginal Peoples and Criminal Justice: Equality, Respect and the Search for Justice

JUSTICE STUDIES AND INQUIRIES IN THE NWT 1990-1992

The Conrad Inquiry -

In the Matter of an inquiry into the conduct of Judge R. M Bourassa

This was a disciplinary inquiry conducted by Alberta judge, Madame Justice Carole Conrad. She was asked to examine the conduct of Territorial Court Judge Michel Bourassa in relation to very controversial and discriminatory comments about aboriginal women attributed to Judge Bourassa in an Edmonton Journal article. In response to the public outrage that arose following the publication of the article, a disciplinary inquiry was called. This was an inquiry provided under the Territorial Court Act. Madame Justice Conrad, according to the law, was to determine whether Judge Bourassa had misbehaved or was unable to perform his duties as a judge. Upon completing this disciplinary inquiry, Madame Justice Conrad found Judge Bourassa to be unbiased against "natives, women, northern Canadians, victims or intoxicated persons." She recommended no disciplinary action be taken against Judge Bourassa.

The Justice House : Report of the Special Advisor on Gender Equality

This report focused on gender equality in the justice system in the NWT. It was released in June 1992. This report followed a 16-month study conducted by a special advisor to the Minister of Justice. Katherine Peterson, a lawyer from Yellowknife, was appointed as the special advisor in the spring of 1991 by the Justice Minister Michael Ballentyne. This study was a response to the number of complaints and concerns raised during and after the Madame Justice Conrad's Inquiry. It contains 90 recommendations.

The focus of the study, as described in the terms of reference, was on the administration of criminal and family law. In addition to reviewing what the criminal and family law says, policing, prosecutions, legal aid, corrections, operation of the court, Justices of the Peace court, and the appointment and discipline of judges was also looked into. The report attempts to improve the public's understanding of gender issues as well as the understanding of people working in and with the criminal and family law systems. With this greater understanding and appreciation of the issues, recommendations would be presented on ways to achieve gender equality in the justice system.

In her report, Katherine Peterson states that the focus of the report was not on the various functions of the institutions administering justice, nor on the laws. It focused on the experiences of women and discusses some of the barriers that exist to gender fairness in the administration of justice. *"It is about the experience of women and how that experience might be better respected in a system that has evolved in a male context"*. (page 3)

On December 4, 1992, Katherine Peterson appeared in the NWT Legislative Assembly to answer questions and discuss her report with the MLAs. A motion was passed to invite the President of Pauktuutit, along with representatives of other women's organizations in the NWT, to participate in continued discussions during the next session of the Assembly.

The Justice House ... in detail

WHAT IS GENDER BIAS ?

"Gender bias can be defined as behaviour or decision-making by participants in the justice system which is based on or reveals stereotypical attitudes about the nature and roles of men and women; cultural perceptions of their relative worth; and/or myths and misconceptions about the social and economic realities encountered by both sexes." (p. 1 Appendix A, GNWT, The Justice House: Report of the Special Advisor on Gender Equality, Yellowknife, May 1992)

WHAT IS GENDER EQUALITY ?

"The concept of equality means much more than an absence of bias: it necessarily involves a depth of understanding, recognition and acceptance of differences." (pp. 2-3, GNWT, The Justice House: Report of the Special Advisor on Gender Equality, Yellowknife, May 1992)

90 RECOMMENDATIONS are presented in the THE JUSTICE HOUSE.

These recommendations cover a wide range of issues and topics, including the following:

Knowledge and Education

- understanding the administration of justice
 - language; public education;
 - co-ordination of policy and community agencies
- understanding gender fairness
 - violence against women
 - understanding about violence against women
 - training and education
 - public awareness about gender bias

Access to Justice/ Allocation of Resources

- access to civil remedies
 - legal aid; justices of peace
- remedies available
- enforcing civil remedies
- enforced access in civil law cases (family law)
- enforced access in criminal law cases
- services to victims

Court Process

- how women experience court: the myths and realities
- how do courts experience women
- the response of the justice system
- Alternative dispute resolution systems:
 - mediation; community justice

Judicial Selection : Appointment and Discipline

- appointment of Territorial Court judges
- Federal appointments to Supreme Court of NWT
- Women as judges
- Discipline of judges (Territorial and federal)
- Evaluation of Judges
- Justices of the Peace- appointments and discipline

VIDEO - Victim in Court -

Inuit Communications Systems Limited produced a video for an Iqaluit community group interested in informing people about court procedures to prepare victims and other witnesses for their appearance in criminal court cases. The video focuses on one woman who is a victim of violence and her fears about the legal system. The video includes courtroom scenes and attempts to answer the common questions facing people having to testify in a court case.

The video is called "Victim in Court" and it is available in Inuktitut and English from the Baffin Regional Agvvik Society in Iqaluit.

Family Law Review

The Report of the Ministerial Working Group on Family Law Reform

This report was released in September 1992 by the NWT Ministers of Justice and Social Services. It contains 256 recommendations prepared by an eight-member ministerial working group formed in 1988 by then Minister of Justice, Michael Ballentyne.

The working group was formed after a number of interested groups lobbied the Territorial Government about the need for significant reforms in territorial and federal family laws. This working group provided advice and policy direction to a contractor who wrote the report and consulted with representative groups and organizations interested in family law reforms. Three researchers were hired to consult and gather information in NWT communities on traditional customary law. Marie Uviluq resigned her position as Pauktuutit Vice President to undertake research on Inuit customary law in the Keewatin and Baffin regions. Michelle Ivanitz compiled the traditional family law report for the Inuvialuit and Kitikmeot regions.

The family law issues addressed in the Review include family property and dividing it up upon break-up of the family, child welfare, adoption, levels of financial support one spouse (or common law partner) has to pay to the other spouse after they separate; determining which parent will have custody of the children after the break-up; deciding the visiting rights of the parent who does not keep the children; deciding the level of financial support that a parent will have to pay in the cost of raising the children; deciding how to divide up property after someone dies without a will; adoption rules for native and non-native adoptions; protection of children. It is a very detailed and legalistic review, providing specific examples of wording changes to the present laws and proposals for new laws such as a Children's Law Act.

A general and important recommendation presented by the group was the creation of an alternative system to the existing court process for aboriginal groups in the NWT. It is proposed that the alternative system would be more sensitive to aboriginal cultures. It recommends the establishment of Aboriginal Justice Councils which would allow communities "to control and govern their own lives according to aboriginal custom and community based values." (page 6) Each community or region would be responsible for deciding what kind of responsibilities the Council would have in family law matters. The community or region would also be responsible for determining the structure and membership of the Council. There are three Aboriginal Justice Councils proposed for the three regions in Nunavut, and one Council is proposed for the Inuvialuit Settlement Region.

It is unclear how the Councils fit into the justice system that exists today or if they are intended to be complete alternatives to the existing system. There would also appear to be little relationship between the concept of Aboriginal Justice Councils and the comments and remarks presented by the two researchers who interviewed Inuit in Nunavut and Inuvialuit in the Inuvialuit Settlement Region. This leaves one to conclude that there is still a lot of work required to ensure this type of model for alternatives to the existing system is in fact what people want.

Marie Uviluq's Report:

Excerpt from the "Report to the Ministerial Working Committee on Family Law Reform on Traditional Law in Baffin and Keewatin Regions"

Appendix I, the Report of the Ministerial Working Group on Family Law Reform, GNWT, September 1992

"My general finding are that traditional Inuit living in their nuna (land) were dictated by the elders as to how to live daily. There never were large numbers of people living in one settlement except the early qaggiq when everyone had the chance to renew ties with friends and foes. Everyone had to know their nuclear family and extended family even if custom adopted. Inuit being so small in numbers, they had their own individual names and names were non-gender. Custom adoption was an everyday occurrence. When girls could sew and clean skins, and when boys were able hunters, marriage took place. Marriage promises were agreements made by two pregnant women before their children were born that when the children became of age they'll marry. You were free to have two (2) wives/husbands. ...In death, private properties, meagre in modern terms; were buried with the owner. ...Before christianity when a person dies he/she was buried with his/her personal belongings. The implements that he had that were of some use were freely distributed. His very intimate belongings were with him. The elders made the choice as to who gets what. Elders made the choices as they were listened to and people did what they said. This was before white people made decisions for us Inuit. Also the person that really needed show of appreciation for whatever goodness had done to the deceased was favoured. Nowadays we have so much material possessions now that I cannot make any judgements on how personal belongings are distributed. The person who is not going to live much longer, made preparations for their death and their words were remembered even without writing it. They made verbal wills that were not forgotten and executed as they had wanted it."

Michelle Ivanitz's Report:

Excerpt from "Report to the Ministerial Working Committee on Family Law Reform on Traditional Law in Inuvialuit and Kitikmeot Regions" - Appendix I to the Report of the Ministerial Working Group on Family Law Reform, GNWT, September 1992

Common law /marriage: In the old days, people didn't go together fast. The parents knew ahead of time who they wanted for in-laws. They discuss matters, lives, how children might live together. Always planned by parents. Nowadays, very difficult because young couples don't get information from parents and what they think of it. They just go on their own way. Now problems arise, of separation.

The fathers of the women made all the decisions. When women became old enough to be married, they followed tradition that had been practised by generations. In some cases, this custom is still practised by some families.

In the old days, parents of the couple would exchange gifts when considering marriage between their children. For example, Billy Day's parents gave the parents of a girl a gift, supposedly from Billy to the girl. A similar exchange took place, for the benefit of the girl to Billy through the girls parents. A great deal of laughter ensued when Billy finished the story by saying that his wife became a good friend of "the girl" many years later, and they still laugh about it. No one asked what the reaction was when Billy and "the girl" chose not to get married.

Currently, problems arise because the young people "do not follow our parents ways. They just do what they want to do." Long ago, even before they were born, parents would lay claim to children as marriage partners. Once a couple was matched by their parents, it was recognized as a marriage.

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Michelle Ivanitz's Report (Continued)

Many were unsure of whether common law should be recognized in law. It was commonly felt that "when a couple go together, it is safer if they go through a church - one name and less worry." It did not matter how long the couple had been together, as it was still considered "better" to be married. Further:

It makes it look better before the children start to come. Easier to put into paper what the child's name is under. Some concern about common law problems with baptism...in a lot of these, who don't take the father's name, always shown by mother's name. These kids said to have 'no grandad' or 'no dad'.

In the past, community people had followed the tradition whereby the family would ask the children to marry, and then the children would carry out the process of baptism. Currently, many young parents choose to forego baptism which really disturbs many of the elders.

Prior to church doctrines, common law worked because there were no ministers around. No one "ran out" on a marriage because much importance was placed on being a good provider and making the relationship work ... In the long run, if a relationship is considered stable, it should be looked upon as married. Generally a timeline considered as "stable" is at least two years, along with acknowledgement by a community body of the relations.

Mediation: The elders stated that, in the old days, mediation was the only way there was to resolve disputes. In the old days:

The person (mediator) would have to support both sides equally, rather than blaming one party or the other. Also, when a person comes they should try to understand them, listen to them, define the problem, how they can work it out, Don't try to hurt their feelings. Be open with them. From then their problem starts to ease. Not go into a home and be direct. Go into a home and try to help. Friends and relatives used to do this sort of thing in the old

days. Not a body or group. Elements of trust were important.

The above quote is about the past, but was applied at the same time to what should be occurring in the current context. The consistently held view is that mediators cannot be licensed and regulated because different people can fit into different homes and problems. ...These people who are acting as mediators should be recognized:

Whoever goes into the home will be recognized through legislation. The position is recognized, but the individual occupying the position will vary, depending on the family, situation, and circumstance.

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INUIT JUSTICE TASK FORCE IN NUNAVIK

In 1990, Makivik passed a resolution regarding the administration of justice in Nunavik. In the resolution, a joint initiative was proposed whereby Makivik and Kativik Regional Government would conduct an information and consultation process with northern Quebec Inuit communities with respect to all issues related to the administration of justice in Nunavik. From this, a six-member Inuit Justice Task Force was formed. The objectives of the Task Force are:

- * to educate, inform, and consult the population of Nunavik on matters related to the administration of justice;
- * to analyse the data obtained through consultations with Nunavik and other sources;
- * to provide information to northern Quebec Inuit with respect to historical and current justice systems in Nunavik;
- * to conduct research into various aspects of administration of justice in Nunavik; and
- * to ensure all those affected by the administration of justice in Nunavik are directly involved and participate in any solutions to existing problems in this area.

Recently, in a presentation on traditional Inuit forms of justice, the chairperson of the Task Force, **Zebedee Nungak**, reported on some of the findings of the Task Force.

"Survival and sustenance of the collective was the primary factor which dictated the decisions of justice and dispute resolution. There was no question about who had the responsibility to make such decisions. The elders and the most able providers were the undisputed leaders and arbiters of resolving conflict." (Nungak: Inuit and Canadian justice hard to mesh", Nunatsiaq News December 4, 1992 p.17)

When asked about studying traditional ways to find reforms for the existing system, Mr. Nungak said *"what is the use of studying values that were discarded, ignored as irrelevant, and otherwise completely swamped by the imposition of a totally foreign justice system if that system will continue to operate and exist under the complete control of the dominant society."* Mr. Nungak was undecided about whether the present system could be adapted to accommodate Inuit or if a separate justice system should be adopted. (Nungak: Inuit and Canadian justice hard to mesh", Nunatsiaq News December 4, 1992 p. 17)

Simon Fraser University: Baffin Region Crime and Justice Study

In June 1990, a group of professors in the School of Criminology at Simon Fraser University received a three-year research grant to study crime and justice among Inuit in the Baffin region, NWT. The objectives of the study are:

- to research the rates and patterns of criminal activity in Baffin region;
- to find out what the Inuit political leaders and community residents think about the type and extent of crimes in their home communities;
- to find out what people working in the justice system and others in the community think about the current justice system; and
- to find what people working in criminal justice and the Inuit public think about the development of an alternative justice system and about community-based programs to address the needs of the community, victim and offender.

The research team has conducted extensive interviews with people in the Baffin communities. They have also interviewed retired and current RCMP members. The team plans to interview retired and ex-Baffin justice workers for additional information. Others involved indirectly in the administration of justice, such as social workers, nurses, doctors, priests and school teachers, will also be interviewed.

Pauktuutit's Court Challenge: An Update

The Court Challenges Program

In 1992, the federal government stopped funding the Court Challenges Program. This was a program providing access to justice for groups that wanted to defend their language and equality rights. The Program funded national cases that were considered to be of national importance. This funding provides groups with the resources they would normally not have available to fight inequality. Since the Program began in 1978, over 300 cases have been funded. These cases include some of the most significant equality rights cases to come before Canadian courts.

In 1991, Pauktuutit received approval for funding from the Court Challenges Program. Shortly before the program was cut, Pauktuutit also received an extraordinary contribution to its case funding to allow the work to include the involvement of Inuit women. Even though the program has been cut, Pauktuutit's case was one of the few that had its funding guaranteed.

The case is now into the second phase, which is preparing for court. This involves developing the legal arguments in more detail and continuing research on the appropriate remedies that should be sought from the Court.

Pauktuutit's Case

Section 7 of the Charter of Rights and Freedoms says:

"Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

Section 15(1) of the Charter of Rights and Freedoms says:

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

In 1991, Pauktuutit received funding from the Court Challenges Program to bring a legal case before the courts. In this case, **Pauktuutit will argue that judges in the NWT are violating Sections 7 and 15(1) Charter rights of Inuit women when the judges give offenders, who are found guilty of sexually assaulting Inuit women, lenient sentences.**

This court challenge is of great concern to Pauktuutit and is a priority of the organization. It will have a significant impact on Inuit women living in the North.

The Advisory Committee

Based on the significance of this case for Inuit women, Pauktuutit wanted to allow more time for Inuit women to be involved in the preparation of the case and participation in the trial. In order to ensure this case remains under the direction and control of Inuit women, Pauktuutit has put together an advisory committee.

The Committee members, apart from the lawyers, do not have any legal training or experience. However, their participation is necessary to ensure our work, especially the remedies (proposed legal solutions), reflects their intentions.

In the summer of 1992, a notice was posted at all Inuit organizations in Ottawa inviting Inuit women to volunteer for the Committee. Approximately ten women from or visiting the Ottawa area attended the first meeting of the Committee. The primary focus of the discussions was on the objectives of the case, including the legal remedies available and reviewing the workplan and budget for the case. A number of issues and questions arose in the first meeting and require further discussion. It is expected the next meeting of the Advisory Committee will take place early in 1993.

To ensure our case reflects the intentions of Inuit women and fully addresses, in a satisfactory manner, the number of complex legal issues raised, the development of the legal documents will take a significant amount of time. Pauktuutit anticipates having the draft legal documents developed by March 1993.

Cultural Misunderstandings

Excerpts From a Speech Presented By Martha Flaherty
To The Conference "*ACHIEVING JUSTICE: TODAY AND TOMORROW*",
September 1991, Whitehorse, Yukon

Pauktuutit is very concerned about the combined impact of culture and gender bias on Inuit women and children who have been victims of sexual or physical violence. ...

Misunderstandings based on a combination of gender and culture can have very serious consequences for women and minority cultures, particularly when the justice system is involved. Let me offer some examples. In some Inuit regions, it was quite common for parents and other close relatives to kiss the genital area of a young baby or cup a baby boy's penis in their hands. This reflect an honouring and rejoicing in the baby's gender. Many non-Inuit were uncomfortable with this practice, viewing it as inappropriate and sexual in nature. This constitutes a cultural misunderstanding.

In recent years there have been attempts by the police and others within the criminal justice system to be more sensitive to Inuit culture but unfortunately, it is difficult for outsiders to obtain a clear understanding of the nuances of a culture they are not a part of. As the northern justice system has become more open to accommodating Inuit culture (or aspects of Inuit culture), there have been instances where culture has been used as a defense against charges of child sexual abuse. We contend that this, too, is a cultural misunderstanding.

The process of describing one's cultural practices to those of another culture who have significant authority and power, such as police and judges, can become very complicated. A Pauktuutit Board member was told of a situation where an Inuk mother was concerned about the behaviour of her husband towards their young child. She felt that the father was touching the boy's penis too often and that the child, no longer a baby, was too old for this. Unable to stop the father's touching, she brought her concern to the local RCMP. After interviewing the father, the police decided that this was a cultural rather than a sexually abusive act -- despite the fact that the mother claimed his actions went far beyond what was culturally acceptable. If the police officer had been an Inuk, it is much more likely that the father's behaviour would have been viewed as inappropriate.

Perhaps it is situations such as this which have led some members of the justice system to view child sexual abuse as commonplace in Inuit society. In Pauktuutit's publication entitled Arnaik: The Views of Inuit Women on Contemporary Issues, the women participating in the study state clearly that child sexual abuse is unacceptable in Inuit society. ...

There are just too many areas in which misunderstandings can occur when people from one culture are involved in judging the behaviour of people of another cultures. Anthropologists and other experts are sometimes called upon to give evidence of cultural practices, but they, too, carry their own understanding and their own cultural perspective into their studies, no matter how hard they try to be impartial. Cultural evidence must come from the people themselves, and it is crucial that the views of women are given equal weight in defining and describing culture.

There is little doubt that the creation of an aboriginal justice system would go a long way towards resolving the many of the problems and misunderstandings which Inuit encounter under the Canadian system. However, any system which does not involve Inuit women as well as Inuit men in its design and its administration would still be biased.

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