

Justice as Healing

A Newsletter on Aboriginal Concepts of Justice

Book Review...

Return to the teachings: exploring Aboriginal justice

Rupert Ross; \$19.99 paper 0-14-025870-1, 256 pp. Viking/Penguin. September 1996

Reviewed from bound galleys by David T. Newhouse (Onondaga). Mr. Newhouse is Chair and Associate Professor of Native Studies at Trent University. This review is reprinted with permission of the author from the August 1996 issue of Quill and Quire.

In his new book, Rupert Ross, who spend 14 years working as a member of the Canadian mainstream legal system in northwestern Ontario, describes the ongoing struggle in native communities to develop a system of justice that is consistent with traditional Aboriginal teachings.

He illuminates, in a coherent and easily understandable fashion, the complex set of values, principles, goals, and practices of an Aboriginal justice system. Citing the efforts of Manitoba's Hollow Water community to deal with sexual abuse, Ross concludes that such a system can be practical and effective. Ross's work gives insight into the skillful blending of Aboriginal and Western thought that is guiding the development of contemporary native institutions, pointing out, along the way, native precedents for many issues the Canadian justice system is currently grappling with. Ross's work can be interpreted as an illustration of the results that can be achieved through thoughtful interpretation of traditional Aboriginal teachings, and as a critique of the European legal system as a major contributor to the continued social disorder of Western society.

Any illusions that one may have had about an Aboriginal justice system being easy on transgressors are dispelled by Ross's experiences. It is a system that has created a place not just for the transgressor but the transgressed and his or her community as well.

Ross's experiences with Aboriginal people's healing and teaching approach have convinced him that its principles are a solid foundation for a justice system that may indeed serve Canadian society better than its current approach. Social order, he argues, does not result from creating fear of punishment but from teaching people how to live with each other and helping them to heal themselves when they transgress.

Ross relates his ideas through a combination of narrative, in the traditional Aboriginal fashion, and as an analysis of the philosophical underpinnings of traditional teachings, in the traditional Western academic style. I find his writings accessible, devoid of much of the romanticism that surrounds many explorations of this subject, and most of all, respectful of his place as a non-Aboriginal person explaining Aboriginal thought to a non-Aboriginal audience. It does more than just describe institutional practices - it explores their underlying philosophical principles.

This is a must read book – one I'll certainly be adding to by own syllabuses. It speaks not just to Aboriginal people but to all Canadians who wish to explore the complex world of justice from Aboriginal perspectives, and to the law-and-order supporters who may see in its teachings another way.