

L'nuwita'simk

A Foundational Worldview for a L'nuwey Justice System

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A few years ago, I was at a Mawiomi (pow wow) in Eskasoni and my cousin approached me about us dancing the Koju'wa, a traditional L'nu dance. The local pow wows are now are very pan-Indian, looking like any other pow wow across Canada. Our family is one of the last families that dance the traditional dances, and I do not get many chances to dance the traditional L'nu dances, perhaps at one or two funerals a year. I told her that I had heard that in order to request a particular song or dance, you had to approach the drummers with tobacco, so off she went to offer tobacco to them.

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My cousin came back with a puzzled expression and I asked her what's wrong. She stated that the drummers gave her back the tobacco and told her that she was not allowed to dance around the drum as she was wearing jeans and not a dress. The drummers told her women had to wear dresses and that this was our Mi'kmaq law. I had never heard of such a thing and was very curious as to how they came to know this.

So I went to the drummers and asked them about this law. They stated that an elder had previously told them that women had to dance in dresses and not in jeans, leggings or pants. I asked them which elder: they could not tell me which one. They had heard it from someone who had heard from an elder somewhere. It became apparent to me that the drummers were told a "law" that was pulled out of the air and I pointed out that the traditional dress for a L'nu women is a smock worn over leggings, not jingle dresses or shawls. It is very traditional for both women and men to wear leggings or pants. This started me thinking about the source of L'nu law, how to find it and how it is expressed.

Later on, I was working as a guardian ad litem in the tribal courts in Arizona and I had to appear in a child custody case. I noted that the court was located on the reservation, the judge was Indigenous, the lawyer for the mother was Indigenous, the lawyer for the father was Indigenous, the clerk was Indigenous, the sheriff was Indigenous — but we were referring to the state of Arizona laws regarding custody. I thought, why can we not use our own legal principles to settle our disputes?

After much discussion with my sisters, who are language teachers, and other family members who are elders, in addition to reading scholarly articles by my Indigenous colleagues in legal academia, I came to this understanding of the source of L'nuwey Tplutaqan (Mi'kmaq Legal Principles), and offer this article as to how to locate it, how it is expressed and how to use it in contemporary times.

I Piskwekikm¹

Donald Marshall Jr.², an L'nu³ and the eldest son of the Kjisagamaw⁴ of the Santé Mawiomi⁵, spent eleven years in prison for a murder he did not commit.

1 "Introduction," also "to invite in." See AD Deblois, *Micmac Dictionary* (Hull: Canadian Museum of Civilization, 1996) at 69 [*Micmac Dictionary*]; JS Youngblood Henderson, *The Mikmaq Concordat* (Halifax: Fernwood, 1997) at 122 [*Mi'kmaw Concordat*].

2 Donald Marshall Jr. ("Junior") is my second cousin (once removed). He is the same Donald Marshall Jr. who fought for the treaty right to harvest eels for commercial purposes in *R v Marshall* [1999] 3 SCR 456. See also *R v Marshall* [1999] 3 SCR 533.

3 I have chosen to use the original name of my people: L'nu. This means "The People of the Same Tongue." It denotes a group of people who have experienced the same forces of the ecology and have a shared cognitive solidarity. The L'nu are also known as the Micmac or Mi'kmaq, words derived from the word Ni'kmaq, which means "My Kin-Friends." I am using the Francis-Smith orthography in the spelling of L'nu words used in this paper. See *The Micmac Grammar of Father Pacifique Memoir 7*, translated and retranscribed by J Hewson & B Francis (Winnipeg: Algonquian and Iroquoian Linguistics, 1990) at ii [*Micmac Grammar*].

4 "Grand Chief." See *Micmac Dictionary*, *supra* note 1 at 34.

5 Meaning "The Grand Council of the Mi'kmaq"; also means "The Holy Gathering." See *Micmac Dictionary* at 42 for the definition of *Mawiyo'mi*. The late Alexander Denny, Kji-Keptin of the Mi'kmaq Grand Council, used the term to refer to the Grand Council in *The Mi'kmaw Concordat* at 10.

A Royal Commission⁶ set up to examine Junior's prosecution shook up the entire legal system in Nova Scotia, with many of the recommendations breaking ground by addressing specific L'nu concerns. Though several of these recommendations have been acted on, much more needs to be done. One recommendation largely ignored to date is the development of L'nuwey⁷ justice institutions⁸. The lack of progress reflects the difficulty of the Canadian justice system in understanding what L'nuwey Tplutaqan⁹ is and how it can be used as a foundation for the development of contemporary L'nuwey justice institutions.

Unable to see outside its Eurocentric worldview, the Canadian justice system believes that merely tinkering with the status quo, rather than accommodating the development of a separate L'nu justice system, will address the concerns the L'nu have and their desire to proceed on the road to self-determination.

The L'nuk have been asking for assistance in reclaiming and adapting their traditional legal concepts and practices¹⁰ and are now ready to begin the next logical step in the process: developing a contemporary L'nu justice system. A significant amount of work has to be undertaken by both the colonial Canadian justice system and the long-marginalized L'nu before this aspiration becomes a reality. The Canadian justice system has to begin to understand the source of L'nuwey Tplutaqan. This source, radically distinct from its own Eurocentric mindset, is the L'nuwey worldview, defined most basically as the sounds and sights of the sacred L'nu ecological spaces.

Conversely, for the L'nu, contemporary L'nuwey justice systems which comprehensively restore L'nuwey Tplutaqan can only be built on the foundation of the L'nuwey worldview. Most importantly, as we shall see, this means protecting both the L'nu language and its central practice of storytelling, for it is in the language, stories and ceremonies that the L'nu Tplutaqan is fully expressed.

This paper attempts, in a small and brief way, to illustrate the L'nu worldview, consider its primary modes of expression, and identify the traditional L'nuwey Tplutaqan flowing from this rich and deep source. These L'nu Tplutaqan are then incorporated into a model which can serve as the developmental basis of L'nuwey justice institutions such as tribal courts and family group conferencing circles, and in the development of tribal constitutions. This approach is offered as a modest contribution to a larger process of self-determination, a journey towards a de-colonized relationship between the L'nu and the Canadian justice system.

II An Indigenous Worldview

An Indigenous worldview is how a particular group of Indigenous people express and experience their relationship with the ecological realities around them: how they view the world they inhabit, the places they shape and are

6 See *The Royal Commission on the Donald Marshall Jr., Prosecution: commissioners' report: findings and recommendations*, vol 1 (Halifax: The Commission, 1989) paras 2 and 3 at 11.

7 "It belongs to the L'nu" or "The way the L'nu think, behave or do something." See *Micmac Dictionary*, *supra* note 1 at 38. Note also that *L'nu* is singular and *L'nuk* is plural.

8 *Ibid* paras 2–3 at 11.

9 "The laws of the L'nu". *Micmac Dictionary*, *supra* note 1 at 88.

10 See A Denny, "Beyond the Marshall Inquiry: An Alternative Mi'kmaq Worldview and Justice System" in J Mannelle, ed, *Elusive Justice: Beyond the Marshall Inquiry* (Halifax: Fernwood, 1992) 103 at 106 ["Alternative Mi'kmaq Worldview"].

shaped by.¹¹ Akin to a vision or picture¹², an Indigenous worldview can also be seen as the *cognitive solidarity* or unifying force of a particular group¹³, though individuals within the group may have differing interpretations of that shared perspective.¹⁴ Essentially, an Indigenous worldview articulates and helps to sustain relationships of place and time between a particular group and its ecology.¹⁵ There are, of course, many different worldviews and as many methods of deriving and adapting them.

A number of worldviews can share a particular ecological space, reflecting the different relationships groups can establish with the life forces around them. Although it is dangerous to generalize, Indigenous peoples, for the most part, share a commonality in the constitution and expression of their worldviews.¹⁶ Indigenous peoples think, act, behave, and organize their governance institutions on the basis of a relationship to their ecology inherently different from many other groups.

To fully understand an Indigenous worldview, it is necessary to approach “ecology” as a series of realms or spheres enfolded within or linked to each other.¹⁷ An Indigenous worldview can be defined as a practiced attunement — conceptual, experiential and even linguistic — to the different but interlocking life forces¹⁸ around them.¹⁹ Each realm within the ecology shares space with the others, creating the necessity for establishing relationships with each other that are sacred in nature.²⁰ Humans are no exception, sharing particular spaces or realms with plants, animals and other life forces, just as plants and animals share realm-space with fishes, fungi, and bacteria. For example, according to this model air shares “breathing space” with spiritual life forces, in turn inhabiting and energizing the human realm. All of these life forms seek relationships or alliances with others.²¹

Most, if not all, Indigenous worldviews are highly sensitized to the life forces intersecting various realms in the ecology.²² This perception generates the foundational tenet that all life forces are sacred and connected.²³ Ecology, thus comprehended, *is* relationship, a culturally verified vision of all things in

11 See JS Youngblood Henderson, “Ayukpachi: Empowering Aboriginal Thought” in Marie Battiste, ed, *Reclaiming Indigenous Voices and Vision* (Vancouver: UBC Press, 2000) [“Ayukpachi”] 248 at 252.

12 See *Mi'kmaw Concordat*, *supra* note 1 at 22.

13 See M Battiste, “Nikanikinutmaqñ” in *Mi'kmaw Concordat*, *ibid* at 13 [“Nikanikinutmaqñ”].

14 See L Littlebear, “Jagged Worldviews Colliding” in Battiste, *supra* note 11 at 77 [“Jagged”].

15 See generally JS Youngblood Henderson, “Mi'kmaw Tenure in Atlantic Canada” (1995) 18 Dal LJ 196 [“Mi'kmaw Tenure”].

16 Littlebear posits that one of the effects of colonization is that the worldview of Indigenous peoples is jagged and that no one person can fully claim to have an pure Indigenous worldview. See “Jagged”, *supra* note 14 at 84–85.

17 See “Ayukpachi”, *supra* note 11 at 258.

18 One of the teachings of the L'nu is that life forms will decay but the life forces will continue. “Nikanikinutmaqñ”, *supra* note 13 at 15.

19 See “Ayukpachi”, *supra* note 11 at 259.

20 Youngblood Henderson states that the “...sacred order in which the Mi'kmaq live is expressed as a mutually sustaining ecological relationship.” See “Ayukpachi”, *ibid* at 257.

21 See generally “Nikanikinutmaqñ”, *supra* note 13 at 15.

22 *Ibid*.

23 *Ibid*.

creation as a *network* of entities, encoding and reflecting (to varying degrees of animacy) an underlying sacred energy or “great spirit”.²⁴

Everything involved in this creative network has a spirit and is in constant motion, embodying a theory of form-in-flux — emphasizing the flux underlying form²⁵ — and explaining the profound belief Indigenous people have that everything can be viewed in a holistic and cyclical manner.²⁶ For this reason, space is considered by Indigenous peoples to be more important than time. Time is just part of the flux of the realm, itself a form space takes. It is the underlying spirit, present in all aspects of creation, that is accorded conceptual priority and the highest reverence.²⁷

Understanding Indigenous concepts of law, social order and identity will never be possible without understanding the basis of Indigenous ecology: knowledgeable respect for all life forces and the relationships of balance they continually act to create and maintain.²⁸ It is cognizance of these relationships which in turn create and maintain Indigenous thought, languages, stories and ceremonies.

Since the Indigenous worldview exemplifies the “spatial consciousness”²⁹ appropriate to an ecology of form-in-flux, it can best be understood in terms of process, as a way of thinking in terms of actions rather than things. For many Indigenous groups, this mode of thought — thought itself as flow or flux — is reflected in their languages whose verb systems are built on evidentiality. Evidential verbal systems code not for event and time of event, but code within their verbs how the speaker and the person spoken to came to experience and know of their knowledge. This is a cognitive linguistic framework of knowledge relationships, correspondingly fundamental to Indigenous ceremonies, traditions, stories and customs.³⁰ The focus is not on the thing or event, but on how one *comes to know* (of an event). This is very different from the verbal systems of many of the Indo-European languages, which set up a cognitive focus on coding an event (an *entity*) within a time frame of past or future; experiential relationships of speakers and listeners are not grammatically coded or of relevance; the completion or non-completion of the event or thing within a time frame is linguistically foregrounded.³¹

24 See “Jagged”, *supra* note 14 at 78.

25 The theory of flux asserts that all life forms have a spirit and are in constant motion throughout each of the sacred realms that are enfolded within each other. This constant motion creates repetitive patterns that can only be seen by looking at the totality rather than the product of the motion. This theory of flux in the sacred realms is mirrored in the process- or action-based Algonquian languages. *Ibid.*

26 *Ibid.*

27 *Ibid.*

28 See “Ayukpachi”, *supra* note 11 at 252–253.

29 See “Mi'kmaw Tenure”, *supra* note 15 at 219.

30 See S Inglis, *Mi'kmaq 190 Course Materials* (Mi'kmaq Studies, University College of Cape Breton, 1996) [unpublished] at 9 [*Mi'kmaq 190*].

31 See S Inglis, “400 years of linguistic contact between the Mi'kmaq and the English and the interchange of two world views” (2004) 24(2) *Canadian Journal of Native Studies* 389.

L'nuwita'simk³²

Like many other Indigenous peoples, the L'nu people have a distinctive worldview derived from long and deep ecological experience, the ecological sounds of the life forces³³ around them. For the L'nu, ecology *is* Mi'kma'kik,³⁴ their sacred places in the vast northeast woodlands of Turtle Island (North America).

The L'nuwey worldview can be found not only when- and wherever the language is spoken, but when- and wherever two or more L'nu come together³⁵ in mutual understanding of the sacred realms of Mi'kma'kik. Central to this understanding is the conviction that every life force contains a mixture of good and bad.³⁶ All beings contain both, which is a tension driving the constant search for balance and relationship within and between all realms. The L'nu have learned through observation and by lessons handed down from their ancestors, particularly in the form of stories, how to live in harmony with themselves and other life forces.³⁷ The teachings, stories, values, customs, knowledge and L'nuita'simk³⁸ are all derived from these basic ecological first principles.

The L'nu believe that all past and present relationships between the realms are encoded in the flux of the L'nu language.³⁹ Such language is sacred, transmitting and preserving the original vital links and alliances the Sa'qwe'ji'jk⁴⁰ established with other life forces.⁴¹ L'nuwi'simk is the rope that binds the L'nu

32 “To think like an L'nu.” An example of a polysynthetic language wherein one word equals a sentence: to the root *L'nu* is added the verb final *-ita'si* and to this is added the progressive verb ending *-mk* to create the word *L'nuita'simk* meaning “to think like an L'nu”. No references or dictionaries have this word, but fluent speakers will have no problem understanding it, or attaching prefixes or suffixes to root words to create precise meanings.

33 See “Nikaniknutmaq”, *supra* note 13 at 13.

34 The traditional territory of the L'nu covers the area known today as Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, the Gaspé peninsula of Quebec, and Northern Maine. See Daniel N Paul, *We Were Not The Savages: Collision between European and Native American Civilizations*, 3rd ed (Halifax: Fernwood, 2006) at 10–11 [*Not Savages*].

35 Just recently I had a visitor from my reserve come to Tucson to visit his sister. The L'nu have a series of mutual obligations that arise whenever an L'nu arrives in strange territory. An L'nu has an obligation to provide hospitality, especially if the visitor is part of the family unit. His family contacted me to request that I offer hospitality and ensure his safety while he was travelling in unknown territory. I thought that he was not a member of my clan nor had any kinship relations to me, but upon arrival in Tucson he quickly stated that his father's first wife was my aunt, thus establishing a quasi-kinship relationship to me as my step-cousin. See also: E Johnson, “Mi'kmaq Tribal Consciousness” in S Inglis, J Mannelle & S Sulewski, eds, *Paqtatek* (Halifax: Garamond Press, 1991) at 24–25.

36 See RL Barsh & JB Marshall, “Mi'kmaw Constitutional Law” in BE Johansen, ed, *The Encyclopedia of Native American Legal Tradition* (Westport, Conn: Greenwood Press, 1998) 192 at 194 [“Mi'kmaw Constitutional Law”].

37 See JS Youngblood Henderson, “First Nations Legal Inheritances” (1996) 23 *Man LJ* 1 at paras 71–72 [“First Nations”].

38 “The L'nu language.” See Silas Tertius Rand, *Dictionary of the language of the Micmac Indians: who reside in Nova Scotia, New Brunswick, Prince Edward Island, Cape Breton and Newfoundland* (Halifax, NS: Nova Printing, 1888) reprinted in Silas Tertius Rand, *English-Micmac Dictionary* (New Delhi: Asian Educational Services, 1994) *sub verbo* “To speak Indian”.

39 See generally “First Nations” *supra* note 37 at para 77.

40 “The Ancient Indians”. See Ruth Holmes Whitehead, *Stories From The Six Worlds: Micmac Legends* (Halifax, NS: Nimbus, 1988) at 221.

41 It has been said that our oral traditions tell us that our way of knowing has been passed to us by past generations. See also “Nikaniknutmaq”, *supra* note 13.

to a “...deep and lasting consciousness...”⁴² with each other, profoundly and pervasively affecting how they perceive the world and their role in it.

The L’nuwey language has an evidential verbal system in nature, meaning its verbal systems code for the relational source of the speaker’s and listener’s “knowledge experience”, as opposed to the nature of the event. One could say that the L’nuwey language is knowledge-focused or experientially focused, focusing on the action, not on the object or the event being described. A polysynthetic language has a simple sentence structure and a complex word structure, where a single word can explain who is doing what to whom.⁴³ In contrast, an inflected language such as English, where the sentence structure is complex and the word structure simple, focuses on the object of the event (is the event completed or not completed, is the event taking place in the past, present or future) rather than the action of experiencing.⁴⁴

In the L’nu language, the use of pronouns is optional. The verb endings do the work of indicating who is doing what to whom. In fact, the nouns involved in the action do not even have to be mentioned, and if they are they can be placed anywhere in the sentence as the verb endings do the work of indicating who or what is interacting. When nouns are involved in relationships of direction or location, endings called *locatives* are added. This often changes the noun to a verb, allowing the locative to indicate relationships of position or locations. Prepositions or preposition-type words are not used. One does not walk “across a room” but “walks in an acrossing way”. It is *how* one experiences the “acrossing” as opposed to *what* one is going across that is the focus of the walking.⁴⁵ Besides conveying notions of number and person, verbs must also code, most importantly, for animacy.⁴⁶

The L’nuwey language is easy to change and adapt to new situations, a flexibility that reinforces the basic intuition of the L’nuwey worldview: that the sacred spaces of the ecology are in constant flux and motion. Thus the worldview can be seen as mirroring this ecological fluidity by a verb-dominated⁴⁷ polysynthetic language using evidential endings on verbs to indicate relationships between the life forces in the waters, the forests and the skies, otherwise known as the sacred ecological spaces.⁴⁸

Another way the L’nuwey worldview is expressed is through stories and ceremonies. Whatever their main theme — creation, animals, spirits, alliances, relationships, etc. — these stories are really teaching aids, meant to show the L’nu the path to “the highest form of existence”: living in harmony with the life forces active in different ecological realms.⁴⁹

The stories are set in different ecological spaces, considered by the L’nu to be different worlds. There are six such worlds: “...The World Beneath The Earth, The World Beneath The Water, The Earth World, The Ghost World, the World Above The Earth, the World Above The Sky.”⁵⁰ Others have said that the

42 See “First Nations”, *supra* note 37 at 13.

43 *Mi’kmaq 190*, *supra* note 30 at 9.

44 *Ibid* at 13.

45 Personal communication with Stephanie Inglis, 2015.

46 *Mi’kmaq 190*, *supra* note 30, supplementary notes at 8.

47 There are 3 main types of words in Mi’kmaq — nouns, verbs and particles — but most of the words are verbs. Personal communication with Stephanie Inglis, 2015.

48 See generally “Ayukpachi”, *supra* note 11 at 258.

49 See *Mi’kmaw Tenure*, *supra* note 15 at 226.

50 See RH Whitehead, *Tales from the Six Worlds: Micmac Legends* (Halifax: Nimbus, 1988) at 3 [*Micmac Legends*].

proper way of looking at these worlds is as lodges or wikwoms⁵¹: the Deep Earth Lodge, Water Lodge, Earth Lodge, Root Lodge, Ghost Lodge, Sky Lodge, Light Lodge, and the Ancestors' Lodge.⁵² Connecting and running through all the wikwoms is the same underlying life force. The structure and type of the stories, in conjunction with the linguistic structure and integrity of L'nuwi'simk, illustrate and demonstrate the value of ecological co-existence.

Finally, another way the worldview of the L'nu is expressed is in ceremony. Since the L'nu worldview views all life forces and forms as connected, each arising from and returning to the same spiritual realm, the survival of one is always *related* to that of others. A premium, therefore, is placed on diversity and difference,⁵³ an emphasis which encourages the development of respectful behaviour in dealing with other beings and forces. One of the primary duties, then, of ecologically responsible life forms such as the L'nu, is to find and foster alliances.⁵⁴

Because they view the various realms as being in constant motion, the L'nu see the energies within them as constantly requiring renewal, a demand met most effectively by renewal ceremonies, prayers and other rituals. The function of such focused activity is to maintain the relationships between life forces. Through such efforts, in turn, L'nu values and customs are renewed and developed. Each of the wikwoms has a keeper or keepers with whom agreements can be made.⁵⁵ Such agreements are often about sharing resources in a given ecology, developing a system of cooperative governance between life forces.⁵⁶

Respectful examination of the worldview of the L'nu and other Indigenous peoples is a crucial step in the de-colonization process. Both the dominant and the oppressed culture need to heal from the devastating effects of racist imperialism. Such healing will prove elusive absent reclamation of the L'nuwey worldview and language.⁵⁷ One key way to rebalance the relationship is to reincorporate traditional L'nuwey legal principles into contemporary legal praxis and institution building. Such a radical and daunting shift will require deep changes in how knowledge and reality are constructed and experienced.⁵⁸

Comprehending L'nuwey customs, laws and traditions — the fundamental cultural expressions of the worldview⁵⁹ — is a lifelong process. Immersion in the L'nuwey ecology or realm allows for an understanding of how day-to-day life can be organized around the sharing⁶⁰ of sufficient ecological space, to ensure a sense of community for every life force. A very important part of such immersion is listening to the stories.

51 "Lodges." See also *Micmac Dictionary*, *supra* note 1 at 98 *sub verbo* "wikuwom"; *Micmac Grammar*, *supra* note 3 at 278 *sub verbo* "wikuom" (meaning house, hut).

52 See *Mi'kmaw Tenure*, *supra* note 15 at 226–227.

53 See "Nikanikinuutmaq", *supra* note 13 at 15.

54 *Ibid* at para 6.

55 See *Mi'kmaw Tenure*, *supra* note 15 at 228.

56 *Ibid* at 222.

57 See "Ayukpachi", *supra* note 11 at 252. Note: The L'nu do not have a written set of laws; rather they have general "legal" principles, used primarily to restore harmony or balance in relationships between living beings. It is the interpretation of these principles that produces the "laws" necessary for the regulation of relationships.

58 See *Mi'kmaw Concordat*, *supra* note 1 at 24.

59 See "Ayukpachi", *supra* note 11 at 261.

60 See *Mi'kmaw Tenure*, *supra* note 15 at 221.

III A'tukwaqan

One of the primary ways the L'nuwey worldview is expressed is through the A'tukwaqan⁶¹ passed down from one generation to another, supplemented and complemented by a wealth of songs — many either incorporated into stories, or stories themselves — and ceremonies, many involving storytelling and singing. Thus, to listen to a storyteller sing a song at a Mawiomi⁶² is to learn part of the history of the L'nu.

One of the challenges of using stories to illustrate L'nuwey legal concepts is limited access to traditional storytellers. It was not possible to personally listen to storytellers in order to gather material for this paper. While documented stories provided a useful and valuable resource, acknowledgment must be made that they could reflect a Eurocentric bias if recorded by non-L'nu. In the past, some non-L'nu have imposed a flowery or romanticized style. For example: “The elder woman ...being somewhat skilled in the dodges of magicians, and withal somewhat of a sorceress herself was disposed to be cautious...”⁶³ The L'nu do not tell traditional stories in this way.

One non-L'nu researcher, Whitehead⁶⁴, has sought to address this problem by re-recording the stories using the language, structure and style the L'nu themselves would use. In this way, Whitehead allows the stories to express a life force of their own, recapturing the voices of the Saqo'wek L'nu⁶⁵ and so giving the reader genuine insight into the worldview of the L'nu and the norms, values and customs by which they lived. And it is in *this world* that the primary legal concepts and customary norms of behaviour can be found.

Deducing or deriving L'nuwey Tplutaqan from the stories is a relatively easy, culturally natural task for the L'nu speaker. For non-L'nu, however, especially those from the dominant European culture, the requirement — both to prepare for and respond to the stories — is no less than a de-colonization of intellect and consciousness. What matters most is to listen to (or, in the case of this paper, read) the stories themselves, either in the L'nu language or respectfully and accurately rendered in English, for example by Whitehead, rather than reading *about* them in English. In listening to the L'nu, however, we need to be aware of the L'nu conviction that the stories and songs often originated as gifts from the animals and other life forces. John Newell⁶⁶, a traditional storyteller, stated that the L'nu songs and chants were told and sung to the L'nu by the Sisipk.⁶⁷

It's logical to begin with the creation stories: the history of how the L'nu became who they are, where they came from, and how they found their sacred place in Mi'kma'kik.

61 “Stories,” the plural of A'tukwaqan. See *Micmac Dictionary*, *supra* note 1 at 7.

62 “Sacred gathering.” *Ibid* at 42.

63 See Silas Tertius Rand, *Legends of the Micmacs* (New York: Longmans, Green and Co., 1894) reprinted in Silas Tertius Rand, *Legends of the Micmacs* (New York: Johnson Reprint, 1971) at 319. See also *Micmac Legends*, *supra* note 49 at 222.

64 RH Whitehead is an ethnologist and curator at the Nova Scotia Museum in Halifax, NS. Whitehead made a similar point about how Rand and others wrote the stories in a Eurocentric style, rather than how the L'nu would say them. See also *Micmac Legends*, *ibid*.

65 “The Ancestors.”

66 John Newell was my great-great-grandfather.

67 “Birds.” See *Micmac Dictionary*, *supra* note 1 at 80. See also WD Wallis & RS Wallis, *The Micmac Indians of Eastern Canada* (Minneapolis: University of Minnesota Press, 1955) at 118 [*Micmac Indians*].

The following L'nu creation story was published by an L'nu woman⁶⁸ who received it from an L'nu man who in turn heard it from his grandmother, who had heard it from her great-grandparents.⁶⁹

L'nuwey Creation Story

On the other side of the Path of the Spirits, in ancient times, Kisu'lk⁷⁰ originated the firstborn, Niskam⁷¹, who was brought across Skite'kumujawti⁷² to light the earth. Kisu'lk also sent across the sky a bolt of lightning that created ws'tqamu⁷³ and united the life forces out of ws'tqamu to form the keeper of life known to the L'nu as Kluskap.⁷⁴ Legends recount that this guardian spirit lay naked on ws'tqamu, his limbs pointing in the four directions. In time, Kluskap became a Kinap and a Puoin,⁷⁵ a powerful teacher whose gifts and allies were great.

In another bolt of lightning came the light of fire, and with fire came the animals, birds and plants. The other life forms gradually gave Kluskap a human form. Kluskap rose from the earth and gave thanks to Kisu'lk by honouring the six directions: up, down, east, south, west and north. Kluskap then honoured a seventh direction: inward, signifying the abilities that lie within the human form.

Kisu'lk told Kluskap how he should live. Kisu'lk sent Nukumi⁷⁶ to guide Kluskap in life. Empowered by Niskam, Nukumi had come forth from a stone as an elder whose knowledge and wisdom was enfolded in L'nuwi'simk. Nukumi taught Kluskap to call upon Apistanewj⁷⁷ to speak to the guardian spirits for

68 Dr. Marie Battiste published an account of the L'nu creation story in "Nikanikikutmaqñ", *supra* note 13 at 13. Dr. Battiste is the first L'nu to receive an earned doctorate and is a professor at the University of Saskatchewan.

69 Personal correspondence from Stephen J Augustine (Ekkian). Ekkian is a curator of Ethnology at the Museum of Civilization in Ottawa and is also a Keptin of the Santé Mawiomí, the traditional government of the L'nu people.

70 "The Force That Created Us," "The Creator." See *Micmac Dictionary*, *supra* note 1 at 33.

71 In the time before contact, the L'nu had one of the gods represented by the Sun. The name for this God was *Niskam* and the name for the Sun, *Nakuset*. Today, *Niskam* means God in the Christian manner and not the God as represented by the Sun. See also *Micmac Legends*, *supra* note 49 at 8.

72 "The Milky Way" or "The Spirits' Road." See ST Rand, *English-Micmac Dictionary* (Halifax: Nova Scotia Printing Co, 1888) reprinted in (New Delhi: Asian Educational Services, 1994) at 170, *sub verbo* "Skudakumoochoowte".

73 "The earth world" or "the earth wikwom," "The World, Earth." See also *Micmac Dictionary*, *supra* note 1 at 100.

74 Kluskap is a mythological being endowed with great powers and a kindly heart. He is seen as the Guardian Being or Spirit of the L'nu. Some also assert that he is like the trickster figure in other Proto-Algonquian language tribes. Kluskap also means "The Liar". See also *Micmac Dictionary*, *supra* note 1 at 34.

75 *Kinap* and *Puoin* refer to individuals who possess supernatural powers to be used as that person wishes them to be used. See *Micmac Dictionary*, *supra* note 1 at 31 & 58, *sub verbo* "npuwowin".

76 Nukumi is Kluskap's grandmother. See also *Micmac Dictionary*, *supra* note 1 at 60.

77 Apistanewj is a marten, a personal totem of Kluskap, and a helper. See also *Micmac Dictionary*, *supra* note 1 at 4.

permission to consume other life forms to nourish human existence. Apistanewj returned to Kluskap with the spirits' permission and with songs and rituals for Kluskap to perform. Kluskap and Nukumi gave thanks to Kisu'lk, Niskam, ws'tqamuk, and to the four directions. They then feasted.

As he made his way towards understanding how people should live, Kluskap met Netawansum⁷⁸ whom Kisu'lk had made into human form from the rolling foam of the ocean that swept upon the shores and clung to the sacred sweet grass. Netawansum had the understanding of the life and strength of the underwater realms. He brought to Kluskap gifts from this realm and the ability to see for great distances. Kluskap and Nukumi again gave thanks and feasted on nuts from the trees.

Finally they met Nikanakanimqusiwsq⁷⁹, whose power lay in her ability to explain the cycles of life and foretell the future. She was born from a leaf on a tree, descended from the power and strength of Niskam, and made into human form by Kisu'lk to bring love and colour to the world. As part of the earth, she brought the strength and wisdom of the earth and knowledge of how to maintain harmony with the forces of nature.

Nukumi told Kluskap to honour and respect Nukumi's wisdom, the spiritual power of Netawansum and the strength and cycles of the earth revealed to them by Nikanakanimqusiwsq. Honour and respect for all these things would provide a way to knowledge and spirituality and in this way the people would flourish.

Kluskap, Nukumi, Netawansum and Nikanakanimqusiwsq lived together for a long time, but one day Kluskap told his mother and nephew that he and Nukumi were leaving to go north. Leaving instructions with his mother, Kluskap told of the Putuwasuwaqan⁸⁰ that would send out seven sparks, each of which would land on the ground as a man. Another seven sparks would fly out in another direction, and out of these seven sparks came seven women. Together these men and women would form seven families and would disperse into seven directions and then divide again into seven different groups.

The sparks from the fire created seven men and seven women as Kluskap had said. Like the lightning bolts that created earth and Kluskap, the life-giving sparks from the Putuwasuwaqan contained many gifts, including the gift of procreation so that

78 Netawsumk is Kluskap's nephew. It also means "To manage, to direct." See *Micmac Dictionary*, *supra* note 1 at 55.

79 Nikanakanimqusiwsq is Kluskap's mother. See "Nikanikinutmaqñ", *supra* note 13 at 14.

80 "The Great Council Fire." See "Nikanikinutmaqñ", *supra* note 13 at 14.

people could populate the earth. Like Kluskap, these first people awoke naked and lost. When Kluskap returned from his travels, they turned to him and asked how they should live. As it was Kluskap who taught them their first lessons, he is often called the “one who is speaking to you” or “the teacher-creator.” When Kluskap had to be away, Nikananimqusiwsq or Netawansum taught the people in his place.⁸¹

This is only the first part of the Creation story, but an initial analysis reveals a significant amount of information about L’nuwey Tplutaqan. First, the story introduces most of the sacred ecological spaces that are at the base of the L’nu worldview. The six worlds (the inner direction may be interpreted as the seventh world, the subconscious world) between which the characters move show the reader just how significant their interrelationship is.

In addition, a strong symbolic emphasis is placed on developing and maintaining relationships with other life forces. All of the ecological spaces have contributed to the Creation of L’nuwe'katik,⁸² and Kluskap is taught that in order to sustain himself, he must obtain consent and give thanks to the animals that gave him human life form. Through its demonstration of the value of prayers, offerings and gratitude in maintaining or restoring the balance between animals and humans, the story both inculcates a sensitivity to ecological rights and responsibilities and delineates the main premises and outlines of an Indigenous form of environmental law.

Everywhere in the story, life forms are accorded kinship relationships. Each member of the immediate and extended family has a unique role and responsibility. Themes of respect and honour indicate how individuals should treat elders, women and children. Kluskap is guided by his grandmother (illustrating the importance of elders), given gifts by his nephew and taught by his mother how to maintain relationships in different sacred spaces. Kluskap also relies on his animal helper, Apistanewj.

There is, thus, a reinforcing reciprocity in the story, stressing both the extent of individual duty owed to immediate and extended family — including the dramatically extended family of other life forms and forces — and the extent of help one can expect to receive from one’s kin and allies. Such reciprocity forms the basis of L’nuwey family law, a complex set of obligations and benefits structured around the proper treatment of women, children, elders and other (human and non-human) kin.

As many stories attest, finding allies is one of the keys to ecological health and even survival. To understand why allies are so important to the L’nu, one needs to understand the gathering of “power”. All the stories talk about power: “...how to acquire it, how to use it, how to lose it and the consequences attendant on all of the above.”⁸³ The concept, though, cannot be understood in the same way as in Eurocentric thought — generally, as oppressive domination, power *over* others — but rather as mutual empowerment, the existential solidarity of forms and forces negotiating a world of constant change and flux.

81 This story is reprinted here with permission from M Battiste, “Nikanikinutmaqñ”, *supra* note 13 at 13.

82 “Indian village (reserve)”. See *Micmac Dictionary*, *supra* note 1 at 38.

83 See *Micmac Legends*, *supra* note 49 at 13.

The L'nu stories tell about building alliances between families and groups, between L'nu and animals, and between L'nuk and spirits. Some of the more difficult alliances are built through marriages where an individual is taken out of their kin group and tested before another kin group. The stories also attest to the power of alliances between siblings. To be *without* allies is akin, many tales say, to being lost in a deep forest: powerless in a place of power.⁸⁴

Here is a story developing the theme of “gathering power” and building alliances.

Bringing Back Animals

Long ago, in the time of the Elders, a big camp of the People was nearby, on the river. This meski'k wutan was a good place, and the People stayed there all the time. They went torch fishing in the river, from their canoes. At night the whole river was bright with the light of their torches, bobbing up and down, while the People speared salmon, trout and eels. In the forest on either side of the river were many moose. The People hunted them, dried the meat, smoked it, and toasted it over the fire until it was nice and brown. The river is a good place, and the People live there content.

In this camp are two young men. They have Power. They are puoinaq, shamans. Something is calling them. A journey lies before them. They have heard something calling and they must go. “We are going to see if there are any other People in the world,” they say to all the camp. “When are you coming back?” “Ah,” they say. “We will come back after we have found some.” The two young men are talking about which way to go. “South,” says one of them. “We will go south.”

So they take their weapons, their bows and quivers of arrows. And they walk. They walk and they walk on, going south. They walk for seven days and they walk for seven days more. Their Power protects them. Nothing can kill them. Now one of those young men is sitting down. He takes out his stone pipe and packs it full of nespipaqn roots. He sucks in the nespipaqn smoke and he listens. He is listening for signs. He is listening for sounds. His Power comes up in him as he smokes.

“I taste People somewhere close,” he says, blowing smoke out into the air around his head. Slowly he raises his arm, and points. “We must go down that way.” And there before them is a wigwam. These two young men approach it. They call out. “Pjilasi,” says a voice from within, and so they enter. Inside there is a man and a woman. “Where are you from?” asks the man, after they have smoked and sat a while. “Where have you come

84 *Ibid* at 17.

walking from?" "We have come from a camp where many of the People live, a meski'k wutan," says one of the young men. "There are many wigwams there. Here I see only one."

It is a long wigwam, with a door at either end. The man inside that wigwam says, "I have lived here since the world began." He says, "I have my grandmother living with me. She has been with me since the world was made. This is a wigwam where much is done." "What kind of work do you do here?" asks one of the young men. "You will see. You will see this evening, when I begin. I cannot work now," says the man. "It is not time yet."

Then that man turns to his grandmother. He speaks to her. "Grandmother, please cook something for our guests to eat, quickly. The sun is about to go beneath the earth." The old woman is cooking moose meat and groundnuts for them. She is hurrying as fast as she can. The man is restless. He urges them to eat, and when they have finished, his grandmother gathers their bowls and spoons, she gathers her pots, and she puts them all away. "Now, my grandsons," she says to the guests, "you may lie down here, close up against the walls of the wigwam. Do not lie with your feet toward the fire now. We need space. We need room to work." And she puts out the fire.

The sun is going beneath the earth. And the man inside the wigwam begins to beat on bark, and to sing. The sun has gone beneath the earth. He beats on his birch bark drum, and he sings. He says, "I am Waisisk Ketu'muaji Ji'nm, I am Man Singing For Animals. I am singing for the animals, for all the animals, the waisisk, to come alive, to come back to life, from all those parts of them, all those wings, heads, feet, all those bones, meat, marrow, all those parts of them that have not been eaten by the People, all those parts of them that have not been eaten by other animals, all those parts of them that have been thrown away."

He sings. He sings, "Nekanisunku'l pesikwiaku'l: what belongs to my feet I am losing."

That is how his song starts. He sings and beats on the bark drum. All night long he sings, as the stars rise and pass across the dark sky above the wigwam, to sink once more beneath the earth. Now it is morning. The sun has come from beneath the earth. The man inside this wigwam stops singing at daybreak. He says to the visitors, "This is my work every night. I do not like to see the People waste anything, any part of the animal. They should treat those things with respect. They should save everything. They should save eel skins. They should save all the parts of the

animals. What they cannot save and use, they should bury with respect. They should not waste any hair or anything."

Then this man rose to his feet. He stretched himself and wriggled around a little bit. "My canoe is down on the shore," he said to his visitors, and they all went down to the shore with him. "Do you want to see the fish come?" says this man to his two guests. He takes out a whistle, a whistle made of shell and he begins to play on it. The bottom of the sea here is very clear, and they can see all kinds of fish, coming to hear the music. "These are my fish," says the man. "They have come from all those parts of fish which the People throw away on the shore. I sing for them and they come back." Then they went back to the wigwam. "Are there any more of the People around here?" They ask this man, and he tells them yes.

"Well," they say to him, "we can go home now. We have found People."

And every night this man is singing. The bones of the animals the People have put in the woods, he is singing for them to come back to life. He puts out the fire, and he sings in the dark. He takes out a moose bone and sings over it. The moose jumps out of the bone, and runs away. He takes out a caribou bone, he beats the birch bark drum, he sings to it. The caribou leaps up and runs away. He takes out the bones of mink and beaver and bear, and while he is singing, these bones burst into animals, and the animals run away. All of them come back to life. This man, Waisisk Ketu'muaji Ji'nm, the Man Who Sings For Animals, the Man Who Brings Back Animals, he makes them all live again.⁸⁵

This is a classic L'nu teaching story,⁸⁶ graphically conveying the need to treat animals with respect and to honour the sacrifices they have made. If this is not done, when the animal returns and is flesh again it will remember the treatment it received and not be so willing to give itself again to nourish the ungrateful L'nu.⁸⁷ Related to this is the issue of appropriate treatment of animal remains: the bones, flesh, and parts not used are all to be properly and respectfully handled and disposed of. This illustrates one of the primary laws of the L'nu: "The part encapsulates the whole..."⁸⁸, meaning in this case that if a piece of bone or material is still present, the animal can be restored. "Possession of

85 This story is reprinted with permission from RH Whitehead, *ibid* at 66–68. Elsie Clews Parsons, who traveled in Nova Scotia in 1923 collecting folklore from African Nova Scotia communities, collected the original version of this story during a side trip to Cape Breton. She collected this story from Isabelle Googoo Morris, who had heard it from her husband's sister-in-law (at 226).

86 *Ibid* at 226–227.

87 *Ibid*.

88 *Ibid* at 10.

the part confers Power over the whole...’’⁸⁹ is a concept central to the L’nuwey concept of *Netukulimk*, the traditional law of what might be called “natural resources management”.

The dictionary definition of *Netukulimk* refers to “provisioning”⁹⁰; others define it more specifically as “the use of the natural bounty provided by the Creator for the self-support and well-being of the individual and the community at large.”⁹¹ *Netukulimk*, as treated in the story, tells the listener what resources can be prudently taken from nature, and how and when the “harvest” should occur.

The account echoes the Creation story in stressing the prime role (and generosity) of animal life: just as Kluskap obtained human form through the animals, so all humans maintain their form only in balance with the animals.

One of the sub-lessons in the story — as in very many L’nu tales — concerns the great power and importance of alliance between siblings. Here, two brothers, possessing some Power, venture into the deep forest to obtain more. In the process, they are transformed, using their newfound knowledge to help the L’nu. As ever, knowledge is to be reserved for the good of the community and not the self. Knowledge may be power, as the saying goes, but it should never be used to *disempower* others.

For the L’nu, the deep forest — the place the brothers go to gather Power⁹² — is also a place of great danger, negotiable only with allies. The kinship relationship between the brothers generates the Power needed to allow them to move deep into the forest, where they encounter even more powerful supernatural beings and teachers.

As in nature, so in the story: kinship is all. The brothers are related, the supernatural man (who may be Kluskap, known to change shape and appear as someone else) lives with his grandmother, and the old woman refers to the guests as her grandsons. Fostering such links between individuals and their immediate and extended families is key to achieving individual and communal well-being.

Social etiquette is also taught in the story — how to treat visitors, how to introduce yourself in a new wutan, when to perform particular ceremonies — providing practical advice to the audience, traditionally including many unmarried young men. These men, unburdened with the responsibilities of marriage or child-rearing, would be free to travel far and wide and thus needed instruction on proper manners when meeting other L’nu or other Indigenous people.

Both the Creation and Teaching stories presented above are set in ancient times, long before contact with Europeans. What about post-contact stories?

Like the sacred ecological spaces themselves, L’nuwey stories are fluid, capable of adapting to dramatically changing circumstances. Many stories now incorporate outside influences such as Christianity or medieval fairy tales. Can these stories still inform and teach the reader (or listener) about L’nuwey Tplutaqan? The answer is yes: while the story’s main elements, characters and mode

89 *Ibid* at 13.

90 See *Micmac Dictionary*, *supra* note 1 at 55. See also Albert D DeBlois & Alphonse Metallic, *Micmac Lexicon, National Museum of Man Mercury Series: Canadian Ethnology Service Paper No 91* (Ottawa: National Museums of Canada, 1984).

91 See generally Micmac Grand Council et al, *Mi’kmaq Treaty Handbook* (Sydney: Native Communications Society of Nova Scotia, 1987).

92 See *Micmac Legends*, *supra* note 49 at 7.

of narration can all change⁹³, this reflects, rather than refutes, the flux-in-form philosophy of the L'nu and indeed the structure and functioning of the L'nuwey language. What remains constant — like the spiritual energy underlying all life forms and forces — is the purpose of the stories: to remind and teach the L'nu how to establish and maintain relationships in the sacred ecological spaces.

The following story is an example of how the stories can be used in a modern day context.

Nujintus⁹⁴

Our aunt was known as a great medicine woman. She was able to cure many diseases including cancer. And she was known as a good midwife. But she was also known, among women, as having a special knack for curing women's illness, especially illnesses that only happen to women. She had Power. She wasn't always like this. Before she was married, she helped take care of her nephews and nieces of which there were many. Her sisters were all married and bore many children. In those days, a young girl was not considered a woman until she was married and had her first child. A boy is not considered a man until he has killed his first moose. Now this woman, our aunt, became engaged to this man. This was the time when they stopped doing bride service where a man had to live with his in-laws for a year prior to marriage.

After they were married for a while, our aunt was not with child. She began to fret, to worry about this, wondering what will all the other women think, that she was not a real woman. Her sisters began to wonder what was wrong. To take her mind off of the problem, she took a job as a hospital worker cleaning the maternity wards. This only made the situation worse. She saw other women with babies every day and knew that she was not able to have her own children. She told her husband that she must be barren and that it would be all right for him to leave her. Her husband left, not because she was barren but because she was getting ill from thinking about her illness. Our aunt could not stop thinking about it and became very depressed. The other women told her to take her mind off it and to keep working. Our aunt moved up in the hospital and became a nurse's aid, learning about how to take care of women and helped the doctors. She also became a translator for the L'nu in the hospital.

After several more years, our aunt became more depressed, so much so that she could not work at the hospital anymore. She returned home where her illness became worse. Our aunt became like an animal, grunting, yelling, screaming at the top of her lungs,

93 See *Micmac Legends*, *supra* note 49 at 2.

94 A person who is barren or sterile. See also *Micmac Dictionary*, *supra* note 1 at 59.

running down the road and scaring everyone on the reserve. She pulled at her hair, pulled it out in clumps and scratched her skin until it bled, especially the inside of her legs. She showed everyone her legs and told them that she bled like a real woman. She was getting worse.

The community was scared, didn't know what to do. So they gathered and talked about what they could do. Some said she must leave while others spoke about her problems. Her husband said that she could not have children and this bothered her because it made her feel less than the other women. An old woman spoke and said, "Our aunt has Power but she doesn't know it. We will go to her with our problems; all the women will go to her and ask her to help them with women's illnesses. She will become our doctor".

So all the women started going to her and asking her for help. Our aunt was bewildered at first but she thought about all the times she helped the doctor and told the women what to do. She thought about her grandmothers and what medicines they gathered and she told the women what plants are good for what. The women also went to her when they were pregnant and she helped them give birth. Our aunt knew what plants to use to stop miscarriages and save the babies.

Our aunt stopped yelling, pulling out her hair, scratching herself and scaring everyone on the reserve. Over time, she became very well-known and respected for her knowledge of women, babies, and illnesses. She cured many people from the deadliest diseases. Our aunt was a respected and loved elder of the community. Our aunt also raised several orphans who considered her their mother.⁹⁵

As with the most ancient and revered of stories, this very modern tale is intended to teach and illustrate some of the L'nuwey Tplutaqan regarding proper behaviour in a community, the primary lesson being that everyone has gifts, skills and a valuable role to play. The Aunt *thought* her role was to be like all the other women: to marry and have children. She could not accept the fact she was "barren." In focusing on this one aspect of her life, the spiritual space within her and the ecological space around her became unbalanced and disharmony arose. In demonstrating the unique (if sometimes unconventional) value and place of each individual, the story sends a very strong message to community members about how to perceive and appreciate the differences in their midst.

95 This story is not published or documented anywhere. I knew the person referred to in the story personally; she died when I was a young boy. The story was not told to me until recently when I was learning about herbal medicines. I was told that she was a very powerful medicine woman and could cure all kinds of diseases.

The traditional theme of Power is also noticeable. We learn that the Aunt's Power, which appeared originally through her siblings' relationships and through taking care of her nieces and nephews, was lost when she concentrated solely on trying to become a mother. So, as in the most venerable myths, she has to go on a journey, into the deep "forest" of medicine and hospitals where she acquires new Power and is transformed into something initially dangerous to the community. The communal challenge then becomes twofold: restoring balance to the Aunt and harnessing her Power to the general good. The story is an example of how a story "can stand as a metaphor for the integration of the individual, as well as one for the integration of the group"⁹⁶ through compassionate and respectful group action.

In sum, storytelling is a powerful means of cultural transmission of Indigenous knowledge and heritage, deployed not only to tell the histories of individuals, families and communities⁹⁷, but more ambitiously to inform the listener about the act of creation by looking back in time. Indeed, such storytelling is in this sense an authentic cultural form of "time travel".⁹⁸

Stories of Power, such as the three we have considered, can teach the individual about the structure of the universe, explaining both natural occurrences and animal behaviours. They explore and reflect how the L'nu think and behave in their world, actually composed of the six worlds (and possibly a subconscious seventh).

Finally, from the stories come lessons on how to behave and establish alliances and relationships across the six worlds. From these lessons we can see that the L'nuwey Tplutaqan are still very much a part of the lives of the L'nu people. And by listening to the stories as best they can, the non-L'nu listener or reader can begin to learn how the L'nu think and what they value, and can hopefully even come to see what they see, know the laws as they know them, understand the sacred ecological spaces as they do.

IV L'nuwi'simk

Another way to find the L'nuwey Tplutaqan is to examine the language and key phrases directly related to the traditional laws.

The L'nu language is the place the L'nu worldview lives, its "polysynthetic" variety of prefixes, suffixes, locatives and numerous other word-parts making it not only an expressive vehicle of astonishing fluidity and constant change but an example — linguistic proof, one might say — of the sacred creativity it describes. This "miracle" is easy, the L'nu say, to explain: the language is actually derived from the sounds and rhythms of ecology, nature in action. The L'nu can thus not only fluently but naturally communicate ideas, thoughts, perspectives, values, needs, and desires with each other and other life forces.

For this reason, even everyday phrases and conversation can shine light on the traditional laws and lifeways of the L'nu. What needs always to be remembered is the *purpose* of communication: establishing and maintaining relation-

96 See *Micmac Legends*, *supra* note 49 at 18.

97 See RM Leavitt, *Maliseet & Micmac: First Nations of the Maritimes* (Fredericton: New Ireland Press, 1995) at 15.

98 Using stories to look back into time is similar to using a telescope to look into the galaxies — both are really going back into time. The telescope is looking at light that was produced at an earlier time because light travels at a certain speed through the Universe that is constantly expanding, as postulated by the Big Bang theory. See also S Hawking, *The Universe in a Nutshell* (New York: Bantam Books, 2001) at 36–37.

ships with the life forms and forces in question. As with the language, so with the laws: they exist in order to *connect*, to help the people relate to each other and the world(s) around them.

When two or more L'nu meet, they do so in a particular way. Many contemporary L'nu might not think of the process as a ceremony, though on reflection they may agree it forms part of the character (worldview?) of being L'nu. The traditional greeting is "Kwe" — but only as the prelude to a two-stage inquiry.

First, when meeting either another L'nu or a stranger, L'nu need to establish a point of relationship. The easiest and quickest way is to determine any family connection. Often the first question is, "Wenik n'nki'kuk?" ("Who are your parents?") If the parents are not known to the questioner, other possible connections are explored; for example, "Do you know so-and-so from your reserve?" The purpose is to establish a point of reference so that a relationship can be developed between the participants.

If and when some kind of relationship has been established, the second part of the greeting "ceremony" begins. This is the establishment of a foundational point in the relationship so that any future meetings can have a reference that will be used to renew the relationship. Up to a generation ago, it was considered very rude to introduce another person by name rather clarifying the person's relationship to you: "This is my sister, my brother, my mother, father, aunt, uncle, godchild, grandmother, etc." This was done to properly locate and respectfully welcome the individual *into a network of relationships*.

Some of the more common terms are⁹⁹:

Nkwe'ji'j — my younger sister	Nsukwis — my aunt
Nmis — my older sister	Nilmus — my sister-/brother-in-law (opposite sex)
Ntus — my daughter	Nkwis — my son
No'kmaw — my cousin	Nuluks — my nephew
Nsim — my niece	Nsi's — my older brother
Nklnikn — my godchild	Njiknam — my younger brother
Nuji'j — my granddaughter	Nitap — my male friend
Nitape'skw — my female friend	Ntlpa'tem — my boyfriend
Nkij — my mother	Nutj — my father
Nte'pitem — my wife	Niskamij — my grandfather (traditional form)
Nukumij — my grandmother (traditional form)	Nmaqtam — my brother-in-law (same sex)
Nmaqtqam — my sister-in-law (same sex)	Njilj — my father-in-law (traditional form)
Nkekkunit — my godparent	Nji'numum — my husband
Njukwiji'j — my mother-in-law (traditional form)	

Although the use of kinship terms is fundamental to the interaction of all L'nu people, their use is specifically designed to help children learn their roles and responsibilities — and to appreciate the depth and breadth of help and support available to them. The L'nu believe that if you know how you are related to others, you will know how to honour and respect them — and, by logical extension, their family, belongings and property.

In trying to identify L'nuwey Tplutaqan, then, one of the first areas to explore is the use of relationship terms. Most would be immediately recogniz-

99 See M Battiste, *Ntui'katikn: Mi'kmaq Sentence Pattern Picture Dictionary* (Eskasoni, NS: Eskasoni School Board, 1989).

able by L'nu speakers, though others have changed in use and meaning. For example, Nukumij no longer means “grandmother” but now means “mother-in-law”, while the term “older brother”, Njiknam, is quickly replacing Nsi's. The term itself, of course, is never as important as its social significance and function.

In this and so many other ways, the use of the language affords us a glimpse into the L'nu worldview and so helps determine the principles of L'nuwey Tplutaqan. A related method is to explore particular words directly linked to the concepts and practice of traditional justice. At first glance, some of these words seem unrelated to any Eurocentric legal system or ethos, but this is precisely the point: the words tell us, if we know how to listen, about a different “law and order” worldview in which the goal of justice is not individual punishment or retribution but the restoration of communal balance and harmony.

Some important research in this neglected field has already been undertaken. The Union of Nova Scotia Indians conducted a research project in which a distinguished L'nu linguist, Bernard Francis¹⁰⁰, was asked “...to explore the concepts of justice embedded in the language.”¹⁰¹ Francis found four instances of this:

Ilsutekek:¹⁰² To make right, to judge correctly according to the nature of the misdeed or injury.

Wi'kupaltimk:¹⁰³ A feast, a ceremony of reconciliation.

Apiksiktuek:¹⁰⁴ That which forgives

Nijketekek:¹⁰⁵ That which heals.

Read in isolation from the L'nu worldview, only one of these terms — *Ilsutekek* — is related to justice in a Eurocentric way. Through the prism of the L'nu worldview, however, the centrality of balance and harmony — “correction”, as the recovery of correct relationship — begins to emerge, together with an emphasis on the importance of story, song, ritual and ceremony in reaching this goal.

In fact, although the words selected by Mr. Francis are indeed fundamental, within the L'nu language there are several *hundred* terms used to denote traditional justice concepts. Many remain common words, some have fallen into abeyance, the meaning of others has changed in response to changes in the dominant culture. The word for executioner, for example — itself, of course, a concept introduced by Europeans — is no longer used by the L'nu, while the word (or words) for lawyer are coming back into vogue (perhaps as a direct result of more L'nu becoming lawyers). To list all of the words used to convey traditional justice concepts would be a Herculean task. Instead, though further research is needed, a few have been selected to illustrate the main legal principles guiding the traditional L'nuwey Tplutaqan:

100 Mr. Francis is one of the co-developers of the Francis-Smith Mi'kmaq Orthography that is used by various L'nu communities in Nova Scotia. See also *Micmac Grammar*, *supra* note 3.

101 See *Mi'kmaq Constitutional Law*, *supra* note 36 at 195.

102 It can also mean to plan or to give orders. See *Micmac Dictionary*, *supra* note 1 at 19.

103 *Ibid* at 97. DeBlois defines it as “honouring ceremony” and spells it *Wikipaltimk* using the Listuguj orthography.

104 *Ibid* at 4. DeBlois defines it as “to forgive, pardon, to overlook an offense”.

105 From the root word *Njikit*, meaning to heal. See *Micmac Dictionary*, *supra* note 1 at 56.

Mawiomí:¹⁰⁶ “a formal gathering.” Examples include a traditional powwow, a religious (Christian) festival, feast or political gathering. Every mawiomí brings the L’nu together in ceremony to discuss issues — local, regional, national, global — of common concern. The traditional St. Anne’s Day celebration at Potlotek, for example, is when the Santé Mawiomí meets to debate policy and agree on priorities.

Nujo’teket:¹⁰⁷ “witnessing.” In contemporary usage, this term is generally restricted to the sense of witnessing a wedding ceremony. Traditionally, however, it referred to the need for any solemn agreement to be formally witnessed and subsequently recorded and transmitted to future generations through oral tradition and stories.

Pojjimk:¹⁰⁸ “to deal harshly with.” Usually pojjimk constituted a type of banishment order, issued when disagreements between individuals (usually closely related) could not, for emotional or other reasons, be amicably resolved. Generally one of the parties would leave the immediate vicinity of the other —often voluntarily — so that a healing space was allowed to develop.

Malikimk:¹⁰⁹ “to mock, to tease.” The L’nu use malikimk as a form of social control, aimed at restoring proper, respectful relations between all members of a family unit. The teasing can range from the gentle — when, for example, a L’nu mispronounces a word or uses the wrong phrase — to (far more rarely) the harsh — inflicting humiliation on an individual deemed to have profoundly betrayed or brought discredit on the community. Malikimk thus has a preventative aspect, as most L’nu would think twice about behaving in a manner likely to be mocked and derided.

Lutmaqan:¹¹⁰ “gossip.” Another form of traditionally effective social control, gossip remains a common means of reinforcing self-discipline around personal conduct, instilling an awareness that individual acts do not take place in a vacuum, and that behaviour unbecoming to a L’nu will not go unnoticed or uncriticized. In the past, people talked about daily events around the campfire; today, it’s mainly over a cup of tea.

Ntaqo’qon:¹¹¹ “shame or disgrace.” A family member would use this phrase to emphasize the regrettable consequences — the social stigma — of particular actions taken by another family member. In the L’nu worldview, there is no concept of individual guilt; when one family member is guilty of something, the entire family is seen — and sees itself — as guilty, as having failed to live up to the high standards expected of a well-ordered and mutually supportive L’nu unit. Thus, all families have a vested interest in maintaining proper behaviour and working to help any members showing signs of veering from the proper path.

Ankweyaq:¹¹² “to take care of, to bring up as your own.” This word is used with reference to foster families in L’nu communities. Foster children are raised as part of the family, treated no differently from other children, but always reminded of who their kin relations are. There is no closed adoption in L’nu

106 *Supra* note 5.

107 See *Micmac Dictionary*, *supra* note 1 at 59.

108 *Ibid* at 71.

109 *Ibid* at 40.

110 *Ibid* at 35. Note, in Unama’ki (Cape Breton) the word used is *Wiskowa’taqan*.

111 *Ibid* at 58.

112 *Ibid* at 4.

communities: children know who their biological parents are and can seek a relationship with them if they wish (and circumstances permit). In such cases, the biological parents typically play a minimal role and the foster parents are accorded quiet but significant recognition of the lead taken in raising the children.

Kekkunawet.¹¹³ “to become a godparent.” The Kekkunet is a surrogate parent and has a special relationship with the child. If the Kekkunet has children of his or her own, the godchild recognizes those children as god-brothers or god-sisters. This kinship relationship system is also used to create alliances with individuals who are not part of the immediate or extended family. The Kekkunet can be also called upon to help raise and counsel the child throughout its life. The legendary power, authority and persuasiveness of a Kekkunet are key to understanding the relevance of L'nuwey Tplutaqan to contemporary social dynamics.

A'nus'tumakwek.¹¹⁴ loosely defined as “they have experienced the pain that they have caused.” This concept is used to convey the terrible consequences entailed in upsetting the harmony and balance of the sacred spaces, and to stress the indispensable role of rituals, ceremonies and appeasements in restoring human-ecological equilibrium before even greater tragedy strikes. For example, if you have caused the death of another individual without then attempting to restore balance and harmony in your relationships with the deceased's family, your own family may experience a similar pain or loss. A'nus'tumakwek builds upon the concept of Peji'tnmat, the insistence that all animate objects have a life force deserving of respect and honour. L'nu, for example, are warned to treat not just disabled people but crutches and wheelchairs with respect; if they do not, ‘fate’ may show a similar, disabling disrespect to them.

These are just some of the words and phrases in the L'nu language which reflect and encode traditional concepts of proper conduct. While all of them put a premium on the restoration of balance and harmony in the sacred spaces — and thus, in human-nonhuman relations — some of them relate to ceremonies while others refer to behaviour modification.

It should now be clear that correct use of the L'nuwey language in determining “laws” is impossible without a clear understanding of the L'nuwey worldview, while conversely, deep knowledge of that worldview is impossible without working knowledge of the language. As we have seen, traditional L'nuwey Tplutaqan can be found in the stories, language and ceremonies of the L'nu.

Yet while this cultural and linguistic treasury remains, the effects of colonization have been devastating: eroding, obscuring, displacing and trivializing the traditional teachings and lifeways. How do the L'nu begin to restore and reclaim the Tplutaqan? First and foremost, by returning contemporary legal institutions to the path of traditional conflict resolution.

113 *Ibid* at 25.

114 This word is not found in any dictionary but is used by fluent speakers to convey the meaning of the word. I first heard this word used in a sentencing circle held in a reserve and, although I had not heard it before, as a fluent L'nu speaker I knew what it meant.

V Traditional Dispute Resolution Process

The L'nuwey worldview and its ancient dispute-resolution processes served the L'nu for thousands of years before contact and can serve them again in contemporary society. The desire of the L'nu people is for a traditional justice system operating alongside the mainstream justice system.¹¹⁵ What will this traditional system look like, and how can it hope to be both incorporated into L'nu society and duly recognized by the dominant society?

It is, first, important to register the horrendous extent to which the L'nu, like many other First Nation groups, have been culturally assaulted and impoverished by the forces of colonization. Today, there are many L'nu who do not know their language or culture or traditions — what “correct conduct” is — and so borrow freely from other cultures. To truly build a contemporary L'nuwey justice system it will be necessary *not* to lean or depend on other legal systems and concepts, but rather to look deeply into L'nu culture and language.¹¹⁶

“Looking deeply” in this context means reclaiming and adapting traditional L'nu concepts and approaches to meet the demands and requirements of a post-colonial L'nu legal order. As stressed above, this research must begin with an in-depth analysis of the L'nu language, the primary transmission vehicle of cultural values and customs. Whether the words and stories tell of prevention, correction, restitution, restoration or responsibility, the L'nu language and ceremonies are replete with knowledge, experience and insight into the foundational premises and broad parameters of a L'nuwey justice system.

If the language provides the building blocks, the community constitutes the mortar. In order for an L'nuwey justice system to be successful it needs the clear and unequivocal support of the L'nu people. The reclamation and recreation of a traditional L'nuwey justice system must be left to the L'nu people. The Canadian state has only one role in this process: to respect the aspirations and endeavors of the L'nu in recreating a system of *justice as healing* within communities so badly harmed by imposed practices and alien institutions of “law and order”.¹¹⁷

For the L'nu prior to contact, the family was the basic unit of governance, with responsibility for justice — the source of both “law” and “order” — where customary laws and policy choices were made on a daily basis.¹¹⁸ And what “administering justice” on such an intimate, embedded scale meant was maintaining the harmonious governance of a wide range of dynamic relationships, a thorough “legal review” conducted, for example, on a consensus-basis each and every night in the Wikamous,¹¹⁹ with everyone afforded the opportunity to speak and contribute. Because disharmony among the people was seen as “...everyone's disharmony...”¹²⁰, if someone disagreed with the direction the

115 D Marshall, A Denny & S Marshall, “The Mi'kmaq: The Covenant Chain” in B Richardson, ed., *Drum Beat: Anger and Renewal in Indian Country* (Toronto: Summerhill Press, 1992) 71 at 95.

116 Personal communication with Murdena Marshall, retired professor of Mi'kmaq studies, Cape Breton University.

117 See P Monture-Okanee, “Justice as Healing” *Justice as Healing: A Newsletter on Aboriginal Concepts of Justice* 1:2 (Summer 1995).

118 See *First Nations*, *supra* note 37 at 12.

119 “A request to meet, to come together, to gather.” The traditional meaning is about “being summoned to participate in a discussion.” See also *First Nations*, *supra* note 37 at 12; see also *Micmac Dictionary*, *supra* note 1 at 98 sub verbo “wikumk”.

120 See R Ross, “Red Jacket and the Right to Rule” *Justice as Healing: A Newsletter on Aboriginal Concepts of Justice* 1:4 (Winter 1995).

Wikamou was taking, they were expected to withdraw from the discussion but abide by the consensus.¹²¹

How did these L'nu family units manage to maintain and regulate human behaviour without the use of corporal sanctions? One of the traditional concepts still easily identifiable in L'nu communities is the concept of shared liability, a “collective responsibility”¹²² that gave every member of the family the chance and duty to both demonstrate and encourage proper behaviour in the family unit. As Battiste, a noted L'nu academic, states: “...a family will gain honor, respect, prestige, or disgrace and shame through the actions of their family. Hence it is necessary to keep one's own in line. Scolding and reproach by the heads of families is the key to social control, and in more drastic conditions, a person may be asked to leave the household and not return.”¹²³

It is clear that the development of any contemporary L'nuwey justice system needs to incorporate the traditional dispute resolution mechanisms inherent in the basic L'nu family unit. Yet examining language and family illuminates only part of such a system. An even fuller, richer model for contemporary L'nuwey justice needs to be developed. As one possibility, this paper proposes using a powerful traditional L'nu symbol as a framework for restoring and implementing L'nuwey Tplutaqan.

VI Kloqowej

The Kloqowej¹²⁴ is an eight-pointed star, a geometrical figure universally deployed as a symbol by First Nation people of the Wapana'ki¹²⁵ Confederacy.¹²⁶ The star simultaneously signifies the people of the rising sun or the People of the Dawn and symbolizes the inter-relatedness of everything and everyone in the land of the Wapana'ki and the great circle of friendship.

Like the pan-Indian “medicine wheel,” the Kloqowej seems simple, but is in practice a highly sophisticated means of orienting thoughts and actions to the four sacred directions. Various First Nation academics have begun to use the Medicine Wheel concept to argue for an alternative justice system, drawing on ideas highly resonant with traditional L'nu principles of justice based on harmony and healing.¹²⁷ In keeping with this approach of using a traditional cultural symbol as a teaching tool, the Kloqowej is here introduced to illustrate the framework for a contemporary L'nuwey justice system.

121 See *First Nations*, *supra* note 37 at 15.

122 See *First Nations*, *supra* note 37 at 16.

123 See M Battiste, “Cultural Transmission and Survival in Contemporary Micmac Society” (1977) 10:4 *Indian Historian* 3-13.

124 “The Star(s).” Stars are considered to be very sacred to the L'nu because together they make up the Skite'kumujawti, “The Spirits' Road” or the Milky Way, *supra* note 71.

125 “People of the Dawn.” See also *Not Savages*, *supra* note 34 at 16. Under the Francis-Smith orthography, *supra* note 98, *Wabanaki* would be spelled Wapana'ki.

126 The *current* members of the Wapana'ki Confederacy are the L'nu, Maliseet, Passamaquoddy, Penobscot and Abenaki peoples. Other tribes that belonged to the Confederacy at one time or another were the Massachusett, Nipmonk, Beothuk, Narragansett, Pequot and other tribes of the Eastern seaboard of the United States. *Ibid* at 16.

127 See *First Nations*, *supra* note 37 at 16.

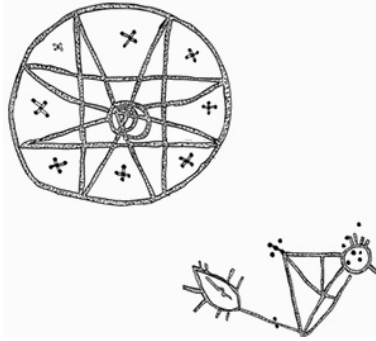


Figure 2: Kloqowej (Courtesy of the Nova Scotia Museum, Ethnology Collection)

The Kloqowej points first to the *East*, traditionally understood and revered as the source of Peace. Peace, in the L'nu sense of the word, is the fundamental principle regulating the establishment, development and maintenance of respectful, supportive relationships between individuals, families, communities (human and nonhuman), and nations.

As discussed, the *social* source of Peace, understood in this broad and deep way, was the family unit called the Wikamou.¹²⁸ The Wikamou administered the traditional L'nuwey justice system and also asserted primary governance over its members. Everyone participated in the Wikamou, creating a wealth of decisions (“precedent”) based on consensus and invariably aimed at restoring or enhancing peaceful intra- and inter-family relations.

From the Wikamou came the Santé Mawiomi, whose role was to advise and defend the people.¹²⁹ All decisions and obligations arising from these governance structures were binding only if the people consented to them, a type of “dialogical sovereignty” building solidarity and strengthening the customary federations, laws and freedoms of the Mi'kmaq people.¹³⁰

The second traditional L'nuwey healing concept found in the Kloqowej is Kindness, the domestic law of the Mi'kmaq deriving its source from the *South*. The bond with the south is twofold. Politically, it is the place of alliance and friendship with the L'nu's neighbours. In nature, it is the direction most often bringing warmth, stimulating growth, and thus reflecting the warmth and support essential to the healthy family unit.¹³¹ Customary laws on showing kindness are rooted in such natural, everyday experiences, a blessing which attention to the lessons and structure of the Kloqowej makes it hard to take for granted.

The law of kindness is more a general guide to right behaviour than a detailed codification of conduct rules. Kindness was not enforced by the Santé Mawiomi but through the family unit — and if a person followed the “guidance” of kindness, that person's family could expect to be “kindly” rewarded with honour and respect.¹³²

In the L'nuwey worldview, showing kindness to others is akin to showing kindness to your own family: a valorization of broadly defined kinship or close community labeled by early colonists “habenquedoic”¹³³, the law of peace and kindness. Today, many L'nu understand this traditional concept as the “Mik-mawawey” or the L'nuwey way.¹³⁴

One interesting note about traditional L'nuwey dispute resolution processes is that many, if not all, would now be classified as examples of tort or customary law, based on the overriding principle that disputes should be prevented instead of adjudicated. In other words, “...[h]armony, not justice was the

128 *Ibid* at 12.

129 *Ibid* at 12.

130 *Ibid* generally.

131 *Ibid* at 14.

132 *Ibid* at 15.

133 See *Micmac Indians*, *supra* note 65 at 173.

134 See *Alternative Mi'kmaq Worldview*, *supra* note 10 at 104.

ideal...”¹³⁵ Remedies for breaching customary laws are thus based on principles of forgiveness and instruction, fostering the conditions and maximizing the incentives for proper future behaviour.

The third customary principle of the Kloqowej is the concept of Sharing,¹³⁶ an understanding of property rights imbued with the spirit of the *West* and eschewing the concept of exclusive “private” ownership of land. This is not to say that for the L’nu, there were no exclusive rights to certain areas of the land; ultimately, though, *ownership* of land is collective and vested in future generations. Areas of exclusive hunting, fishing and trapping were allocated by the Santé Mawiomí to certain family units, on the basis of sustainability, trust and stewardship rather than exploitation and ownership. All families so entrusted were deemed responsible for the behaviour of all individual members: for a family to allow wasteful use of resources would constitute a sacrilegious dereliction of duty.¹³⁷ Sharing the resources of the land is seen as vital to maintaining all the relationships entered into by the L’nu. This bounty is not viewed as unlimited but as requiring replenishment through ceremonies and customs such as Netukulimk.

The last sacred direction is the *North*, where the concept of Trust can be found. In order to enter into a relationship with a particular life force, an individual must put aside skepticism and uncertainty and journey into the “deep woods.” The creation and maintenance of relationships in the sacred spaces requires trust as its foundation.

A relationship requires constant, ritual renewal because the powerful life energies at its heart are constantly running down, eroding the spiritual basis of practical cooperation between the parties. Such trust forms the basis not only of personal but of “transnational alliances,”¹³⁸ treaties or agreements the L’nu entered into with their neighbours such as the Maliseet, the French and the English. These agreements were recorded in Inapskuk¹³⁹ and, in the case of the colonizers, in paper form called treaties. The L’nu required and expected these agreements to be renewed periodically to re-energize the bond between partners.

Peace, Kindness, Sharing, Trust: the Kloqowej model, in sum, can be used, if not to define, then at least to *frame* discussion on the appropriate foundation of a contemporary L’nu justice system. On the solid cultural ground thus established, discussion can turn to what *institutions* can be built and “best practices” developed, rather than what existing Canadian institutions and practices can be tinkered with or tweaked to address L’nu concerns.

VII Nike’ Koqwe

A potential obstacle to the establishment of a separate L’nu justice system is the difficulty of demonstrating to the defenders of the mainstream legal status quo how traditional concepts of restitution and restoration can address contemporary crises such as equality rights and abuse.

Given the long-standing existence of other separate justice systems, such as that established for the armed forces, the establishment of a separate L’nu justice system should not, in principle, prove too high a hurdle. The difficulty may

135 See *First Nations*, *supra* note 37 at 9, para 55.

136 *Ibid* at 19.

137 *Ibid* at 20.

138 *Ibid* at 24.

139 “Wampum laws.” See “Nikanikikutmaqñ”, *supra* note 13 at 17.

lie in the qualitative distinction between Eurocentric and L'nu concepts of judicial "common sense." No authentic L'nuwey justice system could ever be based on the coercive punishment model rooted in individual guilt currently used in Canada, anathema as that outlook is to the cardinal tenets and principles encoded in the Kloqowej.¹⁴⁰

Since the release of the Marshall Inquiry's damning report, the L'nu, working with elements of the Canadian justice system, have tried several times to achieve greater autonomy through the implementation of "justice projects" such as court workers, diversion projects and tribal police forces. The Canadian system has also tried a variety of internal approaches to accommodate the needs of the L'nu people, such as law school admission policies, equality programs, and sentencing provisions.

Many of these attempts have failed. The basic problem, as we have seen, is that the two systems reflect two worldviews, one built on coercive punishment of guilty individuals (though often sweeping up innocent people in its net), the other seeing justice as a form of collective, social healing, an opportunity to restore correct conduct to both human relations and relations between humans and other life forces in the sacred ecological spaces. What the L'nu people primarily want is to have their own institutions, sufficiently independent and powerful to establish a new, de-colonized relationship with the Canadian justice system.

Given the depth of the conceptual and experiential gulf, there is much work to be done by both sides in order to achieve durable change. One crucial step is to support restoring the L'nuwey Tplutaqan as the basis of contemporary L'nuwey justice institutions: to reassert the role and relevance of the L'nuwey worldview (and, inseparably, the L'nu language) in restoring harmony and balance between the life forces. Agreement on this objective will not in itself make the dream of a de-colonized relationship between the Canadian justice system and the L'nu a reality: but it will make it more realistic. Namsit!¹⁴¹

140 See generally *First Nations*, *supra* note 37.

141 "That's all; the end." *Micmac Dictionary*, *supra* note 1 at 51.