

IUSIII.



written by leonard linklater

STUDY GUIDE

september 2012

gwaandak theatre

whitehorse, yukon

researcher/writer: mitch miyagawa designer: tara mccarthy



STUDY GUIDE



would like to thank its public funders:





Canada Council for the Arts Conseil des Arts du Canada











thanks also to:

Marjolène Gauthier, Elizabeth Lemay, National Archives of Canada, Dave Neufeld, Sue Parsons, Mark Stevens, Georgina Sydney

JUSTICE STUDY GUIDE

table of contents

The Play: Justice	•	3
The Company: Gwaandak Theatre	!	5
Note from the Playwright: Leonard Linklater	(6
Note from the Director: Floyd Favel	1	8
Note from the Set Designer: Linda Leon		9
Theatre 101	:	10
Finding the Nantucks	:	11
Yukon First People and the Klondike Gold Rush	:	13
The Carcross Tagish People		14
Aboriginal People and Canadian Justice System	:	16
A New Justice for Yukon First Nations]	18
learning tools index		
Talk and Think	12, 15, 17, 2	20
Activities	;	21
Selected Resources		26

JUSTICE

Justice is a play based on the true story of the Nantuck brothers. The Nantuck brothers were young First Nations men who were hanged in Dawson City during the Klondike Gold Rush for murdering a gold miner. The Nantuck brothers were sent in 1898 to get a payment from the gold miner and his friend. Their people, who lived around Marsh Lake, Yukon, blamed the men for the deaths of two people in their clan.

The themes of the play are the clash of different cultures and different ideas of justice. For the Tagish people, justice meant restoring balance for a wrong, by receiving compensation for the deaths of their family members. For the people who had come to look for gold and claim the territory for Canada, justice meant courts, trials and punishment under a system of law that came from England centuries ago.

In Act I, Tagish brothers Jim and Frank Nantuck are asked by their clan leaders to collect a debt for two lives. This is because an older man and a boy died of accidental poisonings the year before. The Tagish people had found "white powder" left behind by gold-seekers. They thought it was baking powder, and they used it to make bannock, a type of bread. In fact, it was arsenic used in placer mining, a poison that in their view was left behind carelessly by "the white clan."

The brothers set out and find two prospectors as representatives of this white clan. These gold-seekers, on their way north to the Klondike, decide to build a boat. Younger brother Frank is unsure whether these strangers are truly members of the clan which caused the poisonings. However, the Tagish men pay the prospectors a visit, waiting for this other clan to begin negotiations, as was customary in their tradition. When that does not happen (and with a significant language barrier), the Nantucks leave with a few winter's supplies.

The prospectors are happy to share but do not realize that the Tagish are trying to collect a debt. When their boat is done, they set off. The Tagish do not believe the debt is paid and shoot them. One is killed and the other, wounded, escapes to a nearby camp and summons the police.

In Act II, the Tagish men are arrested and brought to Dawson City for trial in a court system that the Canadian government has set up hastily in its new territory. The court is in a local saloon. Their defence lawyer becomes

sympathetic to these men's beliefs that they have acted honourably. The Tagish men are tried before a jury of miners and sentenced to hang.

While based on actual events, this play is fiction. The playwright has chosen to focus on only two of the four Nantuck brothers, along with two prospectors and two members of the newcomers' legal system, to tell the story. During delays in the new justice system, two other brothers died of tuberculosis and scurvy while in prison. The hangings did not happen until a year later.



Designers, playwright and director watching actors rehearse Justice



Actors in rehearsal for Justice

the company



Yukon theatre artists Patti Flather and Leonard Linklater co-founded Gwaandak Theatre in Whitehorse in 1999. Our company name, "gwaandak," is from a Gwich'in Aboriginal word, which can mean "storyteller" and "telling a story."

Gwaandak Theatre is a professional not-for-profit theatre company. It develops, produces and tours new plays to empower First Nations, Northern and diverse voices, engaging in meaningful dialogue to feed both the spirit and soul of our community. The company aims to increase the appreciation of theatre with youth audiences, and provide challenging opportunities for northern theatre artists, including young, emerging and aboriginal artists.

Developing a new play with a playwright or group of creators takes several years. Gwaandak began working with Leonard Linklater on *Justice* four years ago. He proposed the idea because he was fascinated with the little-known story from Yukon history, and the theatre commissioned him to write the play.

New play development usually includes the following:

- research
- writing and revising several drafts of a script
- discussions with a dramaturg, who is a kind of experienced editor, guide and consultant helping the playwright to achieve his or her vision
- one or more readings or longer workshops with actors and a dramaturg and/or director
- fine-tuning the script during two-to-four weeks of rehearsals leading up to the premiere production
- revisions after the first production

note from the playwright: leonard linklater



Photo: Bruce Barrett

When the Gold Rush struck, it came at the end of a huge world depression where people were hungry for jobs and looking to make a fortune. "The Poor Man's Gold Rush" as it became known, saw many desperate souls hit the trail to the Klondike. Most travelled through the southern Yukon, one of the last areas of North America to be touched by Europeans.

This is the story of the relationship between Yukon First Nations and the newcomers, when they first met. It's the story of a clash of cultures and about the problems of that new relationship. Relationship problems become worse when there is a lack of communication. To really get that communication going, you must be able to remove yourself from the situation

and look at it from a distance. The theatre does exactly that by putting the story on the stage so that the audience can look at it, discuss it and perhaps come up with some ideas of how things can be different.

In writing the play, it was easy to find the records of what happened during the court trial of the Nantuck brothers. It was more difficult to piece together the stories of the Tagish men. This is not surprising as there is no written history of Yukon First Nations, at least before anthropologists showed up. It is an oral history told through stories passed from generation to generation. It is through talking to descendants of those involved that First Nation histories are verified and understood.

As a playwright I had the benefit of hindsight. Still, it was hard. I can only imagine how difficult it must have been for the two groups of people, First Nations and newcomers, to try to understand each other.

What I've tried to do with *Justice* is take the events of the past and ask people to think about what would work best today. Does the justice system, as we know it, work for everyone? Is it realistic to think First Nations systems would work today? Is it possible to blend the two? These are all questions that come to mind as I look at what happens with the people caught up in these situations, often beyond their control.

The play is boiled down to two characters from each of the groups involved to tell the story. It is done to show how every society has those who believe their way is the best, and those who believe things can change for the better. It is a constant struggle that plays out even today as Yukon First Nations continue to reclaim their heritage.



Rehearsal for Justice

note from the director: floyd favel

As a director, my biggest challenge is to allow the story to be told, by the playwright, the actors and all of the creative and technical people involved in the play. As artists, we have to leave our preconceived ideas behind, and keep looking for the unique Tagish and northern qualities in the play. We allow these qualities to speak for themselves, and become something that everyone can understand and identify with, no matter what their background.

As a director, one of the first things I do is try to find key images that can represent the conflict in the play. I use a method that looks at the Lakota Winter Count system, a traditional calendar that



uses an image or picture to represent seasons in a year.

Using this method, I have identified two images for each act of *Justice*. They are almost the same for each act; the image is of two indigenous people, faced with a non-indigenous figure, and how their words and thoughts fail to connect and meet each other. This represents two world-views and these world views not being able to accommodate each other.

I am very pleased to see that the Tagish language is used in this play. Indigenous drama needs to work together with Indigenous cultural and language rejuvenation and preservation. I have always thought of theatre as a younger brother of "Tradition". Theatre has its own power and history, and worked hand-in-hand with the traditions that existed and exist on this Turtle Island (Turtle Island is the name given to North and South America by many Indigenous Nations). Tradition and theatre can work together, as brothers or as sisters in a common great cause.

note from the set designer: linda leon

There are always at least two sides to every story. When reading an early draft of *Justice* I could tell that the play had a dual structure with contrasting viewpoints and a cultural divide. So I placed the Nantuck brothers on one side opposite the prospectors in Act I and opposite Western law in Act II. That was the easy choice.

What we needed now was a central background that would service the physical needs of the play and the director's vision. At first, we toyed with the idea of a house shape with a peaked roofline that could work as both a longhouse and the bar/courtroom. While the idea of having the two houses as a metaphor for the two world visions seemed right, that particular image felt unsatisfying. Later I discovered some photographs of re-usable shelter structures that the Yukon First Nations would use in various fishing and hunting camps. This image seemed to resonate with the Yukon history and the land.





So in Act I, we have a lean-to structure. In Act II, we have the rectangular side of a wall tent. The lean-to provides the director with opportunities to have a dwelling that the actors can go into to. In Act II, we have a surface for projecting images. A rectangle is a constraint; symbolic of constraints imposed by the colonizing culture. The backdrop is designed in such a way that the same components can create the two different images.

I WANT TO BE ON THE STAGE!

Maybe you want to be on the stage. Or maybe you want to be the one bossing around the actors around. Or maybe you just love those funky lights.

There's lots of ways to get involved in theatre here in the Yukon. Try getting involved with a production, put on by companies like Gwaandak Theatre, The Guild, Moving Parts Theatre, Nakai Theatre, Ramshackle Theatre, and Open Pit in Whitehorse. If you want to study theatre and learn more, a drama class or production at your school is a great place to start. Look for drama and theatre workshops offered after school or on weekends in Whitehorse.

Check out the MAD (Music, Art, Drama) program in Whitehorse. MAD is a unique fine arts program offered at the grade 9/10 level and the 11/12 level which allows any Yukon student the opportunity to take a full semester of schooling away from their home school and focus on the performing arts: music, art, drama, stage craft, theatre production, video and sound recording/editing, script writing, dance, and directing.

If there's no theatre company or drama class in your town, why not start your own? Put on a play with your friends. Talk to your teachers.

If you're about to graduate, there are many college and university programs across Canada for all aspects of theatre – writing, directing, acting, stage managing, and design. Some of the programs close to Whitehorse are Studio 58 (Langara College in Vancouver), the University of Alberta Drama program, and theatre programs at the University of British Columbia and Simon Fraser University. Yukon College also offers theatre and writing courses.

RESPECT!

Putting on a play is hard work. It takes a lot of guts to get up on the stage. So make sure you show respect.

You can help make the play more enjoyable for everyone by following a few simple rules:

- Only get up, move around, or talk before or after the play.
- Turn your cell phone and other electronics off.
- Clap loud at the end if you liked the play!

finding the nantucks



Canadian Museum of Civilization, Klondike Collection, 1898, no. J6186

On November 4, 2010, a backhoe was digging in the ground for Dawson City's new sewage treatment plant. The operator looked into the pit and saw wood and bones. The bones were human, and the wood came from three coffins.

The next morning, an archeologist flew to Dawson from Whitehorse. He worked with the Tr'ondëk Hwëch'in First Nation to dig up the bodies. Then a bone specialist looked at the bones. She could tell that two of the bodies were from First Nations men.

Two of the bodies they found were Dawson and Jim Nantuck. Dawson and Jim were hanged in 1899, in the Yukon's first executions. Their two brothers, Frank and Joe, were also going to be executed. But they died in jail first. One of them was probably only 15 years old, though no one knows for sure.

The other body they found was a prospector, who was also hanged for murder. In Canada, over 1,400 people have been hanged for crimes. The death penalty, as it was called, isn't used any more. The last person to be hanged was in 1962. Up to 11 people were executed in the Yukon. Their graves were never marked.





Photos: Yukon Government

After the bodies were found and identified, many people talked about what to do. This included elders from the Tr'ondek Hwëch'in (Dawson), Kwanlin Dün (Whitehorse), Ta'an Kwäch'än (Lake Laberge) and Carcross/Tagish (Carcross) peoples, along with staff from these First Nation governments. They decided together that the bodies should be buried in Dawson City. Because this was such a unique situation, there weren't any traditional cultural rules to follow. The Nantucks were simply reburied respectfully as soon as possible.

They were buried in June 2011. All the First Nations involved were welcome to be at the cemetery during the reburial. A few members of the Nantuck family and some representatives of the First Nations came to say a few words, sing a song and drum.

think and talk

- Do you think people should be put to death for certain crimes?
 Why or why not?
- Why do you think it was important for elders to decide what to do with the bodies?

yukon first people and the klondike gold rush

Justice is about the clash of cultures and justice systems during a momentous time in the history of the Yukon Territory. The discovery of gold in the Klondike came during one of the great depressions in history. People around the world were desperate for work and money. Many people from around the world sold what they had and headed for the Yukon.

The southern lakes region of the Yukon was one of the last areas of the continent to be accessed by outsiders. Coastal mountains blocked routes to the ocean. The mountain passes were fiercely controlled by Tlingit nations of the coast, who used them for trade. The early European explorers used the Mackenzie River in the Northwest Territories to get to northern areas. Not many made the difficult journey to the southern part of what is now the Yukon.

Gold was discovered in the Klondike in 1896. The following spring, large quantities of gold were being off-loaded in Seattle and San Francisco and the headlines hit the newspapers across North America and around the world. The rush began the following year with the next shipping season. The gold rush brought most of the gold seekers through the southern lakes in the summer of 1898.

First Nations people have lived in the area that became the Yukon for thousands of years, probably at least since 8000 BC. At the time of the Klondike Gold Rush, their population probably was as large as 8000. They were huntergatherers. They hunted game, fished, and gathered edible plants and berries. They moved from camp to camp with the seasons.

During the Gold Rush, many First Nations men, women and children in the southern Yukon worked as packers for the many stampeders on their way to Dawson. While these newcomers made their way through the interior, many aboriginal people nursed them to health when ill, and shared warm clothing and a hearty meal whenever needed.

There were many groups of indigenous people in the Yukon, and they spoke different languages. The Nantuck brothers came from the Carcross/Tagish people, who lived in an area near Whitehorse, Yukon.

the carcross/tagish people

*adapted from the CTFN website

"We who are Tagish and we who are Tlingit, our heritage has grown roots into the earth since the olden times. Therefore we are part of the earth and the water... Our elders have assigned us the task of showing respect to things. Therefore, we will look after our land as they have told us to do, as did our elders, because we were the first to come to this land that is now called Canada."

- Ms. Lucy Wren, Yukon Native Language Centre, December 2002

The people of the Carcross/Tagish First Nation come from the Tagish and the Inland Tlingit, who originated in southeast Alaska. Over the centuries, people followed an annual cycle, which took them to certain areas for fishing, hunting and berry picking. There was a constant and powerful connection to the land, which was seen as not something human beings own but simply what human beings care for. The old way of acknowledging the Creator meant that people respected and valued all that the environment gave, because every living thing contained a spirit.

Life was lived in balance and harmony, with all aspects of society in order, functioning to suit the needs of the people. The people were self-reliant, hunting and fishing for their food and making a living by trapping furs, sewing and selling and trading their goods.

A clan system ensured that there was balance, respect, reciprocity and protocols to provide boundaries. The people knew the traditional laws that guided them and held their society together.

When a culture is divided into two main family groups, each group is called a "moiety". The two moieties are Wolf (Gooch) and Crow (Yeitl). Tagish/Tlingit culture is matrilineal or follows the mother's line. For instance, when a child is born he or she is born into the mother's moiety, clan and house group.

Each moiety consists of several clans, each clan belonging to either Wolf or Crow.

The Carcross/Tagish area has six clans that are recognized. Two of the six are Wolf and the other four are Crow moiety. Daklaweidi (Killerwhale) and Yen Yedi (Wolf) are both of Wolf Moieties. Deisheetaan (Beaver), Ganaxtedi (Raven), Kookhittaan (Crow), Ishkahittan (Frog) are all of Crow Moiety.

Traditionally a person of Crow moiety must marry a person of Wolf moiety and vice versa, but with the arrival and intermarriages between Europeans and

other First Nation people, this custom is no longer as strictly observed. This was done to ensure the interdependence and balance of life and the Nation was maintained.

Each clan owns and carries their crest or emblem. This crest could be attached to their regalia such as a button blanket, dance tunic or a vest. This identified which clan individuals belonged to when they attend certain functions, such as potlatches. It is illegal and considered taboo to wear a crest or emblem that is not your own. This is done so people of other clans know who you are.

The Carcross/Tagish First Nation is governed by an elected Chief and Council, but is moving toward what is known as the Clan System.

think and talk

- Do you know someone who is part of a clan? Or are you?
 Find out more about what the clans mean.
- Why do you think Wolf had to marry Crow people?
- What is your connection to the earth and to the land?
 How do you take care of it?

aboriginal people and canadian justice system

"Our children are more likely to end up in jail than to graduate from high school."

- Shawn Atleo, National Chief of the Assembly of First Nations, 2011

Only 3% of Canadians are Aboriginal. In 2008, almost 20% of people in prison were Aboriginal. Over 30% of all women prisoners are Aboriginal. Statistics show that these numbers are only getting higher.

Aboriginal offenders tend to be younger. They are more likely to have served previous youth and/or adult sentences, to commit a violent offence, to have gang affiliations, and to have more health problems, including Fetal Alcohol Spectrum Disorder and mental health issues.

There are many reasons why so many Aboriginal people end up in the court system. Aboriginal communities on average have lower levels of income, employment, and health. They have suffered from the effects of residential schools which First Nations children were forced to attend, other discriminatory laws and many decades of racism and neglect by Canadian society.

Aboriginal people also come from cultures of traditional laws and justice that are very different than the mainstream system, which comes from a European system.

Gwich'in playwright Leonard Linklater says that he was inspired to write *Justice* by an article about the Nantuck brothers story. He read the article in the late 1990s. In the article, the author concluded that the trial wasn't fair, because the court wasn't set up properly.

At the same time, during his studies at the Institute for Indigenous Government in Vancouver, B.C., Leonard studied the Royal Commission on Aboriginal Peoples' report (1996) on justice issues. That report documented the dysfunctional relationship between First Nations people and the judicial system.

"The Canadian criminal justice system has failed the Aboriginal peoples of Canada – First Nations, Inuit and Métis people, on-reserve and off-reserve, urban and rural – in all territorial and governmental jurisdictions. The principal reason for this crushing failure is the fundamentally different world views of Aboriginal and non-Aboriginal people with respect to such elemental issues as the substantive content of justice and the process of achieving justice."

- Royal Commission on Aboriginal Peoples, 1996, p. 309

Leonard says, "As I stood back and looked at these two seemingly unrelated reports, it dawned on me that not much had changed in the relationship between Aboriginal people and the Canadian justice system since the Nantuck brothers' time."

think and talk

- What makes people commit crimes?
- Do you think good people can do bad things?
- Why do you think poorer people or people who experience racism and other discrimination may be more likely to commit crimes?

a new justice for yukon first nations

To help their people, many First Nations are trying to take a different approach to justice. In the Yukon, the two Tlingit nations are the Teslin Tlingit Council (TTC) and the Carcross/Tagish First Nation (CTFN). Both nations have new ways of working with the mainstream justice system. These new ways help to look at the whole person involved and their background. They also reflect traditional First Nation values.

teslin tlingit council (from georgina sydney)

"Justice is the thread in the blanket of our culture," says Georgina Sydney, "It weaves through it and pulls the blanket tighter."

Georgina is a respected citizen of the Teslin Tlingit Council. She is one of the people who assisted in the negotiations for self-government and the new justice system for TTC. The Elders directed the whole negotiations and it was an effort of the whole community. Georgina is a member of the Yanyeidi Clan.

When Georgina was a little girl in Teslin, she remembers how peaceful her village was. "Love, honour and respect, are the traditional ways," says Georgina. "The Elders left these teachings with us and instructed us to never let those go."

TTC has become the only First Nation in Canada to sign a justice agreement with the Government of Canada. This was because they had to pass a new law to enact their justice system. To be truly self-governing, a government must have the jurisdiction to enact and enforce laws.

Georgina remembers something Elder Pete Sydney of Carcross once said: "If you want to talk about justice, just take a look in the mirror." She laughs when she remembers this. He meant that justice starts with the individual. For Georgina, justice is more than courts and police. It is interwoven into everything. It is how we conduct ourselves as individuals.

Respect is the most important principle of living - respect for yourself, your family, your clan, other people, and the land and environment.

TTC Government is based on the clan system. Just like in the play, Justice, TTC citizens are accountable to their clans and to each other, to maintain balance.

All of TTC government starts with Ha Kus Teyea - "How We Live". It's explains how TTC citizens live, based on rights, accountabilities, and responsibilities.

The new justice agreement brings together traditional and mainstream justice. Mainstream justice talks about crime and punishment, while TTC justice talks about healing: how a person can become whole again.

Georgina is happy for the grandkids and all the future generations in her community. "They know our songs and our dances. And they'll know how to live our way."

carcross/tagish first nation (from mark stevens)

The Carcross/Tagish First Nation (CTFN) has a long history of alternative justice. For many years, people within the CTFN community and the Southern Lakes Justice Committee worked with the mainstream justice system to provide sentencing circles for the whole community, not just First Nation members.

In these circles, community members worked with a judge to come up with an appropriate action after someone was convicted of a crime. People involved in sentencing circles hoped it would help keep their members in the community and out of jail, and restore relationships with their family and with others.

Now, the CTFN Justice Office works with mainstream justice in many different ways. Workers from the Justice Office try to prevent crimes from happening by giving a "helping hand" to individuals and families before the police get involved.

If a person does get into trouble with the police and courts, the Justice Office works with authorities to find alternatives to jail. They also provide the courts with "Gladue Reports", which are basically life stories of the person who is trouble. All Canadian Aboriginal people have a legal right to have these reports. They help courts take into account the effects of poverty, residential school trauma, and abuse that may be part of the person's story.

think and talk

- What's the best way to deal with people who commit crimes? What do you think about Canada's system of law?
- Do you think it's important for First Nations to make their own laws and why?
- If you were in charge of trying to keep more Aboriginal people out of jail, what would you do?
- What are some of your ideas about how to keep young people from all backgrounds out of jail?
- What does justice mean to you?
- How have you tried overcoming injustice in your own life?

activities

1. how do you make a play?

a. Before the Show

A play isn't just people talking on a stage. Plays use sound, lights, sets, and props, too.

The "Set" is all the physical things on the stage, like a table or a backdrop. Usually the set doesn't move. "Props" are things a character uses during the show.

With your class, talk about plays you've seen before, and how the set, props, lights, and sound were used. How did they affect the play? Write down what you remember.

b. During the Show

Split your class into 4 groups. Each will look at one aspect of the play:

Group 1. Music and Sound

What kind of music is it? Give one example of how music and sound was used. Do you like it? How does music and sound affect the play?

Group 2. Lights

What kinds of lights are used? Give one example. Do you like it? How do they affect the play?

Group 3. Set

What is the set? How is it used? Give one example when the character interacts with the set. Are there any props? What are they? Do you like it and why?

Group 4. Actors

Justice is acted by four actors playing six characters. How does each actor use their voice and body to bring the characters to life? Do you like it and why?

c. After the Show

Get together with your group and compare notes. Then present to the whole class.

Based on what you and the other students say, write a review for the play. What did you think of the music, sound, lights, set, and acting? What did you think about the message of the play? How many stars would you give it?

2. what's the story?

a. Write a timeline of the events of the play, as you remember it.

What happens first?

Then what happens?

What are the most important events?

Why?

b. Write down all the different locations in the play.

When does the play change locations?

What happens in each place?

What do the places mean to the main characters?

c. Characters: list all the characters in the play.

Write down 3 words to describe them.

How much power do they have in the play?

d. What's this play about?

Make a mind map to explore the ideas and themes of the play.

A mind map is a way to draw and connect ideas on paper.

Start by writing down the question, "What's the play about?" in the middle of your paper. Then write down different ideas branching out from the question, like branches from a tree.

For example, you might decide the play is about Culture. Write that word down, and then add other "word-branches" connected to Culture from the play, such as clans, elders, language, family, wealth, courts, and police.

3. justice in the media: movies and television shows

Watch a popular movie or TV show that has either criminals or people in the justice system as characters.

Answer the following questions:

- **a.** What happens to the characters that commit crimes in the film?
- **b.** Why do they commit their crimes? What different factors make them commit crimes?
- **c.** Do you think the justice system is fair to these people?
- **d.** Why do you think the justice system is set up the way it is? Come up with three reasons.
- **e.** What would you do differently if you were in charge?

4. role play: youth vandalism

*adapted from the John Howard Society of Edmonton

SCENARIO

Late on the night of August 25, police responded to reports of vandalism at a local gas station. Walls were covered with graffiti, signs were taken down, and some flowerbeds were damaged. A few bikes were taken from a bike rack outside the gas station. Police arrested three youths, all aged 16. Tyler was one of the youths arrested. He and the other youths were charged with theft and mischief to property.

- **a.** What do you think would happen to Tyler in the mainstream justice system? Work with your teacher to find out what would happen to them. You could even organize a field trip to your local law courts or police station.
- **b.** Pretend your community has the option for youth to go to a Youth Justice Committee. The Justice Committee can decide on consequences for the youth, based on what the offender and the victim say. Re-enact a meeting with Tyler. Start by asking these questions:
- Who is the victim? Is there more than one?
 Assign the victims to one or more of your group's members.
- Who is the offender?
 Assign the offender to one or more of your group's members.
 Assign the rest of the class to be part of the Justice Committee.
- What was the harm done?
 Make a list of any obvious damages, but also include less obvious ones, such as loss of trust, a perception of lower security, etc.

Once you assign roles, answer these questions:

Victim Questions

(to be answered by the victim representative of your group):

- What is the background of the victim?
 Come up with a brief history.
- What are the victim's emotions?
- The victim has agreed to participate in this alternative process. Why do you think she/he agreed?
- What does the victim want to see happen to the offender?

Offender Questions

(to be answered with the input of the offender representative in your group):

- What is the background of the offender?
 Brainstorm a brief history.
- The offender has agreed to participate in the restorative justice process. Why
 do you think she/he agreed?
- What are the offender's emotions?
- What are the offender's expectations for the process?

Once you have heard the offender and victim statements, debate with your class about what an appropriate consequence would be.

notes:

selected resources

Chilkoot Trail: Heritage Route to the Klondike. David Neufeld. *Harbour Publishing*, 2005.

Essays in the History of Canadian Law: British Columbia and the Yukon. David H. Flaherty. Osgoode Society, *University of Toronto Press*, 1996.

History Hunting in the Yukon. Michael Gates. Harbour Publishing, 2010.

Images of Society in Klondike Gold Rush Narratives: Skookum Jim and the Discovery of Gold. Julie Cruikshank. *Ethnohistory*, 39(1):20-41, 1992

Life Lived like a Story: Life Stories of Three Yukon Native Elders. Julie Cruikshank. *UBC Press*, 1991

Oral Traditions and Written Accounts: An Incident from the Klondike Gold Rush. Julie Cruikshank. *Culture* 9(i), pp.25-34, 1990.

Royal Commission Report on Aboriginal Peoples. 1996.

Strange Things Done: Murder in Yukon History. Kenneth Coates and William Morrison. *McGill-Queen's University Press*, 2004.

The Social Life of Stories: Narrative and Knowledge in the Yukon Territory. Julie Cruikshank. *UBC Press*, 2000.

JUSTICE STUDY GUIDE



september 2012 whitehorse, yukon