

Restorative Justice in the Arctic: Indigenous Knowledge for Healing Communities*

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Introduction

Indigenous people are overrepresented in the justice systems in both Alaska and Canada, especially when looking at incarceration rates (Alaska Department of Corrections, 2018; Canada Department of Justice Research and Statistics Division, 2019). Mainstream justice systems are focusing on punitive measures that do not reflect Indigenous Knowledge and Indigenous approaches to restorative justice and healing (Pranis, Stuart, & Wedge, 2003). In this short paper, we aim to generate further understanding of how Indigenous knowledge is significant and related to Indigenous restorative justice as a means to consider how we might resolve various forms of disputes, meet the needs of Indigenous peoples and communities, and rethink Alaska and Canada's justice systems. This paper

considers how we might engage in relearning by making more room for the holistic healing found within Indigenous models of restorative justice. We hope our paper provides a general introduction to the importance of Indigenous knowledge for people who work with Indigenous clients in the United States (U.S.) and Canadian Arctic justice systems. Our paper also serves to inform other Indigenous people interested in developing restorative justice practices in their communities of what is being done in some Canadian and U.S. Arctic communities.

Turning to Indigenous Knowledge for Justice and Healing: Restorative Justice

Indigenous knowledge is dynamic, holistic, intergenerational, linked to experience on traditional lands and the integrity of the knowledge depends on maintaining the "integrity of the land itself." (Battiste 2005, p.8). Indigenous people have a deep connection between their traditional knowledge and their restorative justice systems such as the peacemaking circles. In restorative justice, many Indigenous people rely on

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their sustainable Indigenous Knowledge to resolve disputes within their communities (Lange, & Popova, 2011; Loukacheva, 2012). Indigenous knowledge, cultural practices, and traditional restorative justice systems are interconnected to develop social control to maintain harmony in the community, such harmony being essential to community survival. Indigenous people in North American societies were and are dynamic cultures that constantly adapt(ed) to meet their changing circumstances and address their needs.

Indigenous restorative justice is typically a healing process based on Indigenous dispute resolution traditions. There is a substantial body of literature citing the positive impact of Indigenous knowledge-based restorative justice systems. In these systems, parental education was crucial to teaching and cultivating every child a sense of duty and responsibility to maintain harmony (Dickson-Gilmore & La Prairie, 2007; Melton, 2005). Hewitt's (2014) study focused on Indigenous knowledge and laws suggesting that Indigenous restorative justice is a means to consider how we might better resolve various forms of disputes and reinvent versus revise Canada's criminal justice system. Indigenous people represent Indigenous spirituality, values, beliefs, and traditions in inmate programming facilitates healing for the Indigenous

communities (Correctional Services Canada, 2015).

Indigenous restorative justice is a traditional knowledge-based practice. This process addresses crime in a way that situates it as an act against an individual and community, not an act against a state and its laws (Dickson-Gilmore & La Prairie, 2007; Melton, 2005). In many cases, Indigenous restorative justice is based on a holistic philosophy. The unwritten customary laws and traditions guide these systems and practices that are learned primarily by example and through the oral teachings of Indigenous Elders (Melton, 2005). It is a healing process that acknowledges that crime does damage but posits that judicial systems should be a vehicle for healing, not for punishment. This justice method attempts to understand the circumstances that led to crime occurring in the first place to identify and address the cause and impacts accurately. The Indigenous restorative knowledge-based justice's goal becomes identifying a healing methodology for the victim, offender, and community that helps reduce recidivism and acknowledges the impact of the crime on the individuals and communities affected (Correctional Services Canada, 2015).

Using Indigenous Knowledge for Restorative Justice

Healing is the center of the Indigenous Knowledge-based restorative justice system. For example, a study (Justice Education Society, 2016) suggests that if a healing circle is used as the method for justice, it must include the offender, Elders, community members, and the victim if he or she has agreed to participate. In this healing process, all parties have the opportunity to discuss the crime and how it has affected the victim and the community. Besides, the healing focuses on the underlying causes of the offence. Together the group will suggest reconciliatory action for the offender. In this Indigenous Knowledge-based justice system, victims report more satisfaction than traditional justice procedures (Justice Education Society, 2016). Thus, restorative justice practice becomes an effort to institutionalize a positive problem-solving methodology around a historically culturally devastating system for both victim and offender (Hansen, 2009; Hansen et al., 2012; Tribal Law and Policy Institute, 2014).

In the Indigenous Knowledge-based restorative justice systems, Indigenous Elders, leaders, and medicine-men play significant roles (Hansen, 2009; Hansen et al., 2012). For instance, Elders often take offenders out into the bush to hunt, trap and live off the land in traditional ways. This is intended to reclaim the

offender to their traditional roots, increase attachment to the land, and improve traditional skills. Studies (Borrows, 2002; Mills, 2016) suggest that Indigenous Knowledge, values, protocols, and traditions, preserved in the wisdom of Elders and communities' practices, need to be considered as a significant part of restorative justice. Therefore, many Indigenous people traditionally believe that restorative justice is a way of life and a part of the life process.

Restorative Justice in the Arctic: Examples

Canada

In Canada, there is a multitude of restorative justice practices taking place due to first Indigenous movements to address healing and traditional forms of justice and followed by the 1996 amendment to the Canadian Criminal Code that encouraged community-based restorative elements (Barnes, 2013; McCormick, 2001; Canadian Resource Centre for Victims of Crime, 2011). In Canada, some forms of restorative justice are Indigenous, while others are faith- or community-based, Indigenous practices include Peacemaking Circles (Indigenous), Healing Circles (Indigenous), Sentencing Circles (not always Indigenous), and Aboriginal Courts (also known as First Nations Courts or Indigenous Courts)

(Indigenous) (Canadian Resource Centre for Victims of Crime, 2011; Johnson, 2014; Mehl-Madrona, 2014). Started in 1991, the Indigenous Justice Program (IJP), formerly known as the Aboriginal Justice Strategy, supports Canadian Indigenous restorative justice programs by helping to fund over 100 restorative justice programs serving over 400 communities (Fleming, 2015). Indigenous restorative justice resolves family conflicts, builds community capacity, enforces Indigenous laws, and develops sentencing plans. Participants in IJP funded restorative justice programs have lower recidivism rates than those involved in the mainstream Canadian justice system and are just over half as likely to re-offend (Canada Department of Justice Evaluation Division, 2016). We will now look at examples of Indigenous restorative justice in Canada, Circle Healing in the Hollow Water First Nations Community in Manitoba and the Tsuu T'ina First Nation Court in Alberta.

Healing Circles

The Hollow Water First Nations Community developed the Hollow Water First Nations Community Holistic Circle Healing (CHCH) in 1986 in the Hollow Water Ojibwa community of the Anishinaabe people in Manitoba, Canada in response to the high rates of alcohol abuse that was linked to incest and sexual assault taking place in the community (Barnes, 2013; Bushie,

1997a). Incest was not an accepted norm by the Ojibwa people and it was a taboo to have incestual relations (Sivell-Ferri, 1997a). The community came together and began to talk about the issues they were having as more and more people came forward disclosing what had happened to them (Bushie, 1997a). The community developed a thirteen-step CHCH process that begins with disclosure and continues through confronting the victimizer, supporting the family, holding circles with the victimizer, holding separate circles with the victim, gradually bringing in the family to the victim's circle, holding a sentencing circle, regularly reviewing sentencing, and ultimately ending the process with a cleansing ceremony (Sivell-Ferri, 1997b). The CHCH method is founded on seven Ojibwe teachings of "honesty, love, courage, truth, wisdom, humility, and respect" (Sivell-Ferri, 1997b)

For an offender to partake in the CHCH they have to first plead guilty and admit to the offence and then agree to partake in the circles instead of being sentenced by a judge (Sivell-Ferri, 1997b). If they do this, then they are supported through the Circle Healing and "non-blaming approach." The first circle is with the offender and their family, the offender taking responsibility for their actions and meeting with their family to admit what they have done. The second circle is for the victim and their family to

discuss what has happened. Eventually, the offender, victim, and their families join one circle and the victim explains to the offender how they were affected in order to heal. In the final circle, the sentencing circle, the two families, victim, and offender, are joined by community members; the offender tells the community what they have done, and the community develops sentencing recommendations for the judge and these proceedings are reported to the court (Bushie, 1997b). This process has greatly reduced recidivism rates compared to mainstream justice practices with a recidivism rate of only 2 percent compared to the mainstream recidivism rate for sex offenders being 13 percent (Native Counseling Services of Alberta, 2001).

Aboriginal Courts

Aboriginal Courts began in Canada with the Tsuu T'ina Peacemaker Court in Alberta in 2000 (Whonnock, 2008). One of the reasons the courts were created includes addressing the results of the Royal Commission on Aboriginal peoples that demonstrated that the current Canadian mainstream justice system was not working for the Aboriginal peoples of Canada as evidenced by their overrepresentation in the system and the lack of Aboriginal values, cultures, and beliefs in the mainstream Canadian justice system (Chartrand, 1995). A second reason for the courts was given by the Indigenous

Bar Association which said that they needed the Aboriginal courts due to a history of Indigenous nations in Canada and their cultural method of oral history being excluded from mainstream justice (Whonnock, 2008). The Aboriginal courts utilize Aboriginal methods of dispute resolution that respect and reflect the local Aboriginal culture of the area. By focusing on restorative justice instead of punitive measures, they emphasize rehabilitating instead of imprisoning Indigenous people (Johnson, 2014). Offenders must be willing to plead guilty and admit their offence to begin the healing restorative process.

The Tsuu T'ina First Nation are Dene and live outside Calgary, Alberta (Whonnock, 2008). They began planning an alternative justice system in 1996, reviewing other peacemaking dispute resolution processes such as the Peacemaking Circle used by another Dene people, the Navajo in the U.S. (Bryant, 2002). They developed a Court Proposal in 1998, and the Tsuu T'ina Peacemaker Court was started on the Reserve in 2000 (Bryant, 2002; Wang, 2019). It works to combine Alberta Provincial Court and Peacemaker processes where the Crown Prosecutor and Peacemakers are both present in the courtroom and the judge ultimately decides if a case will be dealt with in the court or go to a peacemaking circle. The Judge is a First Nations Bar member, and

the court has jurisdiction over youth, criminal, and bylaw offences committed on the Reserve (Wang, 2019). The goal of the court is to restore peace between the victim, offender, and community utilizing the Tsuu T'ina culture and traditional values (Whonnock, 2008). Not only do the proceedings of the court reflect the local culture through the peacemaking process and smudging with sweetgrass or sage, but the court itself does as well as the courtroom is circular shaped to reflect a beaver den as the totem of the Tsuu T'ina is the beaver (Wang, 2019). The chairs and tables of the court are also in a circle so that all participants including the judge, Elders, offender, victims, and family members face each other in a circle which is very unlike a conventional courtroom which elevates the judges who can appear intimidating. After only its first year in operation, the court demonstrated lower recidivism rates than the mainstream system (Bryant, 2002).

Alaska

In Alaska, tribes are drawing on their Indigenous Knowledge to heal their people through Tribal Healing to Wellness Courts and Circle Peacemaking. Some tribes have already established self-funded restorative justice practices like the Kenaitze Indian Tribe who operates a Healing to Wellness Court for adults, the Henu Community Wellness Court, and a Peacemaking Circle, the Ts'ilq'u Circle

(Kenaitze Indian Tribe, 2020a; Kenaitze Indian Tribe, 2020b). Other tribes are applying for funding to start restorative justice practices of their own such as the Outagamie Native Council in Bethel, Alaska through funding from the Alaska Office of Juvenile Justice and Delinquency Prevention which provides funding for juvenile Healing to Wellness Courts through the federal Office of Juvenile Justice and Delinquency Prevention (The Resource Basket, 2020). These courts can receive free technical assistance and training through the Tribal Law and Policy Institute or the Rural Community Action Program Alaska Native Youth Training and Technical Assistance Project (Tribal Law and Policy Institute, 2015; The Resource Basket, 2020). The goal of both the Healing to Wellness Courts and Circle Peacemaking programs in Alaska is to utilize culture to heal the offenders and those harmed by restoring relationships, healing the community, and getting people the help they need through substance abuse treatment and counselling instead of incarcerating people.

Tribal Healing to Wellness Courts

Tribal Healing to Wellness Courts are the tribal adaptations of the drug courts that were started in the U.S. in the 1980s (Tribal Law and Policy Institute, 2014). As alcoholism was often tied to crime and incarceration in Indigenous communities in the U.S., tribes sought

ways to address the alcoholism and get people treatment to prevent further crime in the community (Feldstein, Venner, & May 2006; Tribal Law and Policy Institute, 2014). In 1997, the U.S. Department of Justice through its Drug Court Program Office developed a program to assist Indigenous nations in the U.S. to develop drug courts. These courts specifically include Indigenous culture through 1) developing a community-healing approach that addressed both physical and spiritual healing of the participants and community and 2) utilizing culture and tradition in substance abuse and rehabilitation treatment (U.S. Department of Justice, 2003). A study was done on the recidivism rates of drug courts, not specific to Tribal Healing to Wellness Courts, found that drug courts are effective in reducing recidivism with recidivism rates reducing from 50 percent to 38 percent with the effects lasting even up to three years (Mitchell, Wilson, Eggers, & MacKenzie, 2012). These are promising results that continue to inspire Tribes in Alaska to develop Healing to Wellness Courts.

The Kenaitze Indian Tribe are Dene people and they established and fund the Henu Community Wellness Court in Kenai, Alaska and started taking cases in 2017. Unlike traditional court systems advocating punishment, the Henu Court's vision seeks to make the community healthier through

transforming lives through their mission of supporting "wellness and rehabilitation for those in need through a cooperative justice program to create a safe and healthy community" (Kenaitze Indian Tribe, 2020a). The court works specifically with adult offenders struggling with drugs and alcohol and seeks to provide participants with resources to heal and achieve sobriety instead of sending them to jail. Along with treating substance abuse issues, the court seeks restorative components of rebuilding relationships with family, friends, and the community and increasing self-sufficiency with the goals of healing the offender to stop recidivism. The program is guided by the Kenaitze Traditional Value Wheel which details the values in the Dena'ina culture (Kenaitze Indian Tribe, n.d.). The Henu Court seeks to help participants change their lives and be on the "Yaghali Tinitun" – the Good Trail. The court assists offenders in getting reestablished into their communities through holding them accountable for their offences, providing peer support, offering culturally relevant behavioral health treatment at the Dena'ina Wellness Center, and encouraging them to pursue education and employment through helping offenders develop a Life Change Plan (Kenaitze Indian Tribe, 2016).

Circle Peacemaking

Peacemaking circles have a history rooted in Indigenous communities

(Pranis, Stuart, & Wedge, 2003). As seen in this paper, the ideas of meeting in a circle and utilizing peacemakers is prevalent in both Canada and Alaska and is utilized as a way to promote healing for the victim, offender, and community instead of instituting punishment. Circles are specific to the community using them and reflect the local culture and beliefs of the Indigenous people engaging in the practice. Peacemaking circles begin with a prayer, utilize consensus, focus on healing broken relationships instead of broken laws, and work to reintegrate and build trust instead of punishing, resulting in apologies, restored relationships, and healing consequences such as going to a culture camp, doing community service with an Elder, or beginning treatment for substance abuse (Costello, 1999; Pranis, Stuart, & Wedge, 2003). Peacemaking circles can handle both juvenile and adult cases, working to resolve issues around drugs and alcohol, property damage, shoplifting, truancy, child support and custody, and domestic issues (Costello, 1999; Mirsky, 2004). Peacemaking circles can be as small as six people and as large as sixty, including the victim, offender, and both of their families, peacemakers, and other community members such as police, counsellors, or others interested (Costello, 1999). Typically, the peacemaking is not a neutral party acting as a mediator, they often are involved in the lives of the parties as

relatives or community Elders and are chosen for their leadership, knowledge, and teaching they can provide.

In Kake, Alaska, a T'lingit community, the local tribe, the Organized Village of Kake, funds and runs a Circle Peacemaking program (Jarrett & Hyslop, 2014). Circle Peacemaking is a traditional method of dispute resolution in the T'lingit culture, and it had fallen out of practice in the community due to mainstream culture introducing the court system. As Kake is only accessible by boat or plane, it was difficult to get lawmakers to come to the community to deal with local issues and the community was having problems with alcohol use and suicide in the 1980s and 90s. The community members decided to address their own issues, and the Circle Peacemaking program was reintroduced in Kake after community members met with T'lingit First Nations community members from Carcross, Yukon, Canada who utilized Circle Peacemaking and learned from them how to set up a program. The Circle works with the Organized Village of Kake tribal court, local police, and social services workers to take referrals and work on healing offenders instead of prosecuting them (Rieger, 2001). The Circle is open to all members of the community and works with Natives and non-Natives. One young community member who went through the Circle for minor consumption found a surprise in

how many people attended his circle, and after everyone spoke he reflected on that he had been feeling marginalized in Kake and did not realize that there were so many people caring about him. These healing experiences have resulted in reducing recidivism in Kake with a rate of 28 percent compared to an Alaska state-wide rate of 66 percent (Fortson & Carbaugh, 2014).

Recommendations

If a community is interested in developing restorative justice practices based on Indigenous Knowledge, we have several suggestions: involve local stakeholders in all stages of development, tailor the program to the local community and its culture, learn from what other Indigenous communities are doing to help guide program development, recognize Indigenous self-determination and sovereignty and the history of the communities experiencing colonization, develop a working agreement between mainstream judicial systems and Indigenous systems, access funding required adequately support the program, emphasize sustainability of the program for long-term community healing, see success as more than just reduced recidivism but community healing as well, and focus on having community based restorative “practices” instead of worrying about what “justice” might mean (Jarrett &

Hyslop, 2014). Additionally, there is a lack of evaluation research on restorative justice practices, and we suggest measuring the successes of restorative justice in Indigenous communities and ensuring there are resources necessary to permanently institute the practices.

Conclusion

Indigenous knowledge-based restorative justice programs are not only community-initiated and bear little resemblance to mainstream justice systems, but also provide opportunities on healing individuals and communities– including the underlying harms of ongoing colonization. They could provide an alternative pathway for Indigenous people in the justice system that could lead to healing instead of incarceration and punishment. Indigenous knowledge provides valuable insight into how to better understand and practice restorative justice practices with Indigenous people and the examples we provide from the U.S. and Canadian Arctic demonstrate what communities are doing and what other communities could institute

References:

Alaska Department of Corrections. (2018). 2018 Offender Profile. Retrieved from <https://doc.alaska.gov/admin/docs/2018Profile.pdf?08072019>.

Battiste, M. (2005). Indigenous Knowledge: Foundations for First Nations. *WINHEC: International Journal of Indigenous Education Scholarship*, (1), 1-17. Retrieved from <https://journals.uvic.ca/index.php/winhec/article/view/19251>.

Barnes, B.E. (2013). An Overview of Restorative Justice Programs. *Alaska Journal of Dispute Resolution*, 1, 101-120.

Borrows, J. (2002). *Recovering Canada: The resurgence of Indigenous law*. ON: University of Toronto Press.

Correctional Services Canada. (2015). An examination of healing lodges for federal offenders in Canada (pp. i-109). Ottawa, ON: Government of Canada. Retrieved from <http://www.csc-scc.gc.ca/research/r130-eng.shtml>.

Bryant, M.E. (2002). Tsuu T'ina First Nations: Peacemaker justice system. *LawNow*, 26, 14-17.

Bushie, J. 1997. CHCH Reflections. In the Ministry of the Solicitor General of Canada. *The Four Circles of Hollow Water*. Aboriginal Peoples Collection. Cat. No.: JS5-1/15-1997E. Ottawa, Canada: Public Works and Government Services. Retrieved from https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/fr-crcls-hllw-wtr/index-en.aspx#chch_berma

Bushie, J. 1997b. "Berma Bushie: A Personal Journey." In Ministry of the Solicitor General of Canada. *The Four Circles of Hollow Water*. Aboriginal

Peoples Collection. Cat. No.: JS5-1/15-1997E. Ottawa, Canada: Public Works and Government Services. Retrieved from https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/fr-crcls-hllw-wtr/index-en.aspx#chch_berma.

Canada Department of Justice Evaluation Division. (2016). Evaluation of the Aboriginal Justice Strategy: December 2016. Retrieved from <https://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2016/ajs-sja/ajs-sja.pdf>

Canada Department of Justice Research and Statistics Division. (2019). Just facts: Indigenous overrepresentation in the criminal justice system. Retrieved from <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2019/may01.html>.

Canadian Resource Centre for Victims of Crime. (2011). Restorative Justice in Canada: What victims should know. Retrieved from <http://www.rjlillooet.ca/documents/restjust.pdf>.

Chartrand, P. (1995). *Bridging the cultural divide: A report on Aboriginal people and criminal justice in Canada*, Royal Commission on Aboriginal Peoples. <https://qspace.library.queensu.ca/bitstream/handle/1974/7729/Bridging%20The%20Cultural%20Divide.pdf?sequence=1&isAllowed=y>.

Costello, N.A. (1999). Walking together in a good way: Indian Peacemaker Courts in Michigan. *University of Detroit Mercy Law Review*, 76, 875-901.

- Dickson-Gilmore, J., & La Prairie, C. (2007). *Will the circle be unbroken*. Toronto, ON: University of Toronto Press.
- Feldstein, S.W., Venner, K.L., & May, P.A. (2006). American Indian/Alaska Native alcohol-related incarceration and treatment. *American Indian and Alaska Native Mental Health Research*, 13(3), 1-22.
- Fleming, C. (2015). Programs in profile: The Aboriginal Justice Strategy. *Just Research*, 15. Retrieved from <https://www.justice.gc.ca/eng/rp-pr/jr/jr15/p9.html>.
- Fortson, R., & Carbaugh, J.A. (2014). Survey of Tribal Court effectiveness studies. *Alaska Justice Forum*, 31(3-4), 1, 15-20. Retrieved from <https://scholarworks.alaska.edu/bitstream/handle/11122/6575/ajf.313b.survey-tribal-courts.pdf?sequence=4>.
- Hansen, J. G. (2009). Decolonizing Indigenous Restorative Justice is Possible. *The Quint: An interdisciplinary quarterly from the north*, 1(2), The Pas, Manitoba, Canada. www.ucn.ca/sites/academics/facultyarts/programofferings/arts/humanities/The%20Quint/The%20Quint%20v1.2.pdf.
- Hansen, J. G. & Antsanen, R. (2012). The Pedagogy of Indigenous Restorative Justice. In J. Butler, & S. Matheson (Eds.), *The Quint: An interdisciplinary quarterly from the north*; The Pas Manitoba, Canada. Retrieved from <https://www.ucn.ca/sites/academics/facultyarts/programofferings/arts/humanities/The%20Quint/The%20Quint%20v5.1.pdf>.
- Hewitt, J. G. (2014). Reconsidering reconciliation: *The long game*. 67 *SCLR* 259.
- Justice Education Society. (2016). Restorative justice: Aboriginal restorative justice remedies. Retrieved from <http://www.justiceeducation.ca/about-us/research/aboriginal-sentencing/restorative-justice>.
- Jarrett, B. & Hyslop, P. (2014). Justice for all: An Indigenous community-based approach to restorative justice in Alaska. *Northern Review*, 239-268. Retrieved from <https://thenorthernreview.ca/index.php/nr/article/view/333>.
- Johnson, S. (2014). Developing First Nations Courts in Canada: Elders as foundational to Indigenous therapeutic jurisprudence +. *Journal of Indigenous Social Development*, 3(2), 1-14. Retrieved from <https://scholarspace.manoa.hawaii.edu/bitstream/10125/34473/v3i2-02johnson.pdf>.
- Kenaitze Indian Tribe. (2020a). Henu' Community Wellness Court. Retrieved from <https://www.kenaitze.org/tribal-government/tribal-court/henu-community-wellnesscourt/>.
- Kenaitze Indian Tribe. (2020b). Ts'ìlq'u Circle. Retrieved from <https://www.ken>

aitze.org/tribal-government/tribal-court/tribal-circle/.

Kenaitze Indian Tribe. (2016). Kenaitze Indian Tribe, Alaska Court System announce Joint-jurisdiction project. Retrieved from <https://www.kenaitze.org/kenaitze-indian-tribe-alaska-court-system-announce-joint-jurisdiction-project/>.

Kenaitze Indian Tribe. (n.d.) *Henu' Community Wellness Court* [Brochure]. Retrieved from <https://public.courts.alaska.gov/web/forms/docs/pub-117.pdf>.

Lange, S., & Popova, S. (2011). The effectiveness of criminal justice diversion initiatives in North America: A systematic literature review. *International Journal of Forensic Mental Health*, 10 (3), 200-214.

Loukacheva, N. (2012). Indigenous Inuit law, "Western" law and northern issues. *Arctic Review on Law and Politics*, 3, 200-217.

McCormick, A. (2001). Confronting the past and building a future: Peacemaking Circles in a Northern Canadian community (Master's Thesis). Retrieved from: <https://www.collectionscanada.gc.ca/obj/s4/f2/dsk3/ftp04/MQ61589.pdf>.

Mehl-Madrona, L., & Mainguy, B. (2014). Introducing healing circles and talking circles into primary care. *The Permanente Journal*, 18(2), 4-9.

Melton, A. P. (2005). Indigenous justice systems and tribal society. In Wanda D. McCaslin, (ed.), *Justice as healing: Indigenous ways. Writings on Community Peacemaking and Restorative Justice from the Native Law Centre*. St. Paul, MN: Living Justice Press. Pp. 108-120.

Mills A. (2016). The lifeworlds of law: On revitalizing Indigenous legal orders today. 61:4 *McGill Law Journal* 847 at 852.

Mirsky, L. (2004). Restorative Justice Practices of Native American, First Nation and other

Indigenous People of North America: Part One. Retrieved from <https://www.iirp.edu/news/restorative-justice-practices-of-native-american-first-nation-and-other-indigenous-people-of-north-america-part-one>.

Mitchell, O., Wilson, D. B., Eggers, A., & MacKenzie, D. L. (2012). Assessing the effectiveness of drug courts on recidivism: A meta-analytic review of traditional and non-traditional drug courts. *Journal of Criminal Justice*, 40(1), 60-71.

Native Counseling Services of Alberta. (2001). A Cost-Benefit Analysis of Hollow Water's Community Holistic Circle Healing Process. Retrieved from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/cst-bnft-hllw-wtr/cst-bnft-hllw-wtr-eng.pdf>.

- Pranis, K., Stuart, B., & Wedge, M. (2003). *Peacemaking circles: From crime to the community*. St. Paul, MN: Living Justice Press
- The Resource Basket. (2020). AK OJJDP Grantees. Retrieved from <https://www.resourcebasket.org/grantees/>.
- Rieger, L. (2001). Circle Peacemaking. *Alaska Justice Forum*, 17 (4), pp. 1, 6-7. Retrieved from <https://scholarworks.alaska.edu/bitstream/handle/11122/3247/ajf.174.winter2001.pdf>.
- Sivell-Ferri, C. 1997a. "The Ojibwa Circle: Tradition and Change." In Ministry of the Solicitor General of Canada. *The Four Circles of Hollow Water*. Aboriginal Peoples Collection. Cat. No.: JS5-1/15-1997E. Ottawa, Canada: Public Works and Government Services. Retrieved from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/fr-crcls-hllw-wtr/index-en.aspx#chch>.
- Sivell-Ferri, C. 1997b. "The Victims' Circle: Sexual Assault and Traumatization in an Ojibwa Community." In Ministry of the Solicitor General of Canada. *The Four Circles of Hollow Water*. Aboriginal Peoples Collection. Cat. No.: JS5-1/15-1997E. Ottawa, Canada: Public Works and Government Services. Retrieved from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/fr-crcls-hllw-wtr/index-en.aspx#chch>.
- Tribal Law and Policy Institute. (2014). Overview of Tribal Healing to Wellness Courts Retrieved from <http://www.wellnesscourts.org/files/THWC%20Overview%20Final%20-%20Sept%20%202014.pdf>.
- Tribal Law and Policy Institute. (2015). Tribal Healing to Wellness Courts: The Policies and Procedures Guide. Retrieved from http://www.wellnesscourts.org/files/Tribal%20Healing%20to%20Wellness%20Court%20Playbook%20FINAL_November%202015.pdf.
- U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. (2003). Tribal healing to wellness courts: The key components. Retrieved from <https://www.ncjrs.gov/pdffiles1/bja/188154.pdf>.
- Wang, L.M. (2019). A sensory exploration of the Tsuu T'ina Court. *Law and the Senses Explorations in Sensori-Legal Studies*. Retrieved from <https://lawandthesenses.org/probes/a-sensory-exploration-of-the-tsuu-tina-court/>.
- Whonnock, K. (2008). Aboriginal courts in Canada. The Scow Institute. Retrieved from http://scow-archive.libraries.coop/library/documents/Aboriginal_Courts.pdf.