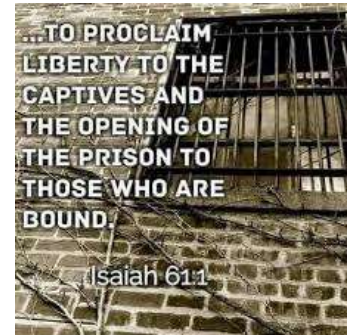
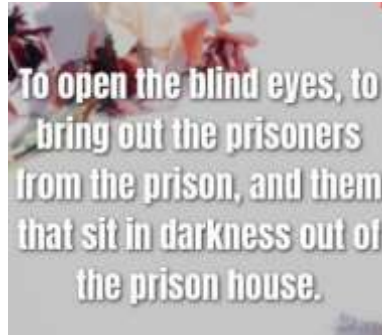
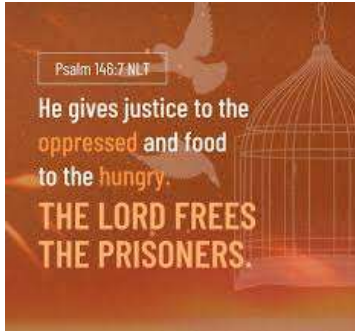


# Trilogy on “Restorative Justice” vs. “Punitive Justice”

## Part 3



## A Case Study on British Justice vs. Indigenous Justice in Pond Inlet, Nunavut

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## A Case Study on British Justice vs. Traditional Restorative Justice in Pond Inlet, Nunavut

### Background to First Trial under the British System of Justice in the High Arctic

The community of Pond Inlet, Nunavut in the northernmost part of Baffin Island had its beginnings in a criminal trial in the year of 1923 in which the Canadian Government sought to entrench Canadian sovereignty over the High Arctic by beginning to impose the British justice system.

This trial in Pond Inlet, Nunavut, has left a legacy of mistrust and misunderstanding ever since 1923 when the government inaugurated a criminal trial for an Inuk man who had killed a white trader in self-defense as well as in the defense of the community. There were many misunderstandings because of the different mindsets rooted in the different cultures during the trial, and a fear and mistrust of each other, has left a legacy of ongoing mistrust between Inuit and qallanaats (non-Inuit) over many years.

On the morning of August 1, 2008, after a week of dealing with local issues in Pond Inlet along with a **Canada Awakening Ministries Healing the Land Team** that went to Pond Inlet in collaboration with local elders, we had a powerful ceremony right at the site of the RCMP detachment where the original trial had taken place in which the Canadian government began to impose the British system of justice upon the Inuit.

For a little background to this trial, I need to introduce the explorations of Captain Joseph-Elzéar Bernier who was a Canadian mariner and explorer best known for leading expeditions to the Arctic between 1904 and 1925, where he helped assert Canadian sovereignty over the Arctic Archipelago. He was a skilled navigator from a seafaring family. He commanded the **C.G.S. Arctic** on many voyages, claimed territory for Canada, and helped raise national awareness of the North to the newcomers that came to the land and who lived in southern Canada.



In the picture on the above left, Captain Joseph Bernier (second from left) is here formally taking possession of **Bylot Island** in the North Baffin region with no official Protocol in advance of a flag-raising ceremony of the then Canadian flag (with the **Union Jack** in the upper left-hand corner) at “**Canada Point**” in August, 1906.

The name of the ship (**CGS Arctic**) and the date (August, 1906) were chiseled into the stone. Bylot Island is a separate island from Baffin Island which is visible from Pond Inlet, Nunavut. See map on the left.

In the picture on the right, we here see Captain Joseph Bernier in the northern-most part of Baffin Island again raising the Canadian flag, but this time claiming all of Baffin Island for the “**Dominion of Canada**” in the presence of officers. The Inuit had no equal voice before or during this ceremony on November 9, 1906.

We need to give credit to Captain Joseph Bernier for putting a stop to the flagrant and drastic overhunting of the bowhead whales by the Scottish and American whalers in the Baffin region. It is estimated that the whalers killed over 18,000 bowhead whales in this region between the years of 1820 and 1860 alone.

However, the restrictions that the Canadian Government put on the bowhead whale hunt also applied to the Inuit who had never overhunted, and who had managed the animals and the environment responsibly from time immemorial. The exploitation, overhunting and overkill of the whalers left the Inuit with respect to the whales in a similar position that the Indigenous peoples on the Canadian prairies were left with the overhunting of the buffalo on the Canadian prairies, bringing them to near extinction.



The Bowhead Whale of the Canadian Arctic nearly became extinct because of overhunting by outsiders

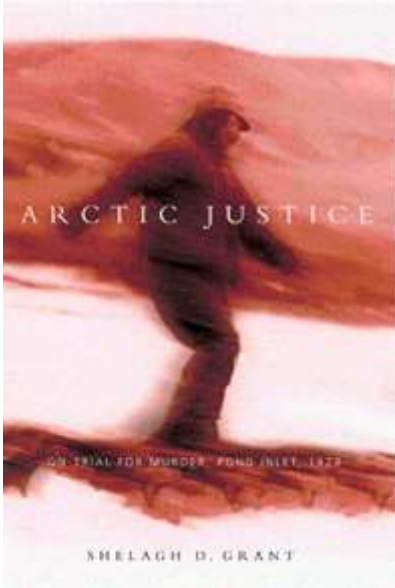


The Buffalo of the Canadian Prairies nearly became extinct because of overhunting by outsiders

Just as the overhunting by outsiders of both the Prairie buffalo and the Arctic bowhead whale resulted in economic injustice, this led to legal and judicial injustice as well when the Canadian government pushed back severely against those who had resisted economic injustices. The punitive British system of justice was presumed to be superior to Indigenous restorative justice at the trial of **Louis Riel (Métis)** in Regina in 1885, at the trials of **Big Bear** and of **Poundmaker (First Nations)** in Fort Battleford in 1885 and at the trial of **Nuqallaq (Inuit)** in Pond Inlet in 1923.

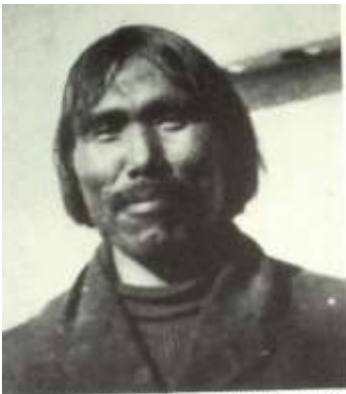
In that year, the Canadian Government made its first attempt to establish the British system of justice in the High Arctic with a trial at the post of a RCMP detachment of what since that trial has become known as Pond Inlet, Nunavut. We will now do a case study of that trial based on both personal knowledge, and the scholarly book, *Arctic Justice, On Trial for Murder, Pond Inlet, 1923* by Shelagh D. Grant.

Excerpts from the book Arctic Justice, On Trial for Murder, Pond Inlet, 1923



By the year of 2002, Shelagh D. Grant had documented an award-winning book by the title of *Arctic Justice, On Trial for Murder, Pond Inlet, 1923* that was published by the *McGill-Queen's University Press* that documents the trial of an Inuk man by the name of **Nuqallaq** for the killing of a crazed, hot-headed fur trader from Newfoundland by the name of **Robert Janes** which was done in self-defense. The Canadian government saw Robert Janes' death as murder. The Inuit saw it as removing a threat from their society according to custom.

Nuqallaq was sentenced to ten years of hard labour in **Stony Mountain Penitentiary** where he contracted tuberculosis. He died shortly after being returned to Pond Inlet after serving less than 18 months of his sentence. He had spread the tuberculosis virus to other Inuit who had not known this sickness up until this time. This has left a legacy of pain and of misunderstandings between cultures that has hugely impacted future generations of Inuit.



Nuqallaq with short hair after sentencing, 30 August 1923. McIlroy Collection.

**Nuqallaq** after sentencing on August 30, 1923



Robert Janes at his house in 1911, with his wife Mary and their dog. Department of Canada Photo Archives, 1911. Source: <http://www.library.utoronto.ca/ark:/61902/3Q0686>

**Robert Janes** at Canada Point (1911)



RCMP detachment at Pond Inlet, painted and ready for inspection, summer of 1923. Officer on the right is Constable William MacGregor. MacGregor Collection.

**RCMP detachment at Pond Inlet** where the first Arctic trial based on British Justice took place in 1923



Court in Recess after the narwhals arrive and Inuit leave the court room to hunt! Left to right: Defence Counsel Tellier; Dr Livingstone and an unidentified court officer; Mr Falardeau leaning against the wall talking to a government official; two unidentified police officers with William Duval; Mrs Craig, Inspector Wilcox, and an unnamed individual. Tredgold Collection. NAC - PA 387325.

**Court in Recess** after the narwhals arrive and Inuit leave the court room to hunt!



Judge Rivet, far left, explaining the outcome of the trial and the advantages of Canadian citizenship to the Inuit. William Duval to his right was translating. NAC - PA 207904.

**Judge Rivet** explaining the outcome of the trial, and the advantages of Canadian citizenship and Canadian justice.

By British standards, the actions of Nuqallaq were clear evidence of premeditated murder. Yet, by customary Inuit law, consensual agreement to protect the community legitimized the action. Equally at odds with British justice was the Inuit belief that *"insanity"* provided a justifiable reason for killing a dangerous person who was a threat to the community, compared to the *qallunaat* (non-Inuit) practice of pleading insanity in order to avoid responsibility for one's crime or crimes.

Even the objectives of social control differed in the two cultures. When Inuit were confronted with a serious crime such as persistent thieving, assault or murder, the aim was to resolve the conflict and to *restore relationship*, if possible, so as not to lose an able-bodied hunter. By British tradition, a criminal was severely *punished* in order to use fear as a motivation to deter others from contemplating similar acts.

In Inuit culture, taking another's life without prior consent or provocation—*inuaqsiniq*—was considered the worst of all crimes because of the adverse effect it would have on a community with close kinship ties. But self-defense was an exception, according to Emile Imaruittuq, an elder from Igloolik.

*"If someone was attacking you, trying to kill you, you would be justified in defending yourself. If you killed the person before he killed you, that would be justified. But if a killing was committed without a provocation, that was terrible. We are on this Earth to try to live. We have to protect ourselves, if someone is trying to kill us."* In other words, self-defense was an acceptable motive.

Right from the winter of 1910-1911 when Robert Janes was first in the High Arctic, he was reported to have had frequent outburst of anger and quarrels with his assistant who was also on a 1910-1911 government expedition. Although he was married with a wife and family in Newfoundland, Janes was said to have an Inuk "*wife*," a woman named Kalluk who provided him with clothing and other necessities of life.

By the spring of 1918, Janes became intensely jealous of Nuqallaq, a widower, whom he believed was trying to gain Kalluk's affection. On one occasion, Janes was seen beating the woman because she wanted to go to a dance. He warned Nuqallaq to keep away and threatened to shoot him if he ever came near his trading post. Duly alarmed, the Inuk kept his distance.

For no apparent reason, Janes boastfully repeated his threats to Inuit and traders alike—once even in writing. When warned that his threats and aggressive manner might alienate the Inuit, Janes declared that "*he would shoot any native if he misbehaved.*" Although warned that his bullying tactics would end in trouble, Janes reportedly shrugged it off, saying he knew how to handle the natives. It never occurred to him that the Inuit might have their own ways of dealing with him.

After Nuqallaq married an Inuk wife by the name of Ataguttiaq, the jealousy that Robert Janes had towards him over his Inuk "*wife*" Kalluk had subsided, and since Janes could not speak Inuktitut well, he needed Naqallaq to be his interpreter, and it was in this capacity that he asked Nuqallaq to interpret for him to get more fox furs.

One of his more bizarre demands of Nuqallaq was that he should go and find Kalluk and bring her back, with the warning that if she refused to come, he would kill her. Janes' threats seemed endless, but he was apparently confident that the Inuit were sufficiently afraid of him that they would do whatever he asked. In his confused state of mind, Janes may have thought that Nuqallaq still feared him and would be willing to pressure the other Inuit into submitting to his demands.

The next day, Janes lost his temper yet again, and threatened to kill everyone's dogs to prevent them from trading at a different post, claiming he did not care if the Inuit shot him in return. For those who did not understand what he was saying in English, his angry gestures left no doubt as to his intentions. At one point, Aatitaaq, a member of the party that Janes had hired, tried to calm Janes down, but he stalked off to his igloo and began looking for his gun, saying, "*never mind if I kill some of the people and afterwards their dogs.*"

That evening, Janes told his guide Uuttukuttuk how he had threatened to kill the dogs that day, saying he would also kill the Inuit if they still refused to give him any furs. The hunters in Janes' party, including Nuqallaq, Aatitaaq and Uuttukuttuk continued to talk among themselves about the danger that they were in. It seemed natural that Nuqallaq would become the central figure in these discussions and assume a lead role, given his fluency in English and the fact that Janes had trusted him to act as his interpreter.

Nuqallaq instructed Uuttukuttuk *"to stay in the igloo all the time and watch Janes, and if he was going to shoot the people, to take away everything that he could kill people with."* Others hid their guns so Janes could not use them. The general feeling was that the trader should be killed before he killed one of them. Nuqallaq discussed the situation with his wife, Ataguttiaq. He told her that he wanted to leave the camp, but was afraid lest Janes become angry over losing his interpreter and kill someone. Nuqallaq also talked to a number of others. Most agreed that Janes should be killed, but no one wanted to do it.

They all gave reasons why Nuqallaq should be the one, primarily because Janes had threatened to kill him on numerous occasions, and had physically attacked his father. At some point, Nuqallaq told everyone that as long as Janes was *"happy,"* he would do nothing, but he assured them that he would kill the trader if he became angry again. According to their traditions, they were justified in killing an insane person if he or she posed a serious threat to the lives of others.

Most of the men left the camp the next day to hunt seals, except for one man who remained behind because his wife was afraid to be alone with Janes who confided to this man that he intended to gather them all together that evening and *"put them more afraid."* When reports of this new threat spread among the women at the camp, they were terrified, and Nuqallaq's wife Ataguttiaq left the camp to find the hunters along with another woman to warn the hunters that Janes was *"mad"* again. This was the last straw. Later that afternoon, Nuqallaq shot and killed Robert Janes in not only his own self-defense, but in the defense of the group of hunters.

Nuqallaq believed that he had done no wrong. He had accepted the responsibility conferred on him by the other hunters, and believed that he had saved the camp from possible starvation. There was only one problem: Robert Janes was a *qallunaat* (non-Inuit).

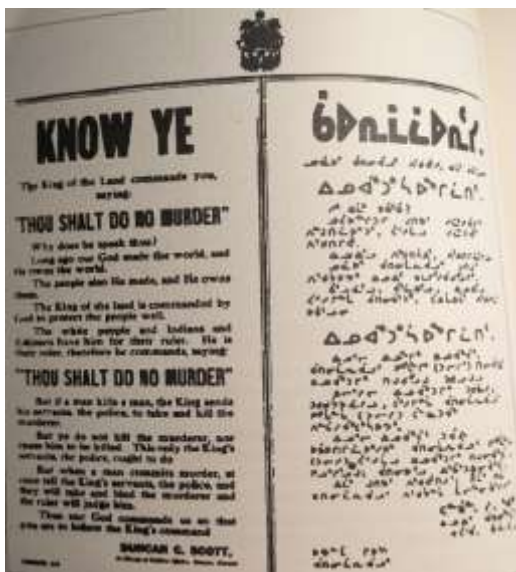
When news of this came to the Canadian authorities in the south, they had the perception that all white people in the far North were now in danger. Nuqallaq had killed a white man, and Canadian law must now be enforced. It is true, of course, that this white man invaded the High Arctic as a fur trader, brought strange customs, ignored the native cardinal principle of good nature, provoked Inuit, terrified them with threats to kill them and their dogs.

However, a *qallunaat* (non-Inuit) had been killed, and must be avenged. It is the natives' misfortune if they had not heard of the custom called the British law. Nuqallaq must be punished. Otherwise, white traders might not feel safe to trade jack knives for foxes. The ethic of assimilation and colonialism was pleased to clothe itself in legal terms.

The trial was not driven by any idealistic quest for justice, but motivated by a dual purpose: on the one hand, to teach the Inuit a lesson to ensure *qalunaat* could live among them without fear, and on the other, to make a statement to the world that Canada was effectively administering its Arctic lands. So while the stated objective was to show the Inuit *"that Canadian laws must be respected,"* the first British court trial in the High Arctic presented a unique opportunity to show the world that Canada was fulfilling the legal obligations required to maintain sovereignty.

The choice of lawyer Louis-Alfred-Adhémar Rivet as the judge in this case appeared to be a patronage appointment for his years of service as a Liberal Member of Parliament. At the time of his appointment, he had never been to the Arctic nor had any prior knowledge of the Inuit people or their customs. The trial itself was conducted inside the RCMP detachment at Pond Inlet with the judicial party wearing long black gowns and stiff-collared white shirts.

The RCMP officers were resplendent in official red uniforms. The interpreter, William Duval, appeared somewhat self-conscious in a dark suit, white shirt and tie, whereas the jurors seemed proud to be wearing their officers' dress uniform. The **Union Jack** was displayed prominently behind the judge, who faced the Inuit sitting in rows on wooden chairs. The front row was reserved for the police in their scarlet tunics. The jury sat on one side at the front of the room, whereas the prisoners, legal counsel, clerk of the court and the interpreter sat on the other. The Inuit witnesses and spectators were described in a newspaper article as "stolid-faced" and "unkempt," wearing "heavy skin clothes."



Above on the left was a poster issued by the **Department of Indian Affairs** 100 years ago in 1925 and distributed to RCMP detachments and trading posts throughout the Canadian Arctic.

**“KNOW YE** The King of the land commands you, saying; **“Thou shalt do no Murder.”**

“Why does he speak thus? Long ago our God made the world, and He owns the world. The people also He made, and He owns them. The King of the land is commanded by God to protect the people well. The white people and Indians and Eskimos have Him for the Ruler. He is their Ruler, therefore He commands saying:

**“THOU SHALT DO NO MURDER.”** But if a man kills a man, the King sends his servants, the police, to take and kill the murderer. But ye do not kill the murderer, nor cause him to be killed. This only the King’s servants, the police, ought to do.

“But when a man commits murder, at once tell the King’s servants, the police, and they will make and bind the murderer and the ruler will judge him. Thus our God commands us so that you are to follow the King’s command.” --Duncan C. Scott, The Department of Indian Affairs, Ottawa, Canada.

I would respectfully suggest that this declaration is closer to the pagan doctrine that the King is the deity, and holds the exclusive power of deciding who should be killed in his pursuit of justice. In essence, the King's command is God's command, when the King is commanded to seek the will of God in the administration of justice. Today, in the **Speech from the Throne** to the Canadian Parliament on May 27, 2025, King Charles II acknowledged that *"while continuing to deepen my own understanding, it is my great hope that in each of your communities, and collectively as a country, a path is found toward truth and reconciliation, in both word and deed."*

Back to the criminal trial in Pond Inlet in August of 1923, after a rather non-conventional week-long trial, the jurors took only 20 minutes before returning with a verdict. They had discussed this for an hour the night before, and it appears that they had pretty much made up their minds before the lawyers' summations and the judge's *"charge to the jury."*

The prosecutor, in his summation, stated that *"in civilization, he would ask for a verdict of murder,"* but because of *"the ignorance of the prisoners,"* he recommended that a conviction be entered for manslaughter.

Three men had actually been charged. The first (Aaitaaq) was found *"not guilty"* for lack of evidence. The second (Ululijarnaat) was found *"guilty of manslaughter,"* but in his case they recommended leniency. In the case of Nuqallaq, however, he was also found *"guilty of manslaughter,"* but they ignored the opportunity to recommend clemency. Without further deliberation, Judge Rivet sentenced Nuqallaq to ten years in the **Stony Mountain Penitentiary**. The judge took the opportunity to impress upon the prisoners the *"enormity of their crime,"* telling them that while their sentences were light, any recurrence would be dealt with far more severely.

Ten years in a southern penitentiary could hardly be considered a *"light sentence,"* but anything less would make it difficult to justify the expense of the court party, let alone the cost of the new police detachments and the annual expedition to supply them.



**Stony Mountain Penitentiary**, located just north of Winnipeg, was built in 1875 to handle Indian offenders and new immigrants. Among its more famous inmates were Poundmaker and Big Bear, accused of treason in the **1885 Northwest Resistance**, popularly at the time referred to as the **Riel Rebellion**.

Nuqallaq served less than 18 months of his sentence before he contracted tuberculosis. At the request of senior officials, including the commissioner of the **Royal Canadian Mounted Police**, the prisoner was released on a *"ticket of leave"* and returned to Pond Inlet where he was reunited with his wife. Canadian officials had acted out of compassion, believing the cold air would put the disease into remission.

At the time of the trial, the medical officer reported that he had examined approximately thirty Inuit at Pond Inlet and found them to be free of disease. Nor were there any reports of “*lung disease*” the following year. When Nuqallaq returned to Pond Inlet in 1925, however, he was a very sick man and died within a few months. The police visited Nuqallaq in mid-November of 1925, and reported finding him “*confined to his igloo owing to his weak state of health, due probably to the effects of his trip.*”

A few weeks later, his wife Atagutτιαq arrived at the RCMP attachment in Pond Inlet to say that her husband had fallen into a coma and died on December 5, 1925. Sadly, the story does not end there, for it appears that he left behind a legacy—an outbreak of tuberculosis that spread throughout the North Baffin hunting camps that winter and the next spring, and as far south as Clyde River. Since the Inuit at the trial were found free of any disease and none had been reported by Dr. Livingstone in the summer of 1925, there seems little doubt that Nuqallaq had infected those Inuit who had gathered at Pond Inlet to meet the **CGS Arctic** ship that he had arrived on.

This attempt to introduce British justice to the Canadian Arctic and to Pond Inlet in particular, and the use of fear as a tool of control did not go without cost. The tendency of an Inuk is to be compliant, to acquiesce, worked against the development of trust between the Inuit and the RCMP as well as the Canadian government. By the time that a **Healing the Land Team** from **Canada Awakening Ministries** arrived in Pond Inlet during the week of July 25 to August 1, 2008, the elders and people of Pond Inlet were still in pain, still feeling hurt and wounded about what the effects of this 1923 trial on the community.

As yesterday’s children became today’s elders, that fear of the police was passed down to their children and grandchildren, acquiring layers of reinforcement from incidents unrelated to its origins. Intervention by the special constables helped moderate the fears over time, but in the interim, the police at Pond Inlet would be forced to adopt a more sensitive approach to law enforcement than envisioned by authorities in Ottawa.

While the trial left a painful legacy in Pond Inlet, the government officials living within their bubble in Ottawa, thought the trial to be *a great success*. In the absence of any further reports of violence in North Baffin, southern officials *assumed* that the trial had achieved its goals and that the Inuit now “*respected*” Canadian law. In reality, it was not respect for the law that had ended the violence, but fear of punishment.

The 1923 trial marked the beginning of Pond Inlet, but it had also planted the seeds of division between the Inuit on the one hand, and the RCMP and the Canadian government on the other hand, and future generations have reaped a bad harvest from those seeds of division. The verdict at the trial of Nuqallaq might have been considered a “*high water*” point in the administration of British justice among the Inuit.

Yet as testimony to the inability to resolve the inherent problems arising from disparate social and cultural values, the debate over judicial reform is still ongoing. In the meantime, the rate of criminal violence in Nunavut is now the highest per capita in all of Canada.



Canada Awakening Ministries Healing the Land Team Comes to Pond Inlet in 2008

During the week of July 25 to August 1, 2008, **Canada Awakening Ministries** brought a **Healing the Land Team** into Pond Inlet that included David and Dorthy Aglukark from Arviat, Nunavut, and also members from a **Healing the Land Team from Fiji** in order to consult and to collaborate with the local mayor, elders, leaders and youth about issues that have left a legacy of pain in the community that needed to be addressed.

By way of background to this healing process, on May 27, 2008, Martha Kyak, an educator and community advocate from Pond Inlet at the time sent an e-mail to **Canada Awakening Ministries**. She wrote,

*"I just spoke with our mayor, Abraham Kublu, and I am happy to inform you that you and your group are invited to come to Pond Inlet for the healing of our land...He will write an official invitation letter to you.*

*"As Rhoda Katsak mentioned earlier, the Anglican vestry is in full support of your group to come...We look forward to your arrival and we'll keep praying for you and your group. Be blessed!"*

On May 28, 2008, she wrote,

*"When we met with the vestry, they wanted it this year (2008), since you will be in the north Baffin already. I was praying about this almost all night, and the Bible verse came to me: Joel 2:18-29 'Then was the Lord jealous for His land and had pity on His people. Yes, the Lord answered and said to His people, Behold, I am sending you grain and juice [of the grape] and oil, and you shall be satisfied with them; and I will no more make you a reproach among the nations.' and the rest of the verses."*

On June 3, 2008, she wrote,

*"Rhoda Katsak and I met with the elders last week, and we will meet with them again. They were so thrilled that finally they are able to speak about the subjects that were hidden for so long. They can't wait for you to arrive and start praying for the healing of our land. There were already tears when they spoke. Be blessed!"*

This is the sort of welcome that is necessary for the elders and the gatekeepers, the governmental authorities need to give in order to open up the gates for the Holy Spirit to come in, and to do a healing work in their part of the earth. The Holy Spirit will never impose His presence of just barge in. He must be welcomed and invited by the local elders, leaders and authorities.

The **Canada Awakening Healing the Land Team** flew into Pond Inlet, Nunavut on July 25, 2008. During the Protocol Event, James Arvaluk, the MLA for Pond Inlet, welcomed us, expressing his gratitude that finally a team was coming to town that wanted to bring down dividing walls in the community rather than to erect new divisions. The legacy of some of the past divisions in this community affected practically every sphere of life—in business and commerce, with the government, with the educational system, with the denominationalized church and with the judicial system.

1. In business and commerce, the legacy of the whalers and traders had brought much conflict and even bloodshed between opposing factions. With the bowhead whale, while the Inuit had never overhunted, the whalers drastically overhunted the bowhead whale in particular, and then it was the Inuit who got stuck with federal government quotas for many years to come.

In fact, it is estimated that the Scottish whalers killed over 18,000 bowhead whales in the Baffin region between the years 1820 to 1860 alone. This is in addition to the fact that the whalers got many Inuit women pregnant in the Pond Inlet area, only to abandon the women and the children that came out of those relationships, leaving a generation of Inuit youth fatherless and an image of masculinity that was toxic.

2. In the area of government, the government's relocation policy of 1953 which relocated Inuit from Port Harrison (Inukjuaq) in northern Quebec also convinced some of the Inuit from Pond Inlet to move into the High Arctic to establish Canadian sovereignty over those northernmost islands. This resulted in the pain of family separation, and of division in the community over government policies.
3. In the area of the educational system, a legacy of pain and mistrust was left behind with the history of the Residential Schools, one of which was right in Pond Inlet. Not only were students at this school emotionally wounded, but the mothers who had their children taken from them were deeply affected and wounded by this misguided and destructive policy.
4. In the area of the church, even though the missionaries brought the gospel message, they, too, left a legacy of division when the different denominations came in. In Pond Inlet, the leaders of both the Roman Catholic Church and the Anglican Church would demonize one another, warning the people to stay away from the other group, and that the other group was going to Hell, etc. There is even a separate cemetery in Pond Inlet for the Anglicans and the Roman Catholics until this day, and the Inuit have been torn by these divisions. Then when Full Gospel people came along, it was like another sphere of the community which needed reconciliation with the rest.
5. In the area of the judicial system, there had been a legacy of mistrust and misunderstanding ever since 1923 when the Canadian government tried to establish the British Justice System in the North with a criminal trial for an Inuk man who had killed a white trader in self-defense. There were many misunderstandings during the trial, and a fear and mistrust of each other, which left a legacy of ongoing mistrust between Inuit and qallanaats (non-Inuit) until this day.

Throughout the week we were in Pond Inlet, each of these divisions were addressed, and there was repentance and reconciliation in all of these areas. On the last morning, August 1, we had a powerful ceremony right at the site of the RCMP detachment where the original trial had taken place in which the Canadian government sought to impose its system of justice.

The ceremony that took place at this site on August 1, 2008, with the blessing of Mayor Abraham Kublu, the elders and other community leaders, was a powerful time in the Presence of God. As Dorothy Aglukark said later, *"It was like watching a movie!"*



Some of the Inuit elders who gave us *insight* while we were *onsite* by the RCMP detachment In Pond Inlet were **Elder Elisapee Ootoova** (in blue jacket in 1<sup>st</sup>, 2<sup>nd</sup> & 5<sup>th</sup> photos, **Elder Letia Kyak** (in lilac jacket in 5<sup>th</sup> & 6<sup>th</sup> photos and **Elder Rhoda Katsak** (in yellow jacket in 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> photos).

All of these elders and other community leaders were very grateful that they had lived long enough to see this day when they could openly talk about what happened in 1923 with the first trial that tried to establish Canadian justice in the High Arctic. This Ceremony took place almost 85 years after the trial that took place at that very site during the last week of August, 1923, and either had first-hand memories or their parents were intricately involved with the trial and had lived in the immediate after-effects of the trial which had impacted their trust in the RCMP and in the Canadian Government to that very day.

In the words of Pond Inlet community worker Martha Kyak, these local elders *“were so thrilled that finally they are able to speak about the subjects that were hidden for so long. They can't wait for you to arrive and start praying for the healing of our land.”*

That day, on August 1, 2008, these elders and other community could see that there were intercessors from outside of the community to come in and to stand in the gap, to repent on behalf of the ill-conceived and misguided attempt at cultural assimilation, and there was a release of forgiveness and the hearts of all were to heal and to reconcile with people from the South. The presence of the Holy Spirit was very palpable, and there was a clear sense that He was leading the Ceremony in a powerful way as those immediately impacted felt free to share their hearts in telling the *truth* in a spirit of *grace*.

From the standpoint of many of the leaders and people of Pond Inlet, there was a direct connection between the generational repentance, and the healing the land process that took place in their community during the week of July 25 to August 1, 2008, and a greater abundance as well as increase in size of fish, and also a greater abundance of ptarmigan were soon evident.



*The Harvest in Pond Inlet of Narwhals in late 2008 and of Bowhead Whale in 2010*

To the Inuit of Pond Inlet, however, the greatest blessing came in the huge harvest of narwhals that took place in that community in late 2008 that even the elders were seeing for the first time in their lives. This was followed by the catch of their first bowhead whale in over 100 years in 2010. Both of these harvests of whales was a tremendous boost to the community. The jubilation on the face of the hunters was evident.



I realize that there are many who believe *only* in natural causes will say that there is no connection between the *Healing the Land Process* in Pond Inlet during the late summer of 2008 and the unprecedented harvest of whales that occurred in a few months, but in the Indigenous worldview, there is a clear connection between the *spiritual* and the *natural*, between the *people* and the *land*, and between the *land* and the *animals*. Everything is interconnected.

In Pond Inlet, the Inuktitut word for “December” means “*the time of darkness.*” It is normally the darkest time of the year as the 1300 people of this High Arctic Community at 73 degrees north do not see the sun from November 15 until February 2. These months of darkness have often been times when crimes and other hidden works of darkness are more frequent.

In 2008, however, the Inuit set aside the dates of December 13 to 17 as a time Celebration and Praise to God for a bountiful harvest, starting on December 13 with a **Community Feast**. They celebrated the harvest of some 629 narwhals who had been trapped in the ice, and were discovered by local hunters on November 15, right at the time when the sun does not appear above the horizon for 2 ½ months.



Prior to this time of Celebration at a Community Feast in Pond Inlet in December of 2008, the narwhal hunt had gone on for fifteen straight days with all parts of the community pulling together after they had received permission from the *Department of Fishers and Oceans (DFO)* to harvest the narwhals as the most humane thing to do.

As an Inuk hunter commented in the comment section to a CBC news story on November 24, 2008, right during the harvest of narwhals near Pond Inlet between November 19 and December 2, 2008.

*"I am one of the hunters from Pond Inlet. I would like everyone to know that the people of Pond Inlet are doing everything that they can to help out with the harvesting of the whales, so that nothing will go to waste. Inuit have great respect for the animals they hunt.*

*"This sort of situation has not happened in Pond Inlet for a long time. Even our elders are seeing this for the first time. So this is a very special occasion for the Inuit. And we thank the Creator for giving us the animals as we thank Him every time we harvest something."*

<https://www.cbc.ca/news/canada/north/killing-pond-inlet-narwhals-humane-harvest-dfo-1.724883>

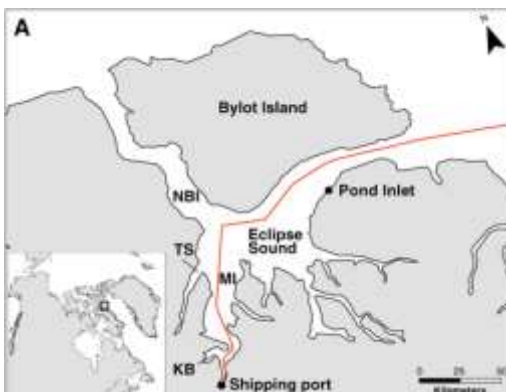
Or in the words of Terry Audla, the Executive Director of the *Qikiqtani Inuit Association* wrote that the harvest of narwhals reduces the Inuit's dependency on supermarket food, the most expensive in Canada.

*"Within our Inuit culture we have always had the respect and will continue to hold that respect towards the animals that feed us. We do not want unnecessary sufferings of the animals that we have always hunted and will continue to uphold that belief! The narwhals being culled will feed many families within the Eastern Arctic just in time for Christmas! It is truly a time to celebrate!"*

Not only was this whale meat (*maktaaq*) a blessing to Pond Inlet, but to communities all over the North with whom the meat was shared, including Nunavik (northern Québec) which received some 1,000 lbs. of meat as well. This was huge for the people of the North who rely so much on country food to even survive with the prohibitive costs of living on store-bought food.

What happened was that during the early fall of 2008, the winter freeze-up trapped about 629 narwhals. Normally, narwhals would have migrated to their wintering area in Baffin Bay, but for unknown reasons they became trapped and doomed to either starve or drown when their last breathing holes would disappear.

With the authorisation of the federal *Department of Fisheries and Oceans (DFO)*, the *Nunavut Wildlife Management Board* and the local *Elders*, the *Mittimatalik Hunters and Trappers Organization (HTO)* spent two weeks (November 19 to December 2, 2008) killing the narwhals, and pulling them out of the water to harvest the meat. This massive catch gave the hunters an occasion to teach the younger generation how to harvest whales, and it soon became the largest bounty in decades.



The hunt did not endanger the estimated 20,000 to 21,000 narwhals of the **Eclipse Sound** area. In the words of Tommy Kilabuk, the chair of the *Ikajutit Hunters' and Trappers Organization (HTO)* in Arctic Bay, "It was nature that killed the whales...It has happened before, and it will happen again." The extreme environmentalists who think there is no distinction between humans and nature saw it as "a crime against nature" whereas the Inuit saw it as "an act of nature." The Inuit way which totally respects all wild life, because if there was no wild life, there would be no Inuit. It is as simple as that.

The CBC headline on November 21, 2008, declared “**Killing Pond Inlet Narwhals ‘humane harvest’: DFO.** According to DFO department official Keith Pelley, “So basically we’re calling it **a humane harvest** of the whales so that they won’t suffer and die.” <https://www.cbc.ca/news/canada/north/killing-pond-inlet-narwhals-humane-harvest-dfo-1.724883>



Those in authority collaborated, and came to the following conclusions:

1. The floe edge of the ice was so far away that the narwhals had no chance to be able to escape.
2. To deploy a coast guard icebreaker ship to break up the ice was not a reasonable course of action inasmuch as by the time a coast guard ship had arrived from the Canadian South, it would have already been too late for the narwhals who were losing breathing space rapidly. Both the cost and the time it would have taken for an icebreaker to reach the remote location made it unfeasible.
3. Even if a coast guard ship had arrived on time, since narwhals are notoriously skittish around noisy boat motors, the sound of an icebreaker vessel’s approach would likely have driven the narwhales away from their breathing holes and to their deaths.
4. According to Anglican Minister Joshua Arreak, the narwhals that were harvested constituted only about one per cent (1%) of the total number of narwhales in the area. The narwhal harvest did not have a significant impact on the population’s numbers.

As the narwhals were restricted by an act of nature to either starve or drown as their last breathing holes disappeared under growing ice, the *Department of Fisheries and Ocean*, the *Nunavut Wildlife Management Board* and the local *Elders*, the keepers of knowledge, agreed that the most humane thing to do was to allow local hunters to harvest the whales granting a special exception to the yearly harvesting quota of 130 narwhales per year. As the editor of the **Nunavut News/North** stated in his editorial of December 15, 2008 under the title, “**A Necessary Cull, Pond Inlet deserves applause, not harassment.**”

*“There was no way to rescue the whales before they would run out of air holes and drown. Hunters in the community could have chosen to do nothing, allowing the animals to suffer a lengthy, meaningless death. But that is not the Inuit way. Instead, the community of Pond Inlet committed itself to weeks of arduous labour—12-hour days spent harvesting, hauling and processing 629 narwhals—so some good would come from this accident of nature.”*



At the *Community Feast* in Pond Inlet on Saturday evening of Dec. 13, 2008, Brian Koonoo, assistant chairman of the *Mittimatalik Hunters' and Trappers' Organization* read the speech prepared by chairman Jayko Aooloo.

*"I informed the DFO of our knowledge through oral tradition why we have to harvest since the narwhals are just going to perish—either drown or starve—plus the ice was quickly thickening due to the cold weather. Therefore, the DFO supported our initiative.*

*"It is known that Inuit are capable and instantly we established supervisors. This demonstrated a well-organized harvest. This showed Pond Inlet residents that we can work together and enabling our abilities to collaborate. This showed that happiness spread everywhere and in their homes.*

*"I was informed that since the beginning of the narwhal harvest from November 19<sup>th</sup> until December 2<sup>nd</sup>, the health centre did not receive any calls at night or after mid-night. Furthermore, the RCMP did not receive any complaints and no one spent a night at the cell.*

*"This shows that the people of Pond Inlet were in high spirits during this situation. I am extremely proud of this, **particularly to the people who conducted prayer. This was very much felt by the residents of Pond Inlet.***

*"Residents of Pond Inlet are more joyful even though food is a requirement, but they are now socializing and supporting each other more without any obstruction and breaching any laws. From the narwhals, we have seen that we can have a better life. **Thank You GOD!***

*"And last of all, when I was chatting with the Department of Fisheries and Oceans Area Director in Iqaluit, he personally mentioned that Pond Inlet had received their Christmas present. This is true, and I can say all of Nunavut and others elsewhere have received a Christmas present. **Thank You God,** and those who attended and helped."*



On Monday evening, December 15, the entire committee of the *Mittimatalik Hunters' and Trappers' Organization* came to the **Anglican Church** to share in a special praise service something of their story and excitement. Here you can see the members of that committee, plus some of the captains who helped to organize the narwhal hunt between November 19 and December 2, 2008. Holding the mike is Brian Koonoo, the assistant chairman of the *Mittimatalik Hunters' and Trappers' Organization* who had not generally come to church regularly. His heart was bubbling with a joy that just flowed outward!

When he came to this church service at the **Anglican Church** on Monday evening, December 15, he excitedly explained how he first came across the narwhals. He kept interspersing his comments with exclamations of "Hallelujah!" and "Praise be to the living God!"

When the Elders and Leaders of Pond Inlet called for this follow-up Praise Event, they had paid for the plane fares for three members of the **Healing the Land Team** that has been in the community the previous July to join them for this joyful occasion—Roger Armbruster, Aminiasi Waqanivalu and Semisi Naqica. This was because they connected this harvest of meat to the recently held **Healing the Land Process** in the community.



It was at this special **Praise Event** on December 15, 2008, that the entire Committee of the *Mittimatalik Hunters' and Trappers' Organization* came to the **Anglican Church** to share their story at this special service, and to give thanks to God for His abundant provision, not only for Pond Inlet, but all over Nunavut and Nunavik (northern Québec). What a powerful moment it was to see all of the Committee members and Captains of the *Mittimatalik Hunters' and Trappers' Organization* of Pond Inlet humbly kneeling down to give thanks to the God of Heaven for His provision, and to receive prayer.



Many people shared on the local radio station afterwards, including the chairman of the Committee, Jayko Alooooloo. He shared on the radio how that as he was kneeling there, for the very first time in his life, he felt a spiritual encounter with the Lord, and, in fact, he could even *smell* the sweet fragrance of His Presence which was awesome and wonderful.

This movement of the Spirit of God was coming right from within the Community. It was affecting the judicial system. The RCMP did not receive any complaints, and no one spent a night in the prison cell. It was impacting the local economy as there was an abundance of provision of food which made the cost of living more affordable for the entire population. It was influential with the social relationships and contributed to emotional healing in the community, as there was peace in the homes and on the streets, and the joy, happiness and unity was also connected to meeting the physical needs of the community for food.

When the affairs of a community are built upon a solid spiritual foundation of a relationship to God and to one another, each and every sphere of the community is impacted and affected. There is no part of life from which God can be isolated or irrelevant if we are to build strong, relational communities!

Healing the Land Ceremony at Whaling Station Eight Miles from Pond Inlet, Nunavut in 2009



Pond Inlet, Nunavut, is still referred to as “*the jewel of the Baffin Island.*” By the mid 1800’s in this area near Pond Inlet, trade began with the Scottish whalers and explorers that made a huge impact upon the Inuit culture. Items like rifles, steel knives, pots and pans, sewing needles, tobacco and tea were gradually introduced into the Inuit way of life.

Some of these items were of benefit to the Inuit, but negative effects that came from contact with the Europeans included the spread of diseases, plus the fact that Inuit women were often used for sexual purposes by the whalers in exchange for goods like tobacco. The children produced by these relationships were left without fathers, and encountered an identity crisis as they were part Scottish and part Inuit, but never affirmed in their unique identity by a loving, caring father.



Furthermore, while the Inuit had never overhunted, the whalers drastically overhunted the bowhead whale in particular, and then it was the Inuit who got stuck with federal government quotas from the Canadian Government for many years to come. In fact, it is estimated that the Scottish whalers killed over 18,000 bowhead whales in the Baffin region between the years of 1820 to 1860 alone.



This picture was taken of Pond Inlet in the 1920’s, and since that time until 2009, and even before the 1920’s back to the early 1900’s, there had not been one bowhead whale caught in the vicinity of Pond Inlet for over 100 years! On August 4, 2009, some 50 community leaders and residents of Pond Inlet travelled by boat to the site of the Scottish whaling station to do a **Healing the Land Process** along with Savenaca Nakauyaca from Fiji, Iain and Susan Wilson from Scotland and Roger Armbruster from Canada.



All 50 of us travelled by boat from Pond Inlet to the site of the **Scottish Whaling Station** which was at the foot of a pyramid-shaped mountain, and directly on-site we engaged in a **Healing the Land Process** with the leading Elder in Pond Inlet describing what happened here, not only with the overhunting of the bowhead whales, but also that Inuit women who were violated by the whalers and left many children who live in the community to this day left on the land but without fathers to affirm their identity.

Iain and Susan Wilson from Scotland identified with the sins of the Scottish whalers, and Roger Armbruster repented on behalf of other ancestors from Europe who had left a legacy of pain. Together they knelt in deep contrition in the presence of both God and the Inuit. Genuine and heartfelt forgiveness was released, and Communion was shared between the Scottish, the Inuit and the land. This was followed by a time of receiving one another in Christ, and embracing of one another. See picture on the lower right above.

The sin was great, but the grace was more. One can only forgive crimes of this enormity if one has gazed into the glory of God in the face of Jesus Christ as it was revealed in His death, burial, resurrection, ascension and exaltation, and whose Throne is now a Throne of Grace with an offer of forgiveness for the entire human race based upon the work of Redemption with a grace that is supernatural, and defies human logic. This grace is free, but it is not cheap. It cost God everything, and yet human hearts often harden.



It is significant that exactly one year later, to the very week, in August of 2010, that the hunters of Pond Inlet caught their first bowhead whale in over 100 years! This was another tremendous boost to the community, and the jubilation on the face of the hunters is evident.

I have been personally told by an authentic Inuit leader that he was told by the captain of this bowhead whale hunt in Pond Inlet that when the bowhead whale was brought to shore, that many Arctic Char fish came right up on shore as well, and were jumping out of the water, and were so accessible that people could catch them with their bare hands. From an Indigenous worldview, this is without question a sign of God's restorative justice overtaking the community of Pond Inlet as this case study confirms for the time period from 2008 to 2010.