

Finally, the bibliography is quite extensive as Eskimo-Aleut publications are concerned, but it draws too heavily on American sources. Almost no authors who published in a language other than English (*e.g.*, Collis, Cornillac, Golovko, Menecier, Nowak, Qumaq, Randa, Therrien, Vakhtin) are listed, and many important books published in English outside the US (*e.g.*, Fortescue's *Comparative Manual of Affixes*, Lowe's publications on the Uummarmiut dialect, or Bok-Bennema's syntactic analysis) are absent. This somewhat lessens the scholarly value of this volume of the *Handbook*.

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JENSEN, Henrik G. and Torben AGERSNAP (eds.)
1996 *Crime, Law and Justice in Greenland*, New Social Science Monographs,
Copenhagen, 151 p.

This book is a collection of seven monographs written by well known scholars and jurists from Canada and Denmark/Greenland on subjects related to its title. Noteworthy is the fact that this is the second book in a relatively short time to be published on the Greenlandic justice system. The previous book was written by one of the authors who contributed to this one, Henrik Jensen. It is an interesting overview of many major issues surrounding the justice field in Greenland and it deals with some major social problems like violence and suicide. The book is in English but the quality of the language is diverse depending on each author, and it is sometimes easy to perceive a distinct Danish flavour, which is very interesting. Obviously, the Danish approach to justice in Greenland is quite different from the Canadian approach, and the book clearly shows this difference. Indeed, Denmark approached the question of justice through the sociology of Law, while Canada was rather using the legalist approach of imposing its system throughout the country to aboriginal peoples.

The first text by Curt T. Griffith, titled "Crime, Law and Justice in the Circumpolar North: The Greenlandic Experience in a Comparative Context," is particularly interesting in terms of replacing the Greenlandic situation in the context of the circumpolar world, and it serves as an introduction to the book. The problems of the north as well as the local cultures of the communities have been mainly invisible to southern capitals. It is only recently that governments are paying some attention to what is happening in the north, and many governments are trying to achieve what Denmark was able to do in Greenland many years ago (1954), *i.e.*, the incorporation of traditional cultural practices of circumpolar peoples into the administration of justice. The highlights of the Greenland justice system are threefold: that very inclusion of Greenlandic cultural practices into the Greenland Criminal Code, the system of lay assessors (and lay judges for that matter), and the absence of real jails. What is unique is the fact that Denmark did not try to impose its system on Greenlanders but rather sought to understand, preserve, and strengthen traditional law and justice practices.

The Greenland justice system is, however, under scrutiny, because the number of violent crimes and sexual assaults is apparently on the rise while the sentences are perceived to be too lenient, and there are concerns on the ability of lay judges to deal with cases that are increasingly complex. In order to address these issues, the Greenland Commission on the Administration of Justice was established in 1994. The article stresses the fact that unlike circuit courts in other countries, the Greenland system of lay judges ensures that the decision making process is controlled by persons residing in the community, and Griffith states: "Many of the difficulties that have surrounded the delivery of court services via travelling circuit courts in other circumpolar jurisdictions have been avoided" (p. 21). It is therefore disconcerting that the Greenland commission may be considering a more formal and legalistic system of justice.

Next is a chapter by Jørgen Dalberg-Larsen, "Sociology of Law — A Scandinavian Perspective," which may appear at the outset to be dealing with concepts that are remote from the subject of the book, but it becomes obvious when we progress in the article, that there is a connection, and the results are certainly very interesting: a Danish project to establish a Greenlandic justice system sensitive to Greenlanders ends up producing a new social science in Denmark called the "sociology of Law." Sociology of Law is defined as "the social-scientifically oriented study of law in interaction with the surrounding society" (p. 29). Some of the vocabulary may have gained in being defined, like "dogmatics," which seems to be used instead of "dogmas" as a noun (p. 26).

The third chapter by Finn Breinholt Larsen aims at the heart of the problem and is titled: "Interpersonal Violence among Greenlandic Inuit: Causes and Remedies." There is no doubt that the problem of violence is severe in Greenland, especially when considering homicides and sexual offenses. It is therefore important to identify the causes of violence in order to find solutions. Traditionally, it was extremely important to avoid aggressive behaviour, and people would usually not intervene when violence was occurring, because of the non-confrontational standards. According to the author, this non-confrontational style is combined with other factors such as alcohol, the cause of the high level of violence in Greenland, because of repressed anger.

"Suicide — An Arctic Crime" by Jørgen Thorslund is the next chapter and probably the most distressing given the prevalence of young people's suicide in northern communities. This is not peculiar to Greenland, as the same sad dynamic exists in northern Canada, where suicide is a major cause of death, especially among young people. At the outset, I must confess that I am surprised by the title, as suicide is not a crime because, first, no one can ever be charged for committing suicide when the victim succeeds in his or her project and, second, because suicide, as is mentioned in the chapter, is not perceived by Inuit as something bad *per se* but rather as a failure of the community to help the person who suffered so much that he or she ended his or her life. It may be a crime though in that it causes lots of grief among surviving relatives and friends, and sometimes chain reactions have been seen when a number of young people committed suicide because they were following the path of one of their friends who had succeeded. There are many interpretations as to the causes of suicide in

Greenland, from acculturation to Danish imperialism. What is more troubling is that there seems to be a form of acceptance of suicide when problems become overwhelming, as surveys show that few condemn suicide. According to the author, such acceptance may be linked to basic Inuit respect for other people's autonomy. Moreover, many Inuit may have an idyllic view of traditional Inuit life in its relationship with Mother Nature and the absence of conflicts. As a result, with the breakdown of traditional culture, young people may see life today as harsh and full of conflicts and resort to suicide as a way out, and apparently, young males are more at risk because they tend to become confused between their traditional roles and modernization.

The next article, "JUREX Reconsidered," by Agnete Weis Bentzon, is extremely timely and relevant for those regions where the justice system is being reconsidered. Indeed, the Greenland experience of a "juridical expedition" or "Jurex" could inspire other jurisdictions as to how traditional customary law can be identified. This article is even more interesting in that it was written by one of the members of the initial juridical expedition. One finds lots of information on the terms of reference, the process adopted, the assumptions, and the sources.

The expedition found that reprehensible conducts were quite similar to what was happening in Denmark (see also Rousseau 1994) but that the sanctions were completely different and tended to restore harmony and peace. It also found different standards about what a reasonable person was, and there was uncertainty as to what was acceptable peace. The findings were submitted to public scrutiny and most recommendations were implemented, especially in the field of civil law. The author feels strongly that researchers must be candid as to the account of their work so that there can be a valid review or mediation, as she calls it, of the results.

The sixth chapter, by His Honour Henning Brøndsted, High Court Judge of Greenland, is titled "The Historical Development of the Greenlandic Judicial System." This is an interesting overview of what the Greenland justice system is about. It reiterates that the lay judges system was necessary because it was accepted that people familiar with the accused and the witnesses are more qualified to be judges than Danish jurists. Interestingly enough, and unlike Canada where it is difficult to recruit lay justices of the peace, the problem encountered in finding good lay judges in Greenland was the fact that they had to take time off from their jobs in order to be judges, and were afraid of being by-passed by other workers for promotions. Fortunately, now that these functions are perceived as high profile, this is less of a concern. In the sixties, the system was reconsidered because it had been seen as transitional until a fully fledged court with legally trained judges would replace it. However, such changes were rejected because it was still felt important that local people should deal with their peers, and because appointing legally trained judges would have meant that most if not all judges would have been Danish and therefore foreign to local culture.

The last text titled "Contemporary Realities," by Henrik Garlik Jensen, deals with the future of the Greenlandic justice system. It appears that there is a distinct possibility that this system become far more legalistic than it is right now, because of

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the tremendous evolution of the Greenlandic society in the modern world. A step toward this evolution is the possible devolution of justice powers from Denmark to the Home Rule government of Greenland. It is interesting to note that one of the difficulties of devolving justice to Greenland is national unity, which will certainly comfort many Canadian readers who will undoubtedly feel on familiar grounds! Perhaps the costs of running the justice system, which is now funded by Denmark, will be an important impediment to devolution.

In conclusion, this book is a valid contribution to discussions western colonial societies are having today in trying to accommodate their justice systems to the needs of aboriginal peoples. The Greenland experiment has the merit of being based on what scholars and governments believed was in harmony with Inuit culture, as opposed to other colonial countries where justice systems were imposed. It also tells a lot about the possibilities of legal pluralism, *i.e.*, the coexistence in the same country of two or more justice systems. In fact, Canada is familiar with legal pluralism with the civil law system in Quebec. If anything, Greenland shows that legal pluralism is possible for aboriginal peoples.

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- MITCHELL, Donald Craig
1997 *Sold American. The Story of Alaska Natives and Their Land, 1867-1959. The Army to Statehood*, Hanover and London, Dartmouth College, University Press of New England.

This book, written by one of the "white mercenaries [...] drawn to the Native American cause" (p. 15) favorably commented on by former Secretary of the Interior Udall and other dignitaries, is extremely difficult to evaluate objectively. As I read the book, I kept thinking about the false mirror effect, especially when I focused on characterizations of individuals, sometimes amounting to what one might call character assassination, and evaluations of these individuals by the author. For example, Col. Pratt, the founder of the Carlisle Indian boarding school, the cradle of the assimilationist drive, emerges as an advocate of Indian rights. Readers new to the field should take such evaluations with a (large) grain of salt. An even larger amount of salt is recommended when history is discussed, for the author's version is unreliable,