

## **The Great Circle Of Justice:**

### **Restorative Justice Is Only Half Of The Story**

Barbara A. Gray (Kanatiosh) is an Akwesasne Mohawk, has a Juris Doctorate (from Arizona State University College of Law), and is pursuing a PhD in Justice Studies at Arizona State University.

Pat Lauderdale is a Professor of Justice Studies at ASU, has a PhD from Stanford University, and his scholarly interests include sociology of law and political deviance.

School of Justice Studies

February 11, 2002

Arizona State University

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#### **Introduction**

For centuries, American Indian socialization practices worked to maintain balance within their societies. Colonization and imposed western structures, values, and beliefs, however, have displaced major indigenous political and spiritual structures.(1) The displacement of these traditional structures, practices, values, and beliefs has created disharmony within American Indian communities.

Mandatory boarding schools, laws to prevent spiritual practices, and imposed political structures were implemented to strip American Indians of their cultural identity, their languages, their ceremonies, and other cultural values and practices needed to maintain healthy societies.(2) With displacement of traditional indigenous practices has come fractionalization and an increase in crime, arrest, and incarceration of American Indians. The Bureau of Justice and Statistics concluded that additional external controls in the form of stricter laws, additional law enforcement officers, and funding is needed to decrease crime.(3) Increased funding is a necessity; however, stricter western laws and forms of enforcement are not the answer to the prevention of crime, nor will it heal and protect the unique character of American Indian societies. Instead, funding should be used by American Indians to restore the Great Circle of Justice by identifying, understanding and, where possible, recreating traditional cultural social practices and structures to maintain social balance, diversity, and harmony within their societies, which is the most effective approach to crime prevention, protection and solution. (4)

In this paper, we suggest that American Indian justice is a multidimensional Circle of Justice that contains preventative as well as restorative mechanisms that together function to maintain justice. Today implementation of some of these programs within Indian country focuses primarily on the restorative aspects of justice, which are programs usually set within imposed Eurocentric judicial systems. Restorative justice, however, is only part of the solution to creating justice within American Indian communities. The time has come to rediscover and implement the preventative, as well as

restorative mechanisms, so that the Circle of Justice can be restored and true healing may take place.

## **Restorative Justice Is Only a Part of the Great Circle of Justice**

Many American Indian nations have created restorative justice programs. These programs are generally reactionary. In other words, they focus on trying to heal the offender, victim, and community only after a criminal act has occurred.(5) While these alternative justice programs are important components to restoring justice within American Indian communities, they are hampered by western-imposed structures and Eurocentric concepts concerning crime and punishment.(6) In the United States today, approximately two million people are in jails or prisons. Unfortunately, American Indians are becoming swept up in the expanding criminal law, and today American Indians within the United States are reported as having some of the highest rates of incarceration and arrest.(7)

Many American Indians challenge the legitimacy of these western-imposed structures, and they advocate for reclamation of power over their cultural and traditional forms of social control. Taiaiake Alfred writes:

No one can deny that our cultures have been eroded and our languages lost, that most of our communities subsist in a state of abject economic dependency, that our governments are weak, and that white encroachment on our lands continues. We can, of course, choose to ignore these realities and simply accede to the dissolution of our cultures and nations. Or we can commit ourselves to a different path, one that honours the memory of those who sacrificed, fought, and died to preserve the integrity of our nations. This path, the opposite of the one we are on now, leads to renewed political and social life based on our traditional values.(8)

Alfred's words may be prophetic. American Indian nations need not succumb to the western-imposed practices and structures that are devoid of their traditional values, nor settle for the implementation of restorative justice within a Eurocentric justice paradigm. The western system of justice not only compartmentalizes, but also uses prisons and the threat of incarceration as a means of social control, which is foreign and even in opposition to American Indian value systems.

For example, the Hollow Water Ojibway Community, who created a community holistic circle healing program, wrote of prisons and incarceration:

The use of judgment and punishment actually works against the healing process. An already unbalanced person is moved further out of balance. What the threat of incarceration does do is keep people from coming forward and taking responsibility for the hurt they are causing. It reinforces the silence, and therefore promotes, rather than breaks, the cycle of violence that exists. In reality, rather than making the community a safer place, the threat of jail places the community more at risk.(9)

The imposed Eurocentric justice paradigm furthers imbalance and disrespect, for it does not seek to restore or heal the offender, the immediate family, friends who are also victims, or the entire society that is forced out of balance by the transgression. Ada Pecos Melton writes of restorative justice principles:

The victim is the focal point, and the goal is to heal and renew the victim's physical, emotional, mental, and spiritual wellbeing. It also involves deliberate acts by the offender to regain dignity and trust, and to return to a healthy physical, emotional, mental, and spiritual state. (10)

Today, even where American Indians have alternative justice programs, the individual is often reintroduced to a community that is absent indigenous structures, practices, and traditional teachings that for so long a time acted to prevent

injustice. Restorative justice is only part of the Circle of Justice. Focusing only on the restorative justice mechanisms, without re-implementing the preventative mechanisms of indigenous justice, impedes community healing and the preservation of culture.

## **The Great Circle of Justice**

What is American Indian indigenous justice? It is living in accordance with the traditional teachings and retaining balance by respecting and protecting each other and the rest of the Natural World. The goal of indigenous justice is to promote peace, heal the network of relationships, and eradicate political, spiritual, and emotional injustices.(11) The traditional teachings and original instructions contain the blueprint on how humans can obtain justice with each other and the rest of the Natural World. The displacement, through colonization, and the failure to respect the traditional teachings has created social imbalance and disrespect. Katsi Cook (an Akwesasne Mohawk) writes:

Many fundamental problems facing our communities today, including the disempowerment of Native women and the dissolution of family ways, result from our failure to give proper respect to our original instructions and our traditional teachings. Proper respect of our ceremonies, our original instructions, our language and our traditional teachings are essential to guide our path to the future.(12)

The Great Circle of Justice consists of interrelated socialization structures and practices that provide a traditional, multidimensional system of checks and balances that work in unison to retain diversity and harmony within American Indian societies.(13) The preventative mechanisms are found within the traditional teachings (e.g., ceremonies, songs, dances, stories, kinship relations, and healing and military societies). They function to create solidarity and teach society members appropriate behavior.

Justice Robert Yazzie in speaking about Navajo traditional teachings, emphasizes how it plants in the minds of the people what is acceptable and not acceptable in Navajo society, “and how things ought to be done, or not to be done.”(14) In Navajo society, for there to be Hozho (harmony and balance) the fundamental forces of K’e and K’ei must be maintained. K’e contains the concepts of “compassion, cooperation, friendliness, unselfishness, peacefulness, and all other positive values which create an intense, diffuse, and enduring solidarity.”(15) K’ei is more complex and includes the values and beliefs found in K’e, but also refers to the socialization structure and practices related to the interconnectedness of the clan system and one’s relationship with the entire universe.(16)

Haudenosaunee traditional teachings, found within the Kaienerekowa (Great Law of Peace), speak of Karihwiio (The Good Mind/Message), Ka’shatstensera (The Power), and Skennen (The Peace). These concepts of the good mind, power, and peace were given to the people by Skennenrehowi (the Peacemaker) to prevent war and promote unity among the people and the rest of the Natural World.(17) The teachings of the Great Law of Peace plant within the minds of the people the concepts of love, unity, peace, equity, coexistence, cooperation, power, respect, generosity, and reciprocity.(18)

Within the Great Law of Peace are socialization structures and practices, reaffirmation of the clan system, duties, ceremonies, and societies that promote Karihwiio, the good mind, which is necessary to heal the body, the spirit, and to maintain diversity and harmony. Haudenosaunee traditional teachings mandate that peace is maintained by preventing injustices to the Natural World and by protecting the future generations yet unborn.(19)

Restorative justice is dependent on the foundational traditional preventative structures and practices that work together to create justice and prevent injustice. Merely focusing on the restorative aspects of justice without incorporating the preventative mechanisms creates injustice, for it breaks the Circle of Justice and leaves individuals and the community without the necessary cultural foundational structures to heal and prevent crime. Colonization has, for many American

Indian nations, destroyed or displaced these essential and foundational traditional teachings. American Indian nations need to re-establish the Great Circle of Justice within their communities to eradicate injustices, preserve their culture, and to work towards a healing of mind, body, and spirit.

## **Restoring the Great Circle of Justice**

There seems to be a Eurocentric tendency to generalize American Indian indigenous justice and cultures into one assimilative paradigm. One only needs to look to the application of federal Indian law in the United States for evidence of how laws and precedence are held to apply to all American Indian nations regardless of each nation's unique relationship with the government. We are not advocating a single universal paradigm. Instead, we advocate and embrace diversity. We acknowledge that each nation needs to identify and restore their unique traditional teachings (i.e., the foundational structures, practices, and essential norms) in an attempt to restore the Great Circle of Justice and protect their culture. In this section of the paper, we offer some places where research may take place to uncover or rediscover the various preventative mechanisms, and to see how they work together with restorative justice mechanisms to maintain harmony.

The complex history and diverse effects of colonization on American Indian nations will make it more difficult for some nations to identify and appreciate the traditional practices and structures, than for others. However, this should not stop nations from trying to strengthen their culture and complete their Circle of Justice. We suggest that as nations search and research their traditional teachings, they will uncover, for example, a Venn-like diagram of interconnected structures, practices, duties, ceremonies, and prayers that work together as a preventative and restorative mechanism to maintain the Great Circle of Justice.

Research should include in-depth interviews of traditional elders, medicine people, headmen, clan mothers, faith keepers, and other keepers of knowledge in the communities. Justice Yazzie writes of the *naat'aanii*, which is a Navajo keeper of traditional knowledge:

The traditional teachings are preserved in, to use the words of Canadian philosopher Marshal MacLuhan, a "tribal encyclopedia" which is maintained by "keepers of the tribal encyclopedia." The Keeper, who is a traditional civil leader, is called a *naat'aanii*. The word describes some one who speaks wisely and well, and a *naat'aanii* is someone who is respected for his ability to solve problems.(20)

The keepers of knowledge should be able to help identify and provide invaluable insights concerning the traditional teachings found within ceremony, prayer, and in the foundational narratives and stories. Particularly the importance of narratives within American Indian society cannot be understated. Frank Pommersheim writes of the importance of narratives, "Narratives and stories are not extrinsic niceties, but are basic life forces needed to establish and to preserve communities and develop a common culture of shared understandings, and deeper, more vital ethics."(21)

Narratives serve as more than just entertainment, as they preserve cultural teachings and history, and transmit knowledge of communities' norms and values.(22)

The foundational narratives, for many American Indian nations, contain the traditional teachings on how humans are to live with each other and the rest of the Natural World. They also contain a blueprint that provides the communities' structures (e.g., political and spiritual forms of governance, kinship relations, and societies that have specific duties and responsibilities in maintaining justice within the community). The narratives also teach the listener that everyone has a duty to self and to the community to prevent injustice. In other words, individuals and groups learn acceptable behaviors and duties through participation in narrative events and membership.

The Haudenosaunee, for example, look to the following narratives as containing foundational principles, norms, practices, and structures: (1) The Tsi kiontonhwentsison (Creation story), (2) the story about the creation of clans, (3) the Ohen:ton Kariwatekon (Thanksgiving Address), and (4) the Kaienerekowa (Great Law of Peace).(23) The Great Law of Peace contains traditional laws, political and spiritual principles, and the spiritual/political structure of the Haudenosaunee confederacy. The duties and responsibilities of each person in the society is given and reaffirmed every time the people come together for ceremonies and social activities. In addition, the Great Law of Peace reaffirms the sacred ceremonies, songs, and dances and the clan system.(24) In this way, the Great Law of Peace ties together previous structures and practices (e.g., the Ohen:ton Kariwatekon and the creation of clans works in a holistic way to strengthen the prevention of injustices from occurring and restores balance when an act of transgression occurs).(25) The Great Law of Peace, then, is a system of checks and balances that depends not only on people not wanting to commit a transgression, but on people understanding and having the will to prevent others from breaching the peace.

The clan system is one example of an important structure that contains duties, protocols, and practices that function to maintain justice. As such, the clan system or similar kinship systems can be researched. Chief Tom Porter writes of clans:

The clans are extremely important, and in fact without the clans we would have almost nothing as a society of people. Like the human body, the bones are what gives the body structure and the ability to function, so the clans serve the same purpose in the societies of the Rotinonhson:ni (Haudenosaunee) people.(26)

The clan system functions to maintain justice in many ways. Kanienkahake Doug George-Kanentiio writes:

A clan in former times took care of all of its members from the time they were born until they died. Housing, food, health care, education, and employment were administered by the clans. Criminal acts and family disputes were also adjudicated by the clan elders. Clans controlled marriages and ceremonial activities, and they selected political representatives.(27)

Kinship relations or the clan system creates solidarity by uniting the people through a common bond. In addition, for those nations that have clan animals or elements such as the sun and wind, there exists a unity with the rest of the Natural World. Unfortunately, in today's society, the feeling of belonging has become endangered. Many feel as if they are alone instead of feeling connected to the environment and their community. People commit crimes without thinking about the shame they bring to their clan, community, nation, and self. In other words, they act as if they have no relatives, or at least have no respect for them. The clan system plants within the mind of the people that they are not alone, and what they do affects the community's balance. In essence, the function of the clan structure is to provide solidarity and to maintain balance by preventing injustices. John Mohawk suggests that in former times, there was very little domestic violence because of these preventative and restorative structures and practices.(28)

There are many practices that might account for the absence of this type of internal violence in traditional clan societies. For the Haudenosaunee, the practice of the new husband moving to live in the house of his ever watchful and present mother-in-law was a practical deterrent to committing domestic violence. Not only were there clan members present to make sure things were done in a good way, but the people knew that if they did commit a violent act, they would be asked to leave the safety of the long house, which in the 1600s, could have been a grave sentence.(29)

Many American Indian nations had wedding ceremonies where young couples were instructed in the importance of marriage to the nation, as well as the acceptable behavior, which included not abusing each other.(30) Amongst the Haudenosaunee, traditional marriages, which still occur today, are more than the combining of two people, for they bring

together clans and extended families. During the wedding celebration all present at the joining of the couple are reminded of these acceptable norms and their duty in making sure that they are not broken.

As one can see, American Indian indigenous justice is multidimensional and a balancing process that contains and is dependent on numerous practices and structures that function as both preventative and restorative mechanisms in the maintenance of justice. Therefore it is crucial to restore the Great Circle of Justice in Native societies.

### **Working Towards Community Healing & Cultural Preservation**

Colonization: Western-imposed forms of government and laws, the loss of lands, and policies to assimilate the American Indian, have caused many of the traditional indigenous justice mechanisms to become lost or damaged.(31) Today there remain numerous tribal courts that merely replicate the western-imposed beliefs and practices of an adversarial system of justice, instead of using traditional indigenous justice methods and values. We suggest that such tribal courts and forms of governance may be a form of internalized colonialism. These types of courts continue assimilation and cause disharmony within the community, as they do not preserve cultural traditions, nor do they heal the community.

This replication of imposed laws, practices, and ideas has seeped into many aspects of American Indian government. For example, many tribal codes are merely restatements of federal and state law and devoid of indigenous knowledge, values, and norms.(32) Such tribal codes make evident the urgent need to restore the Great Circle of Justice within American Indian communities. For the system to work properly, for there to be justice, nations cannot fail to assert their power by redefining and redesigning all the imposed structures with traditional structures and practices.

The traditional teachings, socialization practices and structures that once worked to prevent social injustices can be replanted. As realists, we recognize that there are practices that probably cannot be replicated, such as living in a long house with one's entire matrilineal extended family. In addition, we are not suggesting that American Indian nations should remain stuck in the proverbial past. However, we suggest that our traditional teachings do contain the seeds to how American Indians can live once again in skennen (peace) or Hozho (balance and harmony). The traditional laws, cultural values and beliefs, and structures and practices can be replanted and strengthened within indigenous communities and made to work towards maintaining justice by healing the society.

### **Conclusion**

American Indian nations can guard against losing their traditional teachings and re-establish and/or strengthen the socialization practices that worked to maintain social diversity and harmony. We suggest that bringing back traditional indigenous justice requires an holistic approach in that preventative, as well as restorative mechanisms and practices need to be re-established throughout the community for there to be healing and justice. Such an approach provides the entire community with a structure based on traditional teachings, rather than imposed colonial structures that are based on non-Native American practices, values, and norms. We hope that this paper will inspire American Indian nations, as well as indigenous peoples from around the world, faced with similar problems and decisions, to become aware and to take a critical look at their communities, the absence of traditional teachings, and the disharmony that imposed structures create, and then actively change the present system. A new approach to justice is imperative, but it will come only after the status quo is challenged. Taiaiake Alfred writes:

The goals that flow from our traditions demand an approach based on undermining the intellectual and moral foundations of colonialism and exposing the internal contradictions of states and societies that promise justice and

practice oppression. Non-indigenous people need to be brought to the realization that their notion of power and its extension over indigenous peoples is wrong by any moral standard. This approach holds the greatest promise for the freedom of indigenous people.(33)

We hope that readers will agree that the time has come to replant the traditional teachings. In doing so, Native American culture can be maintained and lived, the Great Circle of Justice can be restored, and the community can work toward a true healing of mind, body, and spirit.

### Notes

1. See Gerald R. Alfred, Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism (Oxford: Oxford University Press, 1995).
2. See generally, Frederick E. Hoxie, A Final Promise: The Campaign to Assimilate the 3. Indians, 188–1920 (Cambridge: Cambridge University Press, 1984); see also, Rupert Ross, Returning to the Teachings: Exploring Aboriginal Justice (Toronto: Penguin, 1996).
3. Lawrence A. Greenfeld and Steven K. Smith, American Indians and Crime (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, NCJ 173386, 1999, February, Rev. June 18).
4. See, John Mohawk, “Oratory Coming to Wholeness: Native Culture As Safe Place,” Akwekon Journal 10, no. 4 (1993): 31–36.
5. "Restorative justice" is a global social movement that relatively recently began establishing a foothold in both academic and public policy arenas. In 2000, The United Nations Crime Congress conducted an ancillary meeting on the standards for restorative justice in Vienna, Austria. One of the main moral entrepreneurs in this global movement, John Braithwaite, has extended his seminal work on restoration in Crime, Shame and Reintegration to include additional international examples, including many from indigenous cultures. John Braithwaite, Crime, Shame and Reintegration (Cambridge: Cambridge University Press, 1989). His work suggests that some restorative models are capable of repairing relations among victims, offenders, and communities. Those models based on the precision and autonomy embedded in indigenous practices have significant potential; however, as the global movement of restoration expands, other models often include compromises that erode precision and autonomy, or are co-opted by lawyers or the state in the form of licensing of mediators, as is evident in the majority of dispute management centers. Pat Lauderdale, “Indigenous North American Jurisprudence,” International Journal of Comparative Sociology 38 (1997):131-148. Moreover, part of the emphasis on restoration focuses narrowly on the rights of victims and does not include the indigenous practices of prevention that we outline in this paper. See, e.g., John Braithwaite, “Restorative Justice and Social Justice,” Saskatchewan Law Review 63 (2000): 194.
6. We believe that Emma LaRocque, is correct when she questions whether healing circles are employing American Indian traditional methods of justice. She writes, “Have they, in fact, fallen prey to contemporary, white, leftist/liberal, Christian, and even New Age notions of ‘healing,’ ‘forgiveness,’ and offender ‘rehabilitation’?” Emma LaRocque, “Re-Examining Culturally Appropriate Models in Criminal in Justice Applications,” in Aboriginal and treaty Rights in Canada: Essays on Law, Equity, and Respect for difference, ed. Michael Asch (Vancouver, BC: University of British Columbia Press, 1997), 85. We believe that the tendency of indigenous mediation programs, within Eurocentric imposed systems of justice, is to create assimilative restorative models. However, such programs are not conducive to protecting each culture’s traditional laws and practices and in effect causes further social imbalance. However, unlike LaRocque, we believe that traditional laws and practices that once worked to protect women and children from domestic violence can be restored. In fact, we

believe that they need to be restored to heal our communities and protect individual victims, as well as, the community.

7. See, Stewart Wakeling et. al., Policing on American Indian Reservations (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, July 2001); See, Lawrence A. Greenfeld and Steven K. Smith, American Indians and Crime.
8. See, Taiaiake Alfred, Peace, Power, & Righteousness: An Indian Manifesto (Oxford: Oxford University Press, 1999), XII.
9. Rupert Ross, "Aboriginal Community Healing in Action: The Hollow Water Approach," (an excerpt from Rupert Ross's paper Dueling Paradigms? Western Criminal Justice versus Aboriginal Community Healing), Justice as Healing: A Newsletter on Aboriginal Concepts of Justice Native Law Centre (Spring 1995); available from [http://www.usask.ca/nativelaw/jah\\_ross.html](http://www.usask.ca/nativelaw/jah_ross.html).
10. See Ada Pecos Melton, "Indigenous Justice Systems and Tribal Society," Judicature 79, no. 3 (1995): 127.
11. Oren Lyons, "The American Indian in the Past," in Exiled in the Land of the Free: Democracy, Indian Nations, and the U.S. Constitution, ed. Oren Lyons et al., foreword by Peter Matthiessen, preface by Daniel K. Imouye (Santa Fe, N.M.: Clear Light Publications, 1992), 38.
12. Katsi Cook, "Grandmother Moon," in Words That Come Before All Else: Environmental Philosophies of the Haudenosaunee, (Mohawk Nation: Haudenosaunee Environmental Task Force, 2000), 142.
13. Audrey Shenandoah, "Everything Has To Be In Balance," Indian Roots of American Democracy, Northeast Indian Quarterly, Cornell University (1987): 4-7.
14. Robert Yazzie, "Hozho Nahasdlii—We Are Now in Good Relations: Navajo Restorative Justice," Saint Thomas Law Review 9 (1997): 120.
15. Philmer Bluehouse and James W. Zion, "Hozhooji Naat'aanii: The Navajo Justice and Harmony Ceremony," Mediation Quarterly 10, no. 4 (1993): 329.
16. *Ibid.*, 329–330.
17. Doug George-Kanentiio, Iroquois Culture & Commentary (Santa Fe, N.M.: Clear Light Publishing, 2000), 10.
18. Jacob Thomas, "The White Roots of Peace: Reading of the Great Law of Peace" (Brantford, Ontario: Iroquoian Institute, 1992); John Arthur Gibson, Concerning the League: The Iroquois League Tradition as Dictated in Onondaga ed. John Arthur Gibson and trans. Hanni Woodbury (Winnipeg: Algonquian and Iroquoian Linguistics, 1992).
19. We are keenly aware that many of the attempts to reveal, rediscover, and/or suggest the importance of traditional indigenous life are met with severe criticisms. See, e.g., Shepard Krech III, The Ecological Indian: Myth and History (New York: W.W. Norton, 1999). Krech uses apt and isolated secondary sources and only two Indian primary sources in an attempt to generalize to all North American Indians. He claims that new ecological terms simply don't fit the mindset of early Indians and that, for the most part, Indians abused the environment, at least, as much as "modern" humans. Even if his sources were correct, his argument is an attempt to prove the rule by a few exceptions. Traditional American Indians did not and still do not separate themselves from nature and the fact stands in direct contrast to his argument. It would create a great imbalance, if not a form of mass suicide, for American Indians not to be ecologically minded. Their lives



and spiritual relations depended on the health and propriety of nature. Traditional restoration also might be obscured by revisionist social science fiction or ignoring many of the unique facts of American Indian life prior to 1942. It seems absurd to ignore the fact that anthropologist and archaeologists still are searching for indigenous prisons or jails. The absence of prisons is a primary source, one that speaks loud and clear without the machinations of "wordsmiths". Restoration of human animals and all their relatives was and is a central indigenous concept and practice. It seems directly relevant to new concepts such as ecological balance, including ideas and practices concerning our relationship to nature, including, of course, traditional American Indian peoples and Mother Earth.

20. Robert Yazzie, "Hozho Nahasdlii," 121–22.
21. Frank Pommershiem, Braid of Feathers, (California: University of California Press, 1995), 109.
22. However, we recognize the scholarly debate as to the legitimacy of oral traditions; thus, some caution needs to be used when researching such sources. See, e.g., David Henige, "Can a Myth Be Astronomically Dated?" American Indian Culture and Research Journal 23, no. 4 (1999): 127–57. Of course written sources could be used, in addition to oral accounts, and they should be, but a caveat also applies to written sources that might contain Eurocentric misunderstandings and biases.
23. Tsi kiontonhwentsison actually means "When the Earth Was Made," Ohen:ton Kariwatekon translates to "The Words Before All Else," and the Kaienerekowa translates to mean "The Great Binding Law."
24. Doug George-Kanentiio, Iroquois Culture, 23–24.
25. The order of the foundational narratives is as follows: Creation, creations of clans by Ro'nikhrowa:nen (He Who Has Great Ideas), Thanksgiving address, and the Great Law of Peace. In the Great Law of Peace, Skennenrahawi (The Peacemaker), strengthened the clans and gave them a new duty within the new political and spiritual structure.
26. Tom Porter, Clanology (New York: Native North American Traveling College, 1993), 7.
27. Doug George-Kanentiio, Iroquois Culture, 70–71.
28. John Mohawk, "Oratory," 31–36; see James Zion and E. Zion, "Hozho' Sokee'—Stay Together Nicely: Domestic Violence Under Navajo Common Law," Arizona States Law Journal 25.. (1993): 415–17.
29. John Mohawk, "Oratory," 31–36.
30. Ibid., 31–36; see James Zion and E. Zion, "Hozho' Sokee'," 415–17.
31. See Carey N. Vicenti, "The Reemergence of Tribal Society and Traditional Justice Systems," Judicature 79, no. 3 (1995): 135.
32. There are numerous codes that are mere regurgitations of state and federal law and devoid of traditional laws and values. See, e.g., Navajo Nation Solid Waste Code (1990); Navajo Nation Water Code, Title 22, Navajo Tribal Code, Chapter 7 (1984). In contrast, the following tribal code incorporates traditional knowledge, law, and; thus, is protective of the culture. See Mille Lacs Band Chippewa, Band Chapter 1091-MLC-24, Chapter 24 Environmental Protection, Natural Resources Protection Ordinance (1980).
33. Taiaiake Alfred, Peace, Power, 144.