

Introductory Remarks  
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In October 2016, along with some law students from Osgoode Hall Law School, I spent four days in John Borrows' home community, the Cape Croker Indian Reserve, situated in Southern Ontario on the shore of the Georgian Bay. The community, including John's family, generously received us for an initiation into the tenets of Anishinaabe law.

Ceremonies around the sacred fire, forays into the bush, conversations with Elders (young and old, I should underline), and our own involvement in discussions transformed what—for me at least—had basically been an intellectually abstract understanding of Indigenous legal orders into one where such legal orders became synonymous with living practices embraced by contemporary Indigenous communities. Practices designed to make sense of and to stabilize, for the betterment of all concerned, the multifarious relationships the community members weave in this messy world of ours.

John and his daughter Lindsay, alongside others, opened the door to a legal system whose subtlety and richness, in terms of the normative answers that it provides, does not pale when compared to other legal systems and traditions, including Canada's common law and civil law traditions. A legal system composed of values, principles, rules, processes and actors that, as in all other legal systems, sustain and, at the same time, compete with one another. A system where abstractions and conceptualizations matter less than the relational dynamics for which they stand as metaphors.

However subtle and rich these legal systems may be, they are not perfect, nor are they in absolute terms better than others. They too have to deal with abuses of power and inequalities.

John stands out as one of Canada's leading Indigenous intellectuals precisely because he cautiously refuses to be fascinated by the siren song of cultural essentialism that calls for the entrapment of both Indigenous and non-Indigenous peoples in the prison of monolithic identity.

In this fashion, John reminds me of Kineu, a character whose story is related by John's late mentor and friend, Basil Johnstone.<sup>1</sup> Mr. Johnstone was an Elder from his community, a prominent Anishinaabe ethnologist and one of North America's most celebrated Indigenous storytellers.

Kineu was a renowned warrior who had spent his entire adult life as an outstanding fighter and leader. However, at the age of fifty, he still had not attained his vision. During the summer of his fiftieth year, he received his vision in the course of a dream. He saw the Peace Pipe shining brightly as the enemies he had slain embraced his own warriors.

Kineu was profoundly disturbed. How could he, a man of war, transform himself into a man of peace? He knew that to do so would spark disbelief, mistrust and the loss of friendships. He nonetheless remained true to his vision and finally succeeded in being accepted for what he truly was: a man of peace who did not shrink from conflict, but who no longer wished to be a man of war.

I believe that this vision is also John's and that although the Path of Life is a tortuous one, he strongly intends to keep on going.

I said earlier that, however subtle and rich Indigenous legal orders may be, they are not perfect, nor are they in absolute terms better than others. But what they truly are, is this: they are deserving of attention. For more than a century the Canadian state apparatus has focussed on one, and only one thing: the systematic destruction of the rules, processes and actors embodying these legal traditions.

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<sup>1</sup> Basil Johnston, *Ojibway Heritage* (Toronto: McClelland & Stewart, 1976) at 131–132.

But things are changing.

Plusieurs Canadiens-français, ceux qu'on appelait tout simplement à l'époque les Canadiens, ont joué le rôle d'intermédiaires entre les peuples autochtones et les Européens (qu'ils soient français ou anglais). Ces Canadiens, métissés par l'expérience, sont à l'origine des relations pacifiques qui ont été tissées entre Autochtones et non-Autochtones. On les appelait alors, en vieux français, des « truchements ».

Aujourd'hui, c'est par le truchement d'Andrée Boisselle que de nouvelles générations d'étudiantes et d'étudiants d'Osgoode Hall Law School sont initiées à l'ordre juridique Anishinabek. Andrée est à l'origine, en collaboration avec John, du camp auquel j'ai participé la semaine dernière.

Both John and Andrée are the bearers of a sacred fire in heart and in soul, whatever meaning you wish to infuse into that concept. C'est un privilège pour nous de les accueillir à l'occasion de la deuxième conférence Chevette-Marx.