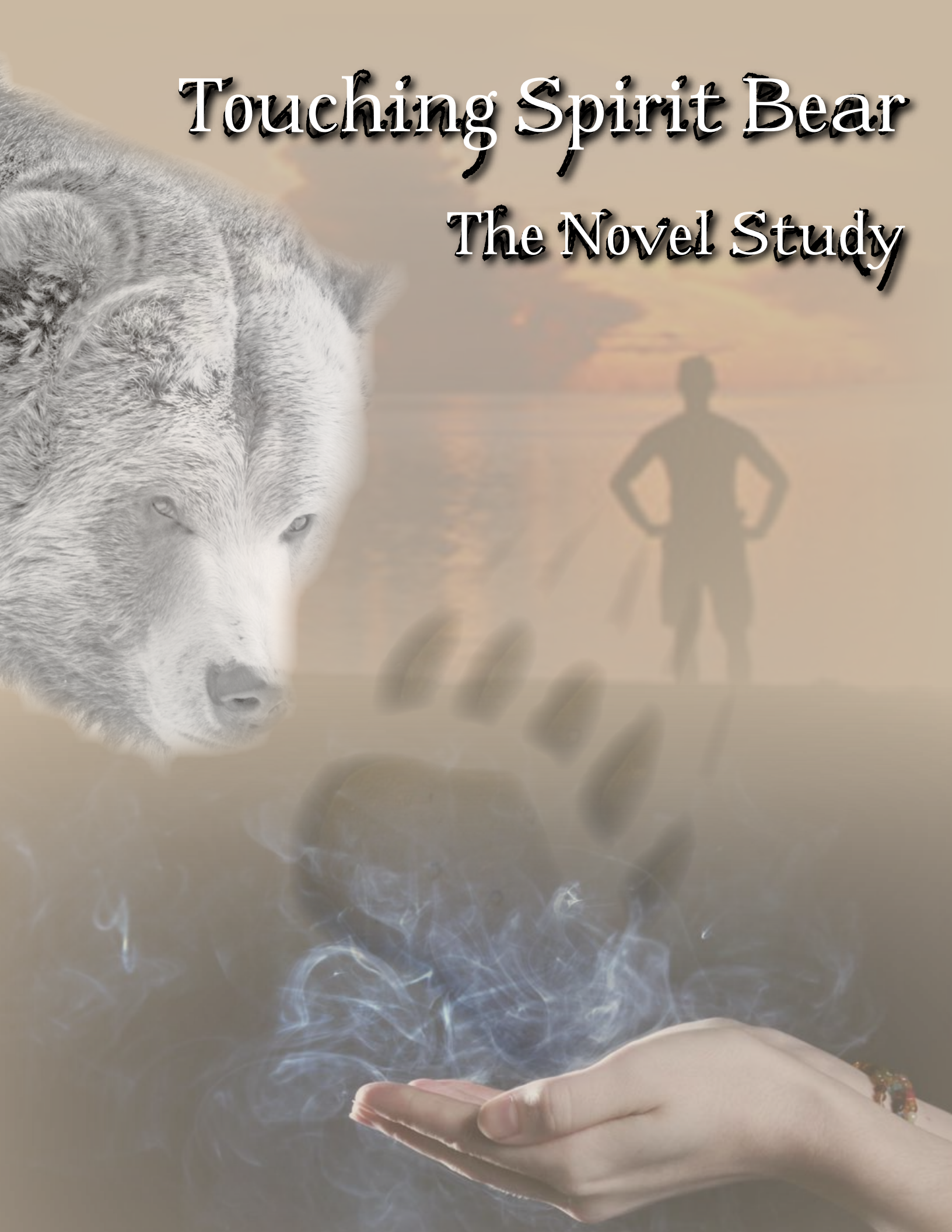


Touching Spirit Bear

The Novel Study



Credits

Version 1.0 (2008)

This novel study was produced by the Public Legal Education Association of Saskatchewan (PLEA). PLEA is a non-profit, non-government organization funded by the Law Foundation of Saskatchewan and the Department of Justice Canada. PLEA is supported by the Law Society of Saskatchewan, Canadian Bar Association (Saskatchewan Branch), College of Law, Saskatchewan Legal Aid Commission, Saskatoon Public Library, and public libraries and regional colleges throughout the province. PLEA also receives generous support from Saskatchewan Justice.

Contents may not be commercially reproduced but any other reproduction is encouraged.

© 2008 Public Legal Education Association of Saskatchewan, Inc.

ISBN 978-1-896-168-90-6

Photo credits: Cover photos, credit Shutterstock and Getty Images; content photos, credit Shutterstock.

Touching Spirit Bear Novel Study

Resource Evaluation Form

Your opinion matters! Please take a few minutes to complete this form and return it to PLEA by mail or fax.

Please indicate your agreement with the following statements...

- The lessons in this publication will engage students in learning about the law.
 Strongly Agree Agree Disagree Strongly Disagree
- The background information and lesson procedures are appropriate for my teaching needs.
 Strongly Agree Agree Disagree Strongly Disagree
- This resource is relevant to my class and unit of study.
 Strongly Agree Agree Disagree Strongly Disagree
- Overall, how satisfied are you with this resource? (1 = Very Satisfied)
 1 2 3 4 5 6 7 8 9 10

Other comments?

Name: _____

Teaching Assignment: _____

School: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Telephone: _____

Fax: _____

E-Mail: _____

Public Legal Education Association of Saskatchewan
300 – 201 21st Street East
Saskatoon, SK S7K 0B8
FAX: (306) 653-1869



Table of Contents

Preface by Ben Mikaelson	v
Introduction	vii
Section One: Prereading Activities	1
Prereading Activity One: Where Do Laws Come From?	3
Teacher Background Information	3
Procedure	4
Handout: Sources of Law Chart	5
Prereading Activity Two: Right, Wrong, and Law	7
Teacher Background Information	7
Procedure	8
Handout: What You Do When No One Is Around	9
Section Two: Chapters 1-6	11
Handout: Prereading Vocabulary	13
Handout: Chapter Questions	16
Activity One: Cole - A Character Profile	18
Activity Two: Cole's Crime - A Newspaper Report	19
Section Three: Chapters 7-13	21
Handout: Prereading Vocabulary	23
Handout: Chapter Questions	24
Classroom Activity: Custody - The Last Resort	27
Teacher Background Information	27
Procedure	28
Handout: Banishment/Custody	29
Handout: Persuasive Writing	30

Section Four: Chapters 14-24	31
Handout: Prereading Vocabulary	33
Handout: Chapter Questions	34
Activity One: Victims' Issues	37
Activity Two: Youth Records	39
Section Five: Chapters 25-28	43
Handout: Chapter Questions	45
Activity One: Cole - An Updated Character Profile	46
Activity Two: To Banish or not to Banish	47
Classroom Activity: Coming Full Circle	49
Teacher Background Information	49
Procedure	52
Handout: The Case and Sentencing Options	53
Handout: How a Circle Works	55
Handout: Character Description	56
Cody (offender)	56
James (victim)	57
Mike (victim)	58
Cody's Mother	59
Cody's Father	60
Colin Brown (Cody's Lawyer)	61
Karen Teissen (Crown Prosecutor)	62
Ellen Watts (Judge)	63
Tom Johnson (arresting officer)	64
Hannah Lane (Cody's teacher)	65
Freda Cardinal (Elder)	66
Answer Key	67

Preface by Ben Mikaelson

Sentencing Circles, Restorative Justice, Circle Justice, whatever people wish to call it, boils down to the same thing: Healing. For years, modern civilizations have insisted on treating aberrant and destructive behavior in society with punishment, depending on fear as a deterrent. Sentencing Circles use a completely different paradigm. If we think of all people as fellow travelers on a wonderful but frightening journey through life, it is easier to look at destructive behavior as a sign that one of those travelers has become lost or confused on their journey. It is important to realize that under the right conditions, any one of us could become that lost traveler. What is important is to find a way to return a lost traveler to a path that will allow them to continue on a wholesome and wonderful journey. That path is one of healing.

My own past found me as one of those lost travelers. In retrospect, I would have given anything to have been introduced to Sentencing Circles early on during my “being lost.” It would have changed my life as I knew it to have read a book such as *Touching Spirit Bear* or had a chance to have a novel study such as this one to help me work through my own anger. A lifetime of struggle brought to me an understanding and awareness of the lessons defined so wonderfully on the pages ahead. For me the catalyst that finally brought me to the writing of *Touching Spirit Bear* was the day when I turned the TV on and I heard those ominous words, “This morning in Littleton, Colorado, at a high school called Columbine.” And, of course, that was the morning when two high school boys in the United States, Eric Harris and Dylan Klebold, who had been bullied themselves, became lost on their journey. That day, they killed twelve students and one teacher, and wounded twenty-three other students before committing suicide themselves. All of this because of mankind’s ability to be cruel and because two boys could not find a way to deal with their anger.

It is my sincere and profound wish that *Touching Spirit Bear* and this novel study become useful tools to help students discover tolerance, forgiveness and kindness. I hope they will help students who are feeling lost to find their way back to a path where they can once again join that wonderful journey called life.

Fair thee well, fellow travelers,

Ben Mikaelson



Introduction

As traditional Aboriginal justice concepts move to the forefront of public consciousness, Ben Mikaelson's *Touching Spirit Bear* offers a timely account of Cole Matthews, a troubled 15-year-old boy who finds himself banished by a sentencing circle to a remote Alaskan island. Created for use with *Touching Spirit Bear*, this novel study examines sentencing circles, traditional Aboriginal justice, and the *Youth Criminal Justice Act*.

This novel study is organized into five sections, with appropriate prereading vocabulary, post-reading questions, writing assignments, and activities that examine the novel, traditional Aboriginal justice, and youth and the law. Where necessary, teacher background information and lesson plans are included to help the English Language Arts teacher bridge concepts about the law to the objectives of their English classroom.

Section One contains prereading activities that introduce students to traditional Aboriginal justice concepts and make students think about why we have laws.

Section Two begins the study of the novel while also introducing some of the principles of the *Youth Criminal Justice Act* in its supporting activities. Section Two covers Chapters 1 – 6.

Section Three explores Cole's first experience with banishment. Supporting activities blend the first two sections' activities by having students compare the traditional Aboriginal concept of banishment to the Eurocentric concept of custody. Section Three covers Chapters 7 – 13.

Section Four examines Cole's second attempt at rehabilitation through banishment. Supporting activities examine youth records under the *Youth Criminal Justice Act* and broaden the legal scope of the novel study by exploring victims' issues. Section Four covers Chapters 14 – 24.

Section Five closes off the study of the novel and allows students to come full circle with a role-playing sentencing circle activity. Section Five covers Chapters 25 – 28.

Because this is an American book, it should be noted that there are fundamental differences between Canadian and American law. This novel study clarifies those differences. Supporting activities point out where the *Youth Criminal Justice Act* differs from America's justice system, in both terminology and function. For example, in Canada, Circle Justice is referred to as Sentencing Circles, youth cannot be tried as an adult under the *Youth Criminal Justice Act*, and Canada has yet to use banishment as a punishment for a young person under the *Youth Criminal Justice Act*.

As no one novel study can meet the needs of every classroom, and this novel study heavily focuses on traditional Aboriginal justice concepts and the *Youth Criminal Justice Act*, teachers

Touching Spirit Bear

The Novel Study

As traditional Aboriginal justice concepts move to the forefront of public consciousness, Ben Mikaelson's *Touching Spirit Bear* offers a timely account of a troubled 15-year-old boy who finds himself banished by a sentencing circle to a remote Alaskan island. Created for use with *Touching Spirit Bear*, this novel study examines sentencing circles, traditional Aboriginal justice, and the *Youth Criminal Justice Act*.

Teachers who wish to further explore the concepts of the *Youth Criminal Justice Act* or other areas of youth and the law, and traditional Aboriginal justice concepts should check out the resources available for educators, parents, and students on PLEA's website, at www.plea.org.

