Chapter 11

# Intercultural cinema and the (re)envisioning of law: exploring life, death and law in *Atanarjuat* and *Before Tomorrow*

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## Introduction: contesting Canadian narratives of 'The North'

The Canadian national narrative has been marked by the North. Indeed our national anthem refers to Canada as 'our True North strong and free.' The trope of a snow-covered landscape and the character required to survive in it is common in Canadian literature and film. For Canadians (and by this, I mean 'settler Canadians'), the North is imagined as central to who we are, and this despite the fact that the vast majority of our population lives within 500 miles of our southern border. Of the many indigenous peoples inhabiting the continent, the Inuit have been of particular interest. The Canadian national archives are full of documentation of the North and the Inuit in particular – photographic, cinematic, and descriptive. Indeed, the Inuit may well be the most-photographed people on earth. Robert J. Flaherty's epic silent film *Nanook of the North* (1922) is a founding example of this fascination with a hostile but beautiful North and the nomadic peoples who survive in its climate.[1]

However, while at some level Canadians all share the cold, and some imagined sense of what that cold means about who we are, and indeed a sense that the inuksuk is a piece of 'Canadian' iconography, we do not share a robust sense or understanding of the history of the North. For decades, stories of encounters between settlers and the Inuit were documented primarily through settler eyes, eyes that were all too often blind to the political, social and legal orders that were present at the time of contact, and which persist into the present.[2] The history

1 There is a long history of filmic portrayal of the Inuit as mobile happy-go-lucky people who could best be trained for repetitive jobs. See also *Qallunaat!: Why White People are Funny*, directed by Mark Sandiford (National Film Board of Canada, 2006), and *Martha of the North*, directed by Marquise Lepage (National Film Board of Canada, 2008).

2 Hester Lessard, Rebecca Johnson and Jeremy Webber, eds, *Storied Communities: Narratives of Contact and Arrival in Constituting Political Community* (Vancouver: UBC Press, 2010); John L. Steckley, *White Lies About the Inuit* (Peterborough, ON: Broadview Press, 2008; Hugh Brody, *The Other Side of Eden: Hunters, Farmers, and the Shaping of the World* (Vancouver: Douglas & McIntyre 2001). For a very readable account of this phenomenon of



of colonial contacts between the Canadian state and the Inuit has been more complicated (and fraught) than is captured in the image of the happy-go-lucky Eskimo, or of Inuit sculpture. A full account of the encounter between Canada's North and its South involves difficult accounts of forced relocations, the killing of sled dogs, projects of renaming, removal of children to residential schools, the spread of tuberculosis and other settler diseases, loss of language, and more.[3]

The past 25 years, however, have witnessed what might be called a revolution of Inuit activism, and political mobilization.[4] In 1993, the Federal government entered into the Nunavut Land Claims Agreement, the largest indigenous land claim in Canadian history (an agreement involving land, money and self-government). The agreement involved the creation of a new territory for the Inuit peoples of the central and eastern Arctic. Nunavut, a word in Inuktitut meaning 'our land,' is 1.9 million square kilometers, nearly one fifth of Canada.[5] In a territory larger than Europe, there are less than 33,000 people, 85% of which are Inuktitut.

For those interested in legality, there is much to explore in the ways this newest territory draws conventional, traditional and modern together in its legislative action. The government of Nunavut runs on a consensus basis, rather than the party system, which is the conventional approach to politics in Canada.[6] The consensus approach in this blended system is a modern adaptation of old and new, more in keeping with Inuit ways of organizing and decision-making. Education has been a large part of the Nunavut Land Claims Agreement, with the federal government taking on obligations with respect to funding both educational and employment plans for Inuit.[7]

denial in North America as a whole, see Thomas King, *The Inconvenient Indian: A Curious Account of Native People in North America* (Toronto: Anchor Canada, 2012).

3 Frank J. Tester and Peter Kulchyski, *Tammarniit (Mistakes): Inuit Relocation in the Eastern Arctic, 1939–63* (Vancouver: UBC Press, 1994). Melanie McGrath, *The Long Exile: a Tale of Inuit Betrayal and Survival in the High Arctic* (New York: Vintage Books, 2006); Alan Marcus, *Relocating Eden: The Image and Politics of Inuit Exile in the Canadian Arctic* (Dartmouth, NH: University Press of New England, 1995); Paulette, Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2010); Canada – Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples* (Canada, 1996); The Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Canada, 2015).

4 For a cinematic exploration of this history, see the film *Arctic Defenders*, directed by John Walker (Unikkaat Defenders Productions, 2013), http://www.arcticdefenders.ca

5 http://www.polarnet.ca/polarnet/nunavut.htm

6 http://www.gov.nu.ca/node/924

7 See for example, the recent settlement of ongoing litigation between the federal government and the Inuit (represented by the NTI, the corporate body that represents the Inuit in the land claims agreements. In May of 2015, the federal government agreed to pay an additional $255 million, which is directed to education for Inuit. Note, there is currently no University in the North, which means that most Inuit must travel south in order to seek higher education: http://www.jfklaw.ca/implementation-matters-the-2015-nunavut-land-claim-agreement-settlement.

Political and legal mobilizations have been accompanied by significant action in the cultural arena. Nunavut has experienced an explosion in media cultural production with the founding of the Inuit Broadcasting Corporation (the first native language television network in North America) and several Inuktitut film companies, the most well known of which is Igloolik Isuma. In many ways, this taking up of the cinematic media is a natural extension, since the Inuit have a rich and deep tradition of storytelling. Throughout Canadian history, there have been frequent articulations of the position that the Inuit have a rich culture, but it is often accompanied by the articulation that they have no 'law'. The claim in this chapter is that this is of course untrue. Indeed, the assertion here is that the rich practice of Inuit storytelling is not simply 'culture,' but is also a site of 'law'[8] (a claim that is also made throughout this collection).

In this chapter, I explore the envisioning of legality in the context of Inuit storytelling, using two films from the Igloolik Isuma Trilogy, *Atanarjuat: The Fast Runner*, directed by Zacharias Kunuk (Igloolik Isuma Productions, 2001), and *Before Tomorrow*, directed by Marie-Hélène Cousineau and Madeline Ivalu (Igloolik Isuma Productions, 2008). The trilogy is a group of movies filmed in the North, with Inuit actors, in Inuktitut, telling Inuit stories from within an Inuit world-view. The most well known in the trilogy is the first film, *Atanarjuat*, the cinematic retelling of a famous Inuit legend. The second film, *The Journals of Knud Rasmussen*, directed by Zacharias Kunuk and Norman Cohn (Igloolik Isuma Productions, 2006), is a portrayal of the life of Avva, a great Inuit shaman, and his daughter Apak, drawn on extracts from the journals of Danish explorer and anthropologist Knud Rasmussen during the Fifth Thule Expedition (1921–24), but told from the perspective of the Inuit.[9] *Before Tomorrow* completes the trilogy by moving explicitly into the world of fiction, taking Danish writer Jørn Riel's novel *Før Morgendagen* (1975) and re-telling it as a piece of Inuit storytelling.

I begin with my own experiences with the film *Atanarjuat*, in the space of what Laura Marks refers to as the intercultural cinematic encounter,[10] in order to situate the argument that such films can help us to think otherwise about both legality and the envisioning of law. I offer a few comments on methodological

Significantly, the settlement of the agreement involved a commitment to working in partnership to implement the obligations of the land claims (working in partnership being another important principle of Inuit law).

8 For a fuller exploration of this point, see Rebecca Johnson and Lori Groft, "Learning Indigenous Law: Reflections on Working with Western Inuit Stories," *Lakehead Law Journal* 2(2) (2017): 117–144.

9 For a wonderfully rich collection of articles engaging with this film, see Gillian Robinson, editor, *The Journals of Knud Rasmussen: A Sense of Memory and High-Definition Inuit Storytelling*. (Montreal: Isuma Distribution International, 2008).

10 Laura Marks, *The Skin of the Film: Intercultural Cinema, Embodiment and the Senses* (Durham, NC: Duke University Press, 2000).



resources that can support explorations of law envisioned, and then I turn to *Before Tomorrow*, to further extend the argument in the context of a modern fiction that draws in traditional Inuit law (stories) to envision a living law.

## Encountering *Atanarjuat*: law envisioned in intercultural cinema

In 2001, I moved from Fredericton, New Brunswick (Canada's east coast, in Mi'ig maw territory) to Victoria (Canada's west coast, in Salish territory). Though Victoria is in the far south of Canada, over the years the Law School had built and developed a series of connections to the Arctic: as part of the University of Victoria Law's Co-op Program, a regular stream of our law students had gone North to spend a work term working in Iqaluit, often with Maliiganik Tukisiiniakvik (the Legal Services Board). Extending this experience, in 2001, the University of Victoria had entered into a partnership to establish the Akitsiraq Law School Program, where a four-year law degree would be delivered to Inuit students in Iqaluit, the capital of Nunavut.[11]

That year, I offered the law-and-film class that I had been teaching in Fredericton. As usual, students were invited to choose their own filmic text for their research paper. And also as usual, many students chose texts that were relatively current. Given the significant Northern focus around the law school, it was no surprise to have a number of students write on *Atanarjuat*. *Atanarjuat* was the first ever feature film to be written, directed and acted entirely in Inuktitut. It is also currently listed first on the list of 'Top Canadian Films of All Time'.[12] The movie gripped popular imagination, with critics speaking of the 'timeless' tale of an Inuit community from 2,000 years ago. The story involved love, adultery, murder and vengeance. The story itself was understandable within the Western tradition in ways that resonated with some standard Western tropes.[13] On

11 Rather than drawing Inuit students to the South, law professors (drawn from a number of schools across the country) were sent North, so that Inuit students were able to study law at home with the support of family and community, in a program that was tailored to the legal context of Nunavut, and which included instruction in Inuktitut, and the active participation of Inuit elders: http://communications.uvic.ca/releases/release.php?display=back&id=70. See Serena Ableson, "Bringing Legal Education to the Canadian Arctic: the Development of the Akitsiraq Law School and the Challenges for Providing Library Services to a Nontraditional Law School," 34 *International Journal of Legal Information* 34(1) (2006): Article 4. Available at: http://scholarship.law.cornell.edu/ijli/vol34/iss1/4

12 https://en.wikipedia.org/wiki/Top_10_Canadian_Films_of_All_Time#2015_list

13 See, for example, Anthony G. Amsterdam and Jerome Bruner, *Minding the Law: How Courts Rely on Storytelling, and How Their Stories Change the Ways We Understand the Law – and Ourselves* (Cambridge, MA: Harvard University Press, 2000). They provide a compelling argument concerning the operation of, for example, the western tropes of love and infidelity in the story of Arthur, Guinevere and Lancelot.

the personal front, I had the experience of seeing the movie and loving it while being simultaneously conscious of the ways in which the film seemed to give and require things of me that were different from what was required of me by films from genres with which I had greater familiarity.[14]

For one thing, I found the time/space of the film to be quite unexpected. Things moved at a very different (slower) pace. The cinematography was stunning in its expanse, with hours spent in confronting a very different colour palette of light and snow. There were also challenges of translation. I don't mean simply the need to read subtitles, nor the fact that the filmmakers actively chose to leave certain portions of the film untranslated.[15] It was rather that, as Pooja Parmar points out, the 'translation of unfamiliar stories narrated in unfamiliar languages into a familiar language does not automatically lead to comprehension of lifeworlds.'[16] The non-verbal register of the film was rich, in ways that left me uncertain that I fully understood the characters. I found myself consciously wondering about the social/legal register that was underpinning the story being told. Something different seemed to be going on.

This sense was affirmed when several of the students in my class had returned home having watched *Atanarjuat* in the North, and pointed out that audiences there had seemed to read the film quite differently.[17] Students noted, for instance, that Inuit friends had suggested that Atanarjuat was himself implicated in the wrongdoings that had been done. This was not intuitively obvious to me at the time. I gradually came to appreciate more fully, through discussion with others, the ways in which my reading of the film might be shifted (and enriched) through a better understanding of the social and legal order out of which the story emerged.[18] For one thing, the story itself was a familiar one within the Inuit community, as an ancient story, with currency within the Inuit

14 On the commonality of this response among cultural outsiders, see Shari Hunhdorf, "Atanarjuat, the Fast Runner: Culture, History and Politics in Inuit Media". *American Anthropologist* 105(4) (2003): 822–826.

15 For a lovely exploration of this point, see Sophie McCall, "'I Can Only Sing This Song to Someone Who Understands It': Community Filmmaking and the Politics of Partial Translation in *Atanarjuat, the Fast Runner*". *Essays on Canadian Writing* 83 (2004): 19–46.

16 Pooja Parmar, *Indigeneity and Legal Pluralism in India* (New York: Cambridge University Press, 2015), 12–13. I quite agree with Pooja Parmar's comments on the utility of the concept of translation, particularly when working with intercultural cinema, which requires its audience to be active translators: "The concept of translation is a useful one to understand the practices and processes that enable both the creation as well as the destruction of meanings as people inhabiting one normative universe receive, interpret, reorder, and re-resent claims that arise in and are informed by legal cultures different from their own" (at 12–13). Here, she too emphasizes the importance of non-verbal modes of communication for those seeking to understand human beings living a different life (at 17).

17 In particular, I am grateful for the insights of Jessica Lot Thompson.

18 For an elaboration of the life contexts in which the narrative of the story is embedded, see Michael Robert Evans, *The Fast Runner: Filming the Legend of Atanarjuat* (Lincoln, NE and London: University of Nebraska Press, 2010).



community as a source of Inuit legal principles, as a source of law.[19] While it was possible for a North American student to read this film as a story of love triumphant and vengeance delivered, it seemed that many in the Inuit audiences understood the story differently. For Inuit audiences, the film was thick with traditional Inuit justice principles: respect for others, the duty to care, collective responsibility and accountability.[20] From inside these principles, the simple (western archetypal) story of heroes and villains, love and revenge, is disrupted. Law is envisioned not simply as an outcome, but as the context in which all action takes place.

In an open letter on Traditional Inuit justice principles, Robert Kilpatrick said,

> Justice to our ancestors' way of thinking was not a system of law enforcement. Justice was not something that was handed out by the court, Crown attorney, or police. The elders tell us that justice was something far more exciting. It was an attitude – a state of mind.[21]

I began to understand that the story was about this 'state of mind,' where attention was not on 'judging' in the way most common in Western film.[22] In *Atanarjuat*, from the perspective of many Inuit audiences, the story was about practices of decision-making, caring for, and taking responsibility for the health of the family and community.

This approach makes the ending of the film all the more interesting as a form of law envisioned. Inuit audiences (unlike Southern ones) would have been aware of the many versions of the Atanarjuat legend. While the various tellings differ in some ways, they all end with Atanarjuat killing his rival Oki. In producing the film, the directors worked with a number of elders, seeking to combine elements from different accounts of the stories. One significant adaptation was

19 Several versions of it are recorded in Neil Christopher, Noel McDermott and Louise Flaherty, eds. *Unikkaaqtuat: an Introduction to Inuit Myths and Legends* (Toronto: Inhabit Media, 2011).

20 For a rich elaboration of Inuit *qaujimajatuqangit* (traditional knowledge and law), see the five-volume series, *Interviewing Inuit Elders,* Jarich Oosten, Frederic Laugrand and Wim Rasing, eds. For an introduction to the series, see Paul Groarke, "Review Essay: Legal Volumes from the Arctic College's *Interviewing Inuit Elders* Series". *Osgoode Hall Law Journal* 47 (2009): 787–805.

21 Mr Justice Robert Kilpatrick, Senior Judge, Nunavut Court of Justice, "An Open Letter to the Citizens of Nunavut on the Importance of Traditional Justice Values in the 21st Century," May 6, 2011, http://www.nucj.ca/phocadownloadpap/TJV_EnglishA.pdf (accessed October 22, 2015).

22 For an argument about the significance of trial movies in western popular culture (suggesting that trials are movie-like to begin with, and that many movies are trial-like to begin with), see Carol Clover, "Law and the Order of Popular Culture," in *Law in the Domains of Culture*, edited by Austin Sarat and T. R. Kearns (Ann Arbor: University of Michigan Press, 1998): 97–119.

the decision to end the film without a killing, but instead with the banishment of the offenders. In making this choice, both elders and filmmakers actively worked with the story to envision Inuit law operating in the modern context. At a time when Inuit communities have suffered the devastating impacts of the colonial encounter, and where communities live with the devastation of intra-community and inter-generational violence, the film makes a legal argument that it is crucial to break the cycle of violence in a new way. It argues that the communities need additional strategies, which seek to keep people safe without killing. That is, it envisions new ways of thinking about (legal) strategies to end a cycle of violence.

Working with *Atanarjuat*, I began to better understand how the film was not simply 'showing' or 'representing' the law of the past. The film was envisioning both life and law in a particular way, inviting its audience to experience that life/law, and consider the need for the community to disrupt certain patterns of vengeance present in the older stories. Justice is rendered visually in ways that could encourage an audience to imagine themselves occupying the legal order in which such an argument would make sense. Law is placed into space, time and movement. The story performed its legal argument, invited a shift in the justice 'state of mind'. The film performs Inuit identity and law in a ways that, as Shari Huhndorf put it, 'provides a sense of continuity with the past and responds to changing circumstances.'[23]

As I spent time with the film, I found myself thinking more about its invitation and its challenge. One of the great challenges of settler society has always been the limit of its own legal imagination, a tendency to understand its laws as universal and to project them onto others in a particular colonial fashion. In exploring intercultural cinema, it would be important to accept that there may be different ways of conceptualizing and living 'law'.[24] For certain, I could see that it was possible for different audiences to see and enjoy and make use of the film without having at all the same experience (indeed, my own experience of the film shifted drastically as I began learning more about Inuit histories, stories and law). Of course, this is on some levels simply a truism: people have different experiences of seeing the same film.[25] But I could also see how this film was a powerful tool that could make space for audiences to do some of the work crucial to Indigenous-Settler reconciliation, and to

23 Huhndorf, at 825.

24 On the challenges in translating concepts of 'law' from Inuktitut to English and back again, see Marian Aupilaarjuk, Marie Tulimaaq, Akisu Joamie, Emile Imaruittuq, and Lucassie Nutaraaluk. *Interviewing Inuit Elders, Vol 2: Perspectives on Traditional Law*, edited by Jarich Oosten, Frederic Laugrand and Wim Rasing (Iqaluit: Nunavut Arctic College, 1999), 1–8.

25 The point was nicely made by Frank Tomasulo, in "'I'll See It When I Believe It': Rodney King and the Prison-House of Video". In *The Persistence of History: Cinema, Television, and the Modern Event*, edited by Vivian Sobchack (New York: Routledge, 1996), 69–88. On film as evidence in the courtroom, see, for example, Jessica Silbey, "Persuasive Visions: Film and Memory," *Law, Culture and the Humanities* 10(1) (2014): 24–42.



laying the foundation for more egalitarian intercultural encounters in a world of legal pluralism.[26]

## Tools for working with law envisioned

Certainly, there are resources for doing this 're-imagining' work within Western traditions – there is a significant body of law-and-literature scholarship focusing on the legal imaginary, and a rich and expanding literature exploring these questions in the context of law and film. In the context of intercultural encounters, I take particular inspiration from James Boyd White's work on justice as 'translation'.[27] He operates with the premise that law is less a set of rules than an imaginative and intellectual activity, a way of imagining a shared history.[28] White's framework takes as a given the importance of learning how to *live* within a language, a culture, a legal order. This invitation to inhabit a world *imagined* is at the heart of using the filmic text as an 'other' way of envisioning law.[29] Film (like literature) works with narrative. But it also can draw on sound and vision in ways that can create the context for particularly embodied imaginative encounter.[30] This is not to saw that a film can *make* a viewer *feel* in a particular way, but is simply to acknowledge that it does invite the viewer to an experience that engages multiple sensory sites of judgement.[31] Film (and television, for that matter) invites the reader to imagine what it would be to inhabit the world it describes, drawing on narrative, sight, sound, and the magic of editing.

How can film help us inhabit another site of law? Laura Marks' work on haptic visuality in the context of intercultural cinema (fourth-world cinema) is useful in this context. Haptic visuality is tactile, kinaesthetic, and proprioceptive; the eyes

26 This observation was part of the grounding for the development at our law school of a course in Inuit Law and Film. For a discussion of the course, see Rebecca Johnson, "Reimagining 'the Truth North Strong and Free': Reflections on Going to the Movies with James Boyd White". In *Living in a Law Transformed: Encounters with the Works of James Boyd White*, edited by Julen Etxabe and Gary Watt (Ann Arbor, MI: Maize Books, 2014), 258–283.

27 White, James Boyd. *Justice as Translation: An Essay in Cultural and Legal Criticism* (Chicago: University of Chicago Press, 1990).

28 James Boyd White, *From Expectation to Experience: Essays on Law and Legal Education* (Ann Arbor: University of Michigan Press, 1999), ix.

29 For a succinct elaboration of different ways one might approach questions of law and film, see Orit Kamir, "Why 'Law-and-Film' and What Does It Actually Mean?: A Perspective". *Continuum: Journal of Media and Cultural Studies* 19(2) (2005): 255–278.

30 For an elaboration of this point, see Rebecca Johnson and Ruth Buchanan, "Getting the *Insider*'s Story Out: What Popular Film Can Tell Us About Legal Method's Dirty Secrets," *Windsor Yearbook of Access to Justice* 20 (2001): 87–110; and Ruth Buchanan and Rebecca Johnson, "Strange Encounters: Exploring Law and Film in the Affective Register," *Studies in Law, Politics, and Society* 46 (2009): 33–60.

31 For example, sound and sight are arguably two different registers of accessing 'truth'. See Mary Ann Doane, "Ideology and the Practice of Sound Editing and Mixing," in *The Cinematic Apparatus*, edited by Teresa de Lauretis and Stephen Heath (New York: St Martin's Press, 1980), 47–60.

operate more as organs of touch than as organs of optical mastery. Haptic cinema does not invite us to identify with a figure, so much as engage a bodily relationship between viewer and image: it asks us to be present with the image.[32] Intercultural films like *Atanarjuat*, Marks notes, are rich with haptic qualities, with encouragements to feel. But the cinematic choices of intercultural cinema are ones that may require more work of western audiences. Indeed, she says, 'haptic visuality implies making oneself vulnerable to the image, reversing the relation of mastery that characterizes optical viewing.'[33] Rather than having our eyes directed in their focus, we are given many scenes where we are asked to spend time in observation, time to let our eyes wander over the spaces to see. Extensive close-ups give us a sense of intimacy, without much in the way of direction. This is not the observation of the ethnographic film (showing us 'how' things are done, though there is certainly significant attention to authenticity). It is rather an invitation to be immersed in a different 'sensorium,' to bring one's own memories of touch, sound, and smell to the experience of making sense of haptic images.

Of course, a viewer's own sense memories may draw them into an image in a powerful way, but it may also involve moments of bafflement. As Marks notes, 'bafflement in the face of the representation of unfamiliar sense experiences is an aspect of intercultural relations that is unavoidable and salutary: it provides the ground of respect for cultural differences that must precede intercultural learning.'[34] The haptic in these films creates the conditions for new stories: 'when verbal and visual representation is saturated, meanings seep into bodily and other dense, seemingly silent registers.'[35]

In this second part of the chapter, I turn to a closer exploration of the place of story and haptic perception in my own efforts to better understand how intercultural cinema opens space for the work of decolonization. How can film in general offer a way for viewers to begin to inhabit Inuit ways of doing law? What can be learned from the film *Before Tomorrow?*

## *Before Tomorrow*: truthful fictions, and the envisioning of Inuit law

While *Atanarjuat* is the telling of an Inuit legend (a legend that can properly be understood as a traditional legal text), *Before Tomorrow* is firmly within the realm of fiction. Indeed, here, the Inuit filmmakers have claimed the right commonly held by other directors: to take a story from another culture, and re-tell it from within their own cultural context. The film is based on Jørn Riel's novel *Før Morgendagen,* which focuses tightly on the relationship between a grandmother and her grandson. In an interview about the book, Riel recounts an experience from

32 Marks, at 164.
33 Marks, at 185.
34 Marks, at 239.
35 Marks, at 5.



when he was a tracker in Greenland.[36] On a winter hunting trip, he came upon a cave on a remote island, a cave in which were the skeletal remains of an old woman, and a child of 8 or 10 years. How, he wondered, had these two come to die in this place, their bodies left unattended and unburied? Why had they not been picked up by their community? He speculated that the entire family must have been dead. Knowing that the population in northeast Greenland had disappeared suddenly over a century before, he speculated that there must have been a plague. And so, he wrote a novel, imagining the grandmother and child, their entire community wiped out, asking how they might have come to be alone on an island, and how they might have faced the prospect of being the last living human beings?

While the film is explicitly within the domain of fiction (and thus, arguably, far from the world of obvious legality), it is within the category of stories that one might refer to as truthful fictions.[37] The novel was adapted by Arnait Video Productions (an Inuit women's film collective) and set in the Nunavik region of Northern Quebec, which itself was historically marked by the decimation of Inuit communities through contact with southern diseases. In *Before Tomorrow,* the grandmother Ninioq (played by Madeline Piujuq Ivalu) and her grandson Maniq (played by Paul-Dylan Ivalu, her grandson in real life) are dropped off on a remote island, where, every year, the family dries the fish gathered in the summer, for use through the winter. They bring with them Ninioq's elderly friend Kuutujuk (played by Mary Qulitalik). Kuutujuk, who is very frail, wants to spend her last months in the company of her good friend, and she dies soon after their arrival on the island. Ninioq and Maniq spend the time on the island working. As winter approaches, they wait for their family to return to pick them up. Eventually, as the fall approaches, they make their way back, only to find that the entire community is dead from smallpox, the after-effect of an encounter with outsiders (white men). Ninioq and Maniq return to the island where the food has been cached, and attempt to survive the winter, the only two people left from their community. Near the end, wolves attack them, eating their food, and injuring Ninioq. She is left to confront her choice: to die and leave her grandson alone as the sole surviving person in the world as she knows it, or to end his life as well.

In the North American film tradition, there are genres of film dealing with apocalyptical moments, with the death of not simply a single person (after all, death does come to each), but with larger tragedies, those that put the continuity of a people at risk, that eradicate communities, or humanity itself: disaster films

36 https://www.isuma.tv/arnaitvideo/interview-jorn-riel-author-morgendagen-tomorrow
37 For a helpful exploration of the power of truthful fictions, see David Dow, "Fictional Documentaries and Truthful Fictions: The Death Penalty in Recent American Film". *Constitutional Commentary* 17(3) (2000): 511–553. Arguably, these insights are deeply embedded in the vast majority of indigenous legal orders, which do in fact embed the most powerful of their truths (and legal procedures, protocols, and principles) in story. See Val Napoleon and Hadley Friedland, "An Inside Job: Engaging with Indigenous Legal Traditions Through Stories" *McGill Law Journal* 61(4) (2016): 725–754.

(*Titanic*, *Poseidon Adventure*, *Towering Inferno*) explore interactions between nature and human intervention that lead to large scale tragedy; science fiction (*Omega Man*, *Alien*, *Scanner*, *The Matrix*) imagines apocalyptic errors that place mankind on the verge of eradication, through an alien species, or indeed through technology gone horribly wrong. *Before Tomorrow* can be read against a trajectory of apocalyptic/holocaust narratives. It can be read as a story of 'the end of times'. And yet, *Before Tomorrow*, in its Inuit storytelling mode, is in some ways different from other films in this genre.

The opening moments of the film provide us with one set of framing questions. Against a background that seems to be a slow swirl of smoke, or of ink in water, we hear the McGarrigle Sisters song (original music for the movie) 'Why Must We Die?' We begin to see faces emerge from the smoke, and then fade away. We are already being introduced to the faces of those we will meet and lose throughout the film, for death comes to every character seen in this movie. But the invitation from this movie is not to focus on the deaths. The focus of the film seems to be more directly on life and relationships. Though the song asks 'Why must we die?,' the film itself seems to ask rather 'How might we live?' and 'In what ways might these stories of dying inform our ways of living?' 'How are these, the dead, made part of the world in which we live?' 'What Laws govern us as we confront the inevitability of life which encounters death?'

In what follows, I will signpost two particular pieces of Inuit law which are envisioned in the film. Each takes the form of a unikkaaqtuat (story), a story that embeds, embodies, and constitutes legal community. In each case, we are positioned as the audience for the story. In each case, the recounting is filmed in a way that is rich with haptic visuality. The first occurs at the beginning, and the second at the halfway mark of the film. Together, these two pieces of law structure a rich space for us to imagine living deeply within another legal order.

### *The first story: 'The Raven and the Whale'*

Against the foreshadowing of the film's opening credits, the first scene begins with a long sustained shot of two figures walking across the snowy tundra, the sound of snow crunching, and breathing. While the figures are too far away to be recognizable, the one behind wears an amauti (an Inuit outer coat that is generally worn by a woman, the hood of which is designed so that it could carry a child).[38] The smaller one in front carries a walking stick and a bag. The relation

38 Note, amautik can also be worn by men. Gendering (whether of people, names, clothing or tools) in the north is another interesting subject. See, for example, Bernard Saladin D'Anglure, "From Foetus to Shaman: The Construction of an Inuit Third Sex," in *Amerindian Rebirth: Reincarnation Belief among North American Indians and Inuit*, edited by Antonia Mills and Richard Slobodin (Toronto: University of Toronto Press, 1994), 82–106.



between the two characters crystallizes as we hear a young voice speak (in Inuktitut), with the subtitle 'Grandmother, tell me a story.' The line spoken ('Grandmother, tell me a story') is the signal that we are being told a story (this is akin to 'once upon a time').[39] In reply, we hear an older voice begin to speak:

> One time, a raven flew over a beach. Suddenly a bowhead whale surfaced and swallowed it whole. Inside the whale it was very dark, like a cave. In the distance, the raven saw the flickering light of an oil lamp.

At this point, we visually shift from the tundra, and are drawn into a dark cave-like space (a space that echoes the words we have heard). In close-up, we have the face of an old Inuit woman centred in the screen, the storyteller, Ninioq. She continues to tell the tale. 'A girl was trying desperately to keep the light from dying'. The shot cuts to a close-up of the traditional inuit stone lamp, the qulliq, a thin line of flame flickering along its edge.[40] As the camera focuses our field of vision on the flickering flames, she continues speaking. At the same time, a series of shot/reverse-shot techniques enables us (as viewers) to join her in the cave, and watch the face of the young boy to whom she is telling the story. Again, we have a close-up on his face, the light from the flickering lamp drawing him out of the darkness in which they both sit. In this intimate space, the story continues:

> The raven heard the girl's voice: you must be faithful to me. Promise never to touch this light. The Raven promised, I'll never touch it! But when the girl returned to her work the raven forgot his promise and touched the lamp. And when the light went out the girl fell over, dead. The Raven realized his terrible mistake. The girl had taken possession of the raven's soul. And when the light went out, so did the raven's heart. That's the end of my story.

39 See notes to the story "The Ptarmigan," in Neil Christopher, Noel McDermott and Louise Flaherty, eds. *Unikkaaqtuat: an Introduction to Inuit Myths and Legends* (Toronto: Inhabit Media, 2011), 73. See also the comments of Alexina Kublu (Language Commissioner for Nunavut) in Saullu Nakasuk, Hervé Paniaq, Elisapee Ootoova and Pauloosie Angmaalik, *Interviewing Inuit Elders, Vol 1: Introduction*, edited by Jarich Oosten and Frédéric Laugrand (Iqaluit: Nunavut Arctic College, 1999), at 188. As Kublu says, the English phrase, "Grandmother, tell a once-upon-a-time story" is, in Inuktitut, "anaanattiaq unikkaaqtualaurit". This is also the first line of the story "The Ptarmigan and the Snowbunting," which Alexina Kublu translates as "Irngutarjuapiga nauk? ("Where is my dear grandchild?").

40 The lamp is a crescent-shaped cup carved from soapstone. It is filled with oil from seal blubber. Arctic cotton grass or moss is used as a wick (drawn to the edge with a tool, the height to the flame to be managed by the (usually woman) person tending it. It provides light, heat, is for cooking, etc. The level of flame can also be regulated to provide significant or minimal heat and light. For a discussion of the qulliq, and other aspects of Inuit material culture, see John Bennett and Susan Rowley, eds. *Uqalurait: An Oral History of Nunavut* (Montreal and Kingston: McGill-Queen's University Press, 2004).

The story is thus told in this setting, with many pauses, and time for us to focus on the faces and their expressions, both in the speaking and the listening. The telling of the story already pulls us into a space of story time, situating us as listeners, and inviting us to feel (in a haptic sense) the sound of crunching snow, the warmth of the lamp, the feel of fur. We are left to think about the story, a story that places us (like the raven? like the girl?) in the belly of the whale.

The end of Ninioq's story (of the Raven and the Whale) is the beginning of the cinematic story. For immediately after the telling, we move in flashback of sorts to an earlier season: we move from winter to summer. With a second McGariggle Sisters song, the grandmother's voice sends us to the past, as friends and relatives come to visit.[41] Cinematically, we have a beautiful shot from under the water, looking up to the sky, as a large boat (perhaps in the shape of a whale) passes overhead. The extended scenes of the umik and kayait travelling across the water are captivating in a strongly haptic ways (or, as students in the course put it, 'immersive'). We are treated to the landscape of the North during the summer, a time when families travel to visit with each other. The scene unfolds, as we move to open space, to a rich community full of people, tents, children, visitors, play, food, laughter and sharing. Over a meal of shared seal, the group listens to an old man, Kukik, tell of an encounter with strangers (whalers), who have strange and marvellous tools (knifes, barrels, needles), who drink a liquid that burns and makes them more friendly, and who are willing to engage in trade (one metal needle for one night with one of the women.)[42]

In this moment in the fiction, the story lays out all the elements of the histories known to have come: traders who come with steel, with needles, with alcohol. The scene is set up as a piece of foreshadowing: we may, as viewers, suspect what will come to pass, but we see also that the community sees Kukik's story of the strangers as fantastical – something to laugh over, and not yet something to fear. The film maintains a focus on the Inuit community, with the strange traders mentioned but never seen. As viewers, the film again visually positions us as part of the community, sitting on the ground, sharing food, and laughter. But we are also left with a sense of unease, given the opening story. We are left thinking about how to link this story of strangers to the story of the Raven and the Whale.

Keavy Martin, in her quite exceptional work on Inuit literature, emphasizes the centrality of adaptation and transformation to Inuit stories, stories which aim to entertain and to assist in problem solving: to offer strategies and resources,

41 There are only two pieces of extra-diegetic music in this film, the two songs we hear in the first minutes of the film. Indeed, the film deprives us of almost any extra-digetic sound. What songs we hear after this are sung with no accompaniment. The sounds we hear (if amplified) are nearly always strictly diegetic. We have to listen in a quite different way than is currently common in Western film.

42 For a historical account of the relations between Inuit and whalers, see Nancy Wachowich *et al.*, *Saqiyuk: Stories from the Lives of Three Inuit Women* (Montreal and Kingston: McGill-Queen's University Press, 1999), 113–122. Apphia Agalakti Awa (the grandmother) speaks of the fear Inuit women had of whalers, and of the possibilities of trade.



something captured in the word *qanuqtuurniq*, which is a quality of resourcefulness in problem solving.[43] And so, given the centrality of adaptation, it is again unsurprising that a story like 'The Raven and the Whale' appears in a number of variants in published form. As recounted in *Before Tomorrow,* Raven is said to be only forgetful or careless. In several versions of the tale, Raven is portrayed as arrogant, selfish and stupid.[44] In these versions, Raven kills the girl/whale through his greed/curiosity, and he later brags to the people that it was through his great prowess as a hunter that the whale was killed. There is yet another version of this story which focuses on grief and healing, in the context of the journey that takes each person to death.[45] In this version, Raven's desire for the girl leads to the death of the Whale, which leads Raven to cry the first tears, and sing the first song of grief and healing.

In Inuit storytelling (as in most stories) the telling links the storyteller and the person being spoken to with the story itself. The story adapts itself to the situation. And so it is here. *Before Tomorrow* begins with a tale that will carry the resonances of multiple accounts, pointing in the direction of curiosity, foolishness, greed, lust, life, death, grief, sorrow, and healing. On one level of course, the film does use the story of the Raven and the Whale to invite its audience to think about Canada's encounters with the Inuit, and the place of curiosity and death in those encounters. Cole Harris has pointed to settler Canada's wilful blindness with respect to histories of disease among indigenous peoples.[46] So from one perspective, the film might be seen as using the story of the Raven and the Whale to explore colonial history. For in this story, Raven's great sins are curiosity, desire, and denial. Raven is the beneficiary of the whale's hospitality, makes a promise, and yet, through his ignorance, brings death to the girl.

But the story also is set within an Inuit cosmological world, one in which humans and animals are linked and related. In the story as recounted in *Before Tomorrow*, it is not simply that Raven has killed the girl/whale, but is also that Raven's own heart has died. The story asks us to consider the ways in which it is

43 See Keavy Martin, *Stories in a New Skin: Approaches to Inuit Literature* (Winnipeg: University of Manitoba Press, 2012), 3.

44 See Susie Tiktalik, 'The Raven and the Whale,' in Herbert T. Schwarz, *Elik, and Other Stories of the MacKenzie Eskimos* (Toronto: McClelland and Stewart, 1970), 43. Two versions of the story appear in Knud Rasmussen, *The Alaskan Eskimos as Described in the Posthumous Notes of Dr. Knud Rasmussen / by H. Ostermann ; Edited after the Latter's Death with the Assistance of E. Holtved ; Translated from the Danish by W.E. Calvert* (Copenhagen: Gyldendal, 1952), 24–26, and 172.

45 http://www.youtube.com/watch?v=fUx5_inL-4k, http://www.youtube.com/watch?v=3Lkur3PmQvo

46 Cole Harris, "Voices of Disaster: Smallpox around the Strait of Georgia in 1782". *Ethnohistory* 41(4) (1994): 591–626. See also Corinne Hodgson, "The Social and Political Implications of Tuberculosis among Native Canadians," *Canadian Review of Sociology and Anthropology* 19 (1982): 50; Ebba Olofsson, Tara L. Holton and Imaapik "Jacob" Partridge, "Negotiating Identities: Inuit Tuberculosis Evacuees in the 1940s–1950s," *Etudes/Inuit/Studies* 32(2) (2008): 127–149.

not simply that others have been harmed, but also that we, like Raven, may have not understood the ways in which we are connected, and the ways in which our own lives are linked to the heart of the Whale.

Against the backdrop of these two stories (the Raven and the Whale, and Kukik's seemingly fantastical tale of strangers with sharp blades and needles), Ninioq, Maniq and Kuutujuk head off to the island to dry fish. The next 20 minutes of the film seem to pull us out of the forward driving movement of narrative, and instead embed us firmly in the sensorium of daily life. There is very little in the way of conversation. In some ways, the film seems almost ethnographic in its attention on the practices of life: old women tending a lamp, a boy gathering berries with his grandmother, caring for an old woman as she is dying, Maniq practising with his bow and arrow, watching the sky, the sound of footsteps and the wind. There are long passages with no conversation, and no 'action'. But the time is rich with haptic visuality. You listen, and watch, feel fall in the air, see and hear the geese flying. We are shown not the harshness of living from the land, but rather the beauty of the land, its resources, its landscapes and its skies. We watch Maniq practise with a harpoon, and catch his first seal. We see Ninioq shelter her beloved grandson both literally and metaphorically.[47] What conversation there is involves the Ninioq singing to Maniq, working alongside him, comforting him, sharing memories of the past and hopes for the future. We watch as Maniq becomes capable and self-reliant. This self-reliance is not centred on separation or autonomy from others. Rather Maniq's ability to be self-reliant is shown at each juncture to involve his increasing capacity to care for others and not only for himself (the sharing of berries, the bringing of water, the killing of a seal).

Finally, Ninioq's increasing disquiet over the non-arrival of their family leads them to return to the camp on their own, and to the horrifying discovery of their entire community dead in their tents, covered by sores. Ninioq finds a piece of skin holding a number of metal sewing needles, and weeps, 'Needles from strangers! They brought this sickness to everybody'. She stops Maniq from entering the tents to see the bodies, she gathers supplies, and the two of them return by kayak to the island (where food for the winter has been cached). They arrive in a storm, a storm of epic proportions, one which has blown down and ripped apart their tents. She calls out into this gale, 'When will this nightmare end? Where are all the people?'

In the midst of this storm they seek shelter in a cave, the same cave we inhabited in the movie's opening scene. And here, we see Ninioq sheltering her grandson, who is asleep against her chest, as she sits upright, with her back to the wall. In a voiceover, with a close-up on her unmoving face, we hear the words, 'Husband, I was so tired. I needed help for our grandson. I was so tired. How could he live without parents or companionship?'[48] And so, at the midpoint of the movie, we have this second question ('How could he live?'), a counterpart to the question

47 http://www.cbc.ca/news/arts/film/story/2009/03/12/f-before-tomorrow-review.html
48 At several points in the film, we hear Ninioq speaking (sometimes in her mind, sometimes aloud) to her dead husband.



posed at the beginning ('Why must we die?'). And this second question leads us to our second law envisioned.

### *The second story: 'The Ptarmigan and the Snow Bunting'*

The close shot on the grandmother and sleeping child switches to a shot of the clouds moving across the moon in a black sky. The blackness gradually fades to white, and we are faced with a bright sunlit snowy tundra. In a sustained shot, we watch the wind blowing the snow across the open space. And then, the shot resolves, and visually we are returned to the first shot of the movie, with Maniq and Ninioq walking across the tundra. This time it is she who speaks first, saying, 'Are you going to keep asking me to tell you more stories?' She laughs, and adds 'Of course you are.'

We return again to the cave of our opening scene, where the grandmother and grandson are again sitting on the floor, surrounded by skins, the qulliq providing a sense of flickering light and warmth. This time, the story is the very well-known tale, 'The Ptarmigan and the Snowbunting'.[49] Ninioq begins her story by drawing a little piece of shell out from a bag, saying, 'look, a ptarmigan'. She puts the shell into his hands, watching him hold it, and corrects him on how to hold it just right, to see in it the shape of the bird. As he holds the shell in his hands, she continues, in a close-up, with a smile, saying:

> 'I have heard that they haven't always been ptarmigans. There was an old woman and her grandson who were all alone, maybe like us? When the grandson went to bed he asked his grandmother to tell a story. The grandmother responded by saying, "I don't have any stories, get comfortable and go to sleep!" But the child insisted and started to cry, "Grandmother tell me a story . . ."'

Ninioq pretends to be the whining child, and laughs at her own voice, then continues: 'Finally the grandmother started to speak.' At this point, the English subtitles become vague, and it is clear that the translation is only partial at best. The English subtitles read 'story . . . story . . . baby lemmings . . . having no fur . . . arms folded in . . . start falling . . . feels ticklish . . .' As her voice gets slower, she suddenly reaches in, grabs her grandson and tickles him. As the two of them laugh, she continues her story:

> 'The grandson was so startled, he shouted "TEEOOK!" and flew off. He turned into a snow bunting and flew away right out the air hole. The grandmother looked all around and said "Grandson, where did you go?" Again

49 Three different versions of it are recorded in Christopher, *Unikkaaqtuat*. This story can be listened to online on the CBC radio series *Ideas*, with Paul Kennedy, focusing on indigenous legends, read by Imalaiu Imnuquuk and David Sirquois, http://www.cbc.ca/aboriginal/2008/11/inuit-legends-ii-legends-of-the-eastern-arctic.html, (accessed October 22, 2015), http://www.cbc.ca/video/news/audioplayer.html?clipid=1449050829 (see minute 46:30).

> and again, "Where are you?" Then she cried so much, and she wiped her eyes so much, that her eyes turned red, but she couldn't find him. Finally, she puts her needles into her boots. Then she took her oil lamp wick and hung it around her neck. That's the collar filled with seeds around the ptarmigan's neck. And then she went, Ap-ap-ap-ap-ap! And flew off to join her grandson.'

Again, she laughs. After a moment, she continues, this time giving her interpretation of the story: 'He was so startled he turned into a snow bunting! She went flying right out after him! Too bad!' She smiles again. 'But it must have been all right as long as they were together again. That's the end of that story.' We return to a close-up shot of the light flickering in the qulliq.

And so, we have been told a story of a grandmother and grandchild, a story of transformation. On one level, this can be read as a creation story, about the origin of two animals. Like many Inuit stories, it also emphasizes the relations between people and animals, the ability of both animals and people to put on 'new skins'. As with many stories, 'The Ptarmigan and the Snowbunting' has multiple functions. It can function as a cautionary tale that explains what happens when children do not listen to their elders (and demand too many stories!).[50] Despite being a cautionary tale, it is one that was frequently told. This story, which Alexina Kublu (Language Commissioner for Nunavut) translates as 'Irngutarjuapiga nauk?' ('Where is my dear grandchild?') is a story 'easily prompted whenever anyone says to somebody who is known to be a storyteller "unikkaaqtualarit" "tell us a story"'.[51] Kublu recounts: 'This is one story that stopped me from asking my oldest brother Serapie to tell me stories because with "ah tu tu tu tu tu" someone ended up being tickled (usually it was me).'

Elder Pelagie Owljoot positions the story as a legend not simply for children, but also to remind parents about how to handle children.[52] In particular, she says, it is a story that seeks also to teach young mothers how to work with young children, to ensure they do not scare or frighten them, that they do not speak too loudly, or startle young ones. Indeed, in the context of widespread concern by elders that younger Inuit are culturally deficient (or that there are challenges in the transfer of cultural knowledge),[53] the character of Ninioq is teaching in the way that elders traditionally have taught: by modelling. So what then is Ninioq modelling in this

50 Christopher, *Unikkaqtuat* at 75.
51 Christopher, *Unikkaqtuat*, at 152.
52 Pelagie Owlijoot, in consultation with the Language and Culture Committee of Nunavut Arctic College. *Guidelines for Working with Inuit Elders* (Iqualuit: Nunavut Arctic College, 2008).
53 Frédéric Laugrand and Jarich Oosten, "Transfer of Inuit Qaujimajatuqangit in Modern Inuit Society". *Études/Inuit/Studies* 33(1–2) (2009): 115–152; Jarich Oosten and Frederic B. Laugrand, eds, *Surviving in Different Worlds: Transferring Inuit Traditions from Elders to Youth* (Iqaluit: Nunavut Arctic College, 2012).



context? So much of what we see focuses on the relationship of grandmother and grandson, on practices of caring for children.[54] It seems significant that this second story is told once we (like the characters) have seen the awful death of their entire community. They are alone in the world. How is the story functioning here? What does it help us envision? It is a story that speaks to the world in which the two find themselves. If this is a cautionary story about the risks of frightening a child, are we seeing Ninioq interact with Maniq in line with the story's moral? That is, in telling the story, is she taking care *not* to scare him? In her interactions with her grandson in the later part of the film, she focuses on helping him plan for the future, remember the past, and enjoy the time they have with each other. But is this simply an effort to distract Maniq from what lies ahead, or is the story in this context doing more? Is she also preparing him to think about transformations that might have happened? Is she indeed giving him tools for what may lie ahead?

This scene is one rich in the haptic qualities that Marks alerts us to. As with the opening scene, as viewers, we are drawn into a space of physical presence. And, as Marks reminds us, 'meaning is conveyed through physical presence as well as through intellectual signification.'[55] We are drawn closely into intimate space with both Ninioq and Maniq. The close-ups and angles ensure that, as she puts the shell into Maniq's hands, she also puts the story into his hands, inviting both Maniq and the viewer to hold the shell/story, to shift its angles, to reveal there something otherwise not visible.

We thus have another story, told in a context where the story is again adapted to the situation. The story is then followed in some ways by a performance of the story's law. In the second half of the film, the two continue to live. The film demonstrates the reality of a land that is marked by a particular relationship of life and death, scarcity and plenitude, sorrow and joy, light and dark and of the unavoidable connection of living and dying. The passing and the return of seasons. There is a priority placed on the importance of being able to work hard to share, and to participate in a tradition of non-judgement, of watching and learning. There is a moment in the second half of the movie, sitting in the cave with his grandmother, playing with a toy sled, that Maniq asks his grandmother the question, 'Why did those strangers hurt our family?' But the question is not answered. Or rather, she answers him in a way consistent with Inuit traditional practices: to speak only of things one knows oneself.[56] She replies, 'I do not know. I never knew these people. Maybe some day you will find out.'

54 For an elaboration of these practices, see Naqi Ekho and Uqsuaralik, *Interviewing Inuit Elders, Vol 3: Childrearing Practices,* edited by Jean Briggs (Iqaluit: Nunavut Arctic College, 2000).
55 Marks, at 121.
56 For a full discussion of this imperative to speak only of what one knows through one's own experience, see Saullu Nakasuk, Hervé Paniaq, Elisapee Ootoova and Pauloosie Angmaalik, *Interviewing Inuit Elders, Vol 1: Introduction*, edited by Jarich Oosten and Frédéric Laugrand (Iqaluit: Nunavut Arctic College, 1999).

The question is, in some ways, left for the viewers: will we be in a position to find out why? And what would the why tell us? Would the 'why' (from curiosity, greed, selfishness or error) change the conditions in which the living continue to live? The strangers never make an appearance in the film, and the question is not answered. Rather, after the telling of the second story, the film again returns us to the business of living. We watch Ninioq at night singing her favourite songs to help her grandson fall asleep. We see Maniq cleaning furs by sliding down hills while sitting on them. We see Ninioq repairing ripped skins using the (fatal) metal needles. Maniq plays with his puppies, giving them names, playing with a toy sled (qamautiq), asking his grandmother to make a whip (for a dog team) so he can learn to use it during the winter.

And, unfortunately, yet another tragedy comes. And it is not at the hands of strangers, but of the world in which they live. For while the island is safe from animals in the summer, once the winter comes and the ice forms, it is accessible. We see the arrival of a pack of wolves. Ninioq manages to get Maniq hidden beneath a qayaq, but the food cache is taken, and she is badly wounded. And so, with the departure of the wolves, Ninioq and Maniq return to the cave; Maniq does what he can to care for his grandmother, to seek food outside in the darkness of the long winter nights. When he speaks of his fear of the darkness outside the cave, she comforts him, saying:

> 'Dear little one, don't be scared. The light is friends with the dark. I love you. You don't have to be afraid of the dark. We are going through hard times right now but we will survive. And when we go to that beautiful place we will have lots of stories to tell. Maybe we have to talk all the time. Even though we were alone we did a lot: our tent blew away, our relatives passed away, you caught your first seal. We found this cave to make a safe home indoors. We could have been stranded outdoors with no shelter. We told so many stories, and planned a happier future. I love you so much. You are so able now. You learned so much. You are able now, and I love you my little one.'

She continues speaking lots of little love words to him, touching his hair and face as he falls asleep. Only then, after a close-up on the sleeping child, do we return to a close up on her. Again, with Maniq sleeping, Ninioq's fears come out and she again speaks to her dead husband. At the beginning of the second section, she had posed the question, 'How can a child live, without family or community?' Now, she calls out 'Husband! Help me'. For the first time in the film, we have a moment of extra-diegetic sound, signalling something new. And here, we hear the sound of an old man's voice calling back to her, providing an answer to her question: 'No child can live alone'.

In the final moments of the movie, we watch the wounded Ninioq arranging things in the cave, placing objects and items in order as Maniq sleeps under the warmth of his furs. Again, this scene is shot in a way that makes us feel physically present, that holds us in slow-moving time, as Ninioq makes what we already sense to be 'final preparations' of a sort. There will be no one who will come to prepare their bodies. We are held in this close-up sensorium as she takes a comb, and runs it though her hair, (painfully) pulling it back into an orderly braid. She then crawls to the mouth of the cave, and removes the skin that was functioning as a door. Snow and wind are visible outside. She returns to sit by the sleeping child, and re-sings the song that he had asked her to sing to him in the first half of the movie. She sings the entire song, seated in front of the qulliq, which occupies the centre bottom of the screen. There are no edits or cuts in the film to enable a space of escape or relief for the viewer: we sit with her through the singing. Her laboured breathing is audible, as is the wind outside. Indeed, there is no respite by extra-diegetic music or noise. The soundscape again holds us in the present and in close proximity to Ninioq. As the song proceeds, we feel the temperature in the cave dropping, as steam increasingly comes from her mouth as she sings. The lyrics of the song ('When will you come home? When you hear me sing this song?') evoke the story of the Ptarmigan and the Snowbunting, with the grandmother calling out for the return of her grandchild.

And then, Ninioq slowly begins to put out the flames in the qulliq. This is not the rapid blowing out of a candle, but a deliberate and orderly process (60 seconds) of tapping out the flames, dimming the qulliq until only a single tiny flame burns at the centre. She waits a moment, and then slides the fur skins off her sleeping grandchild, exposing his naked torso, and then puts out the last flame. She then slides off her own parka and lays down beside her grandson, so that they both have only legs covered, and torsos exposed. We listen to her breath inhaling and exhaling, and then the screen goes dark. Gradually, the McGarrigle Sisters' song of the beginning returns. This time, the song lyrics 'Why Must We Die?' are accompanied by light- and colour-filled (slow motion) images of the community from the opening scenes, but scenes we have not seen until now: scenes of all those who have appeared in the film, in moments of eating, play, games, laughter. We end not with the darkness of the cave, but images of life.

## Conclusion: envisioning Inuit law – reading ourselves into the story

We begin and end the movie with the story of the Raven and the Whale in our minds – with the extinguishing of the flame. Though it is tempting to view the film through western eyes as an epic tragedy, *Before Tomorrow* in some ways resists this reading; it focuses on the shape of life as the grandmother and the grandson continue forward, living in the world. He continues to ask for, and she continues to tell stories of law, stories that speak about transitions and change, and loss and possibly return. The relations seem to affirm the importance of continuing forward with the work of living, raising the puppy, playing with toys, speaking of a whip, and speaking of successes and all they have accomplished, planning

for the future, enjoying each other's company, singing, talking, telling stories, sharing food. What we see is not fatalistic acceptance of death. Rather there is engagement in a way that makes visible an Inuit cosmological understanding of the world: a world in which it makes sense that the grandmother would continue to speak to her dead husband, one in which it makes sense that a child might turn into a snow bunting, that the night would be friends with the day. A life in which death is something that will arrive, that it may bring with it grief or sorrow, but that it is not a final end.

We have seen Inuit law embedded throughout this film. It emerges in story, but is also embedded and envisioned in its characters. Judgements and decisions are made about things that must be done and things that should not be done. The law is not focused on an outsider judging someone else's performance; it is a judgement made on looking and watching. This view of the law is a challenge for the west. We see law in things that are written on tablets of stone. Not law as written in practices, in stories and on the land itself. Like in many Inuit stories, there is more than one law in the story and more than one way to have the story make sense and to use it. Just as Ninioq put the piece of shell into Maniq's hand when she told him her story, the story has been put into our hand. We, like Maniq, have been asked to do the work of thinking through and with the story; of becoming capable in the business of living life against a horizon of events that may arrive, both expected and unexpected, produced through strangers or the world around us.

But this film is an invitation to linger longer within the community, to feel and experience its rhythms, to watch its practice of life, and practices of community and to rethink how we understand its law or law's function in the context of this terrain, this landscape and this people. It is a film that foregrounds relations of love and care, work and community.

As western viewers, it is unavoidable that we come to film with the lenses of our own analysis. The western view is to engage in the questions of who is guilty and what are they guilty of. A person can go to this film and come away thinking about the interaction of settler and Inuit societies, and the devastating impact that occurred through carelessness or accident. That is one of the possible readings. But that reading does not feel like the film's centre. The film invites us, through its deployment of both story and haptic visuality, to experience ways of living, rather than ways of dying. And it asks us to engage in different practices of memory, of holding the past up, and of asking what it might take for the heart of the raven and the heart of the whale to be restored. If Edward Said is right to remind us that tales of the past are invariably tales of the present,[57] then one of the questions might be what the film invites us to imagine or feel now. In its envisioning of law, the film asks us to consider our relations with others and the world around us, and to work at living the practices that can help give new shape to our daily lives in the now that is always before tomorrow.

57 Edward Saïd, *Culture and Imperialism* (New York: Vintage Books, 1994), 14.



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