Hadley Louise Friedland
The Wetiko Legal Principles: Cree and Anishinabek Responses to Violence and Victimization. Toronto: University of Toronto Press, 2018. 144 pp.

"How do we protect those we love, *from* those we love?" (12) Few questions so succinctly distill pain, duty, hope, and the onus on legal systems called to respond. The Cree and Anishinabek tell *wetiko* stories to describe social responses to the horror wrought by *wetiko*—cannibal giants or spirits who harm other people, often their loved ones. Writing against accounts describing *wetikos* either as Indigenous myths or psychological disorders, Hadley Friedland argues in *The* Wetiko *Legal Principles* that the *wetiko* stories contain legal principles that can be used to address violence and child victimization within Indigenous societies. The book contributes to the literatures on addressing trauma in Indigenous societies and on adjudicating in a legal landscape home to Canadian and Indigenous laws. The book has three empirical anchors: an oral archive of ancient *wetiko* stories, written accounts drawn from scholarship, newspapers, and case law, and interviews that Friedland conducted in a northern Cree community, drawing on her twenty-five-year connection as a friend and relative.

In concert with Val Napoleon, John Borrows, and others, Friedland advocates for taking Indigenous stories as the raw material from which legal principles can be gleaned through common law reasoning. She adopts Borrows's method for rendering Indigenous legal orders intelligible to Western-trained audiences (viz: presume the reasonability of Indigenous legal traditions, concentrate on present-day application of Indigenous law, and focus on social responses to universal human problems). The practices captured in the *wetiko* stories therefore appear as part of a dynamic, complex, and living Indigenous law. In contrast to scholars who sequester *wetiko*s in an Indigenous past, Friedland's *wetiko*s bristle with contemporary relevance.

Chapter 2 posits that the *wetiko* is both an intellectual concept, like "citizenship," and a legal concept. This is the case, Friedland argues, because the *wetiko* concept, manifesting in practices related in the stories, accords with a definition of "legal concept" derived from common law jurisprudence. Chapter 3 canvasses the similarities in tactics, character, and etiology between *wetiko*s and people who commit child abuse. Friedland asserts the legal nature of the *wetiko* concept by showing a close match between the dynamics and norms captured in *wetiko* stories and events surrounding child victimization. Chapter 4 sorts the practices found in *wetiko* stories into a typology of response principles, legal obligations, and legal rights, all framed by procedural rules and principles of efficacy and reciprocity. For example, decisions about responding to a *wetiko* are collective, open, and guided by the priority of harm prevention. People faced with a potential *wetiko* have duties to help and to warn. Potential *wetiko*s have rights, like the right to be heard. On the assertion that Indigenous societies hold identifiable, fortifiable legal resources to deal with the traumas of abuse, chapter 5 concludes by imagining future directions in applying *wetiko* legal principles in Indigenous societies.

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The conclusion implies that our next step must be to contemplate Indigenous law as law, on its own terms.

Who is the "we" who need *wetiko* stories to be recognized as law, and how does this "we" understand law? The book tries to convince common law–trained jurists that the *wetiko* stories are good law, pursuant to the indicia of legality in the common law tradition. Drawing on criteria from a social science method (Gerring) and from common law theory (Hart, Postema, Fuller, and Raz), the book treats function, rules, and procedures as the appropriate indicia by which to answer the question, "Does this count as law?" Function matters most, as seen in Friedland's argument that law is found in a group's practices for dealing with human vulnerability and destructiveness, collectively making decisions and solving universal human problems, and delineating felt obligations in certain situations (15). The book says that because the *wetiko* stories contain these functional indicia of legality, the *wetiko* can be classified as a Cree legal concept. Showing *wetiko* to be "legal" serves the book's goal of distinguishing *wetiko* from myth or psychosis. But in making the common law the measure, the book may cede more ground than it wins. Is it necessary to make the *wetiko* "legal" in order to rescue the concept from charges of fancy or mental illness? Even if law is the rescue tool, why should legality be defined by common law criteria? The book is not explicit about naming the "we" who agree on and validate the nature of the relationship between the legal and the non-legal.

Readers familiar with literatures about how to differentiate law from everything else might wish for further explanation of the book's choice of indicia of legality. Legal anthropology settled on its definition of law in the 1970s, after the institutional (Radcliffe-Brown) vs. functional (Malinowski) debate yielded a view of law as a social process for grievance resolution and, later, as a system for contesting meaning within coexisting legalities. In the sociology of law, the once-hegemonic functional model of the relationship between the legal and the social, pilloried as "evolutionary functionalism" by Robert W. Gordon in 1985, gave way to theories of the co-constitution of these domains. Perhaps due to a minimal engagement with these literatures, the book does not problematize a model of law as a set of rules and procedures that solve human problems. This model, which assumes that law is clearly distinguishable from the social, and that law "works" for the benefit of society, is at odds with Marxist, critical, and/or post-structuralist perspectives—and possibly with Cree and Anishinabek perspectives, though I could not say. For readers outside law, an engagement with these traditions could rebut their burnished criticisms of functionalism. But it would do more. It would allay the concern that a functional account of the law/not-law boundary cedes too much analytic ground to law, because it figures the entire realm of human life as proof of law's function(s). If the *wetiko* stories are law because they satisfy certain common law conceptions of legality, what do they cease to be? Is there room left for them to be mythological, and to be social and cultural, and to be spiritual and magical? What might be lost in recognizing Indigenous stories as law, thus defined?

Two stories, titled "Sweet Dirt" and "Beyond Sweet Dirt," open and close the book. They stay with you. They are stories in the *wetiko* genre about seeking healing, justice, and meaning, but they are also about the power the scholar wields

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through methodological choices. The stories are written by Friedland, an author enmeshed in Indigenous and common law normative orders, situated within communities, writing in a world of legal plurality. The stories tell themselves through the characters, but it is Friedland who crafts their normative lessons and poses the questions that ring long after reading. Compared with the other chapters' efforts to define Indigenous law as law on the common law's terms, these stories show another kind of connection between knowing what the law is and knowing who has the power to define it. Read as propositional legal texts, the stories frame the book's pleadings on why the *wetiko* stories count as law. Read as part of the book's material form, the stories cage the book's common law chapters and leave us free to imagine the worlds left outside them.

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