Health and Well-Being in Canada
La santé et le bien-être au Canada
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Restoring the Interpretive Circle: Community-Based Research and Education

Abstract
The contemporary theory of philosophical Hermeneutics, as a recently acknowledged method of qualitative research, is used to explain the mechanism of cultural transfer both within aboriginal cultures and between the dominant society and First Nations cultures, which in turn explains what was and still is wrong with the Canadian government’s policies of assimilation. Native children at residential schools internalized prejudices against their own people and hence against themselves long before they were old enough to develop any critical capacity. Yet, as hermeneutics shows, prejudice as “pre-judgment” or “pre-understanding” is that which makes the understanding, development and interpretation of cultures possible. Both the culture and those pre-judgments are continually modified as new generations attempt to understand their place in the world. This process is a classic instance of the hermeneutic circle. Hermeneutics recognizes that to interpret a culture is to transform that culture. When a culture is written about from the outside with alien pre-understandings, the transformations may well threaten to destroy that culture, particularly if the culture is dominated, occupied or a minority. But when people within a culture write about their own culture with pre-judgments derived from that very culture, the resulting transformations are healthy and breathe life into the culture keeping it current and alive. To keep their traditions alive, First Nations people must be allowed to assess their own traditions from their own perspectives. They must decide for themselves which traditions continue to be enabling, and those which may no longer be helpful. We conclude that the only solution to the crisis in education facing Native communities in Canada today, is for those very communities to take charge of educating their own people. By this we quite obviously do not mean hiring members of the dominant society to educate the children of Native communities. The solution to this crisis in education must begin with the adults. They in turn can communicate Indigenous values to the younger members of the community thus, finally, completing the hermeneutic circle which was so violently broken by misguided government policies of assimilation and the Indian residential school experience.

Résumé
On se sert de la théorie contemporaine de l’herméneutique philosophique, une méthode récemment reconnue de recherche qualitative, pour rendre compte des mécanismes des transferts culturels et ce tant à l’intérieur des cultures autochtones qu’entre la société dominante et les cultures des premières nations, ce qui, du même coup, permet d’expliquer ce qui n’allait pas et ne va toujours pas dans les politiques d’assimilation du gouvernement.

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du Canada. Les enfants autochtones des pensionnats internalisaient des préjugés contre leur propre peuple et donc contre eux-mêmes, et ce longtemps avant d’être assez âgé pour développer toute capacité critique. Et pourtant, comme le montre l’herméneutique, le préjugé comme « préjugement » ou « précompréhension » est ce qui rend possible la compréhension, le développement et l’interprétation des cultures. Tant la culture que ces préjugements sont constamment modifiés tandis que de nouvelles générations s’efforcent de comprendre la place qu’ils occupent dans le monde. Ce processus constitue un exemple classique du cercle herméneutique. L’herméneutique reconnaît qu’interpréter une culture, c’est transformer cette culture. Lorsque l’on écrit sur une culture d’un point de vue extérieur, nourri de précompréhensions étrangères, les transformations qui en résultent peuvent très bien menacer de détruire cette culture, lorsque la culture en question est dominée, occupée ou en situation minoritaire. Mais lorsque des gens à l’intérieur d’une culture écrivent au sujet de leur propre culture et que l’interprétation qu’ils en font est nourrie de préjugements dérivés de cette même culture, les transformations qui en résultent sont saines et y insuffisent une vie nouvelle, en l’aidant à conserver sa vitalité et son actualité. Pour garder leurs traditions vivantes, les gens des premières nations doivent pouvoir évaluer leurs propres traditions dans leurs propres perspectives. Ils doivent eux-mêmes décider lesquelles de ces traditions continuent d’être valorisantes et lesquelles pourraient avoir cessé d’être utiles. Nous concluons que la seule solution de la crise de l’éducation à laquelle se voient confrontées les communautés autochtones du Canada aujourd’hui consiste à permettre à ces communautés de prendre eux-mêmes en mains l’éducation de leurs propres gens. En disant cela, il est évident que nous ne recommandons pas que l’on engage des membres de la société dominante pour éduquer les enfants des communautés autochtones. La solution à cette crise de l’éducation doit d’abord passer les adultes. Ces derniers, à leur tour, peuvent communiquer des valeurs autochtones aux plus jeunes membres de leur communauté, complétant ainsi, enfin, le cercle herméneutique qui a été si violemment brisé par des politiques gouvernementales mal inspirées visant à l’assimilation et l’expérience désastreuse des écoles et pensionnats indiens.

“Indigenous Peoples continuing to live in the nation states which colonized them still experience the consequences of past and continuing racism” (Brown and Sant 1999: 3).

Introduction

In our recent study on Native Spirituality in Canada we were forced to conclude that by the end of the twentieth century a significant number of aboriginal academics who had spent their careers encouraging Native students to complete a university education had found that the university system in Canada was in fact doing Native people more harm than good (McPherson and Rabb 2001). Quite simply, the consensus regarding educational institutions run by and for members of the dominant society is that “Canadian educational systems view Indigenous heritage, identity and thought as inferior to Eurocentric heritage, identity and thought” (Battiste and Henderson 2000: 88-89). The growing demand for Native control of
Native education at all levels—especially the post-secondary—is entirely justified. In this paper we argue that all Federal funds currently flowing to Canada’s provincial universities to support aboriginal programming would be far better spent setting up and maintaining Native controlled universities staffed primarily by academics of aboriginal descent. “Indigenous institutions should be staffed by Native scientists who grow up in Aboriginal societies and, therefore, identify themselves with the future well-being of Aboriginal nations” (Adams 1999: 26).

We are not defending race-based education. Nor are we making the usual rights-based arguments, appealing either to treaty rights or to the fact that Aboriginal people have never relinquished their inherent right to educate their own children, though we suggest that there is merit in such arguments. However, in this paper we support our position, in part on purely philosophic grounds and in part with constitutional considerations, not because of any weakness in other arguments but because these considerations have rarely, if ever, been explored in any depth. We contend that the combined philosophic and constitutional arguments developed in this paper present new considerations which we believe to be definitive.

**Philosophical Hermeneutics**

Our first argument draws on recent developments in the theory of philosophical hermeneutics. Hermeneutics is a theory of interpretation. In essence, it is the interpretation of interpretation. Recognizing hermeneutics as “a qualitative method of research” in his standard text *Social Research Methods: Quantitative and Qualitative Approaches*, Lawrence Neuman explains that the term hermeneutics “comes from a god in Greek mythology, Hermes, who had the job of communicating the desires of the gods to mortals” (Neuman 2000: 70-71). Until the last half of the twentieth century hermeneutics had acquired a rather poor reputation in the academic world. Following its Classical root meaning it was associated primarily with Biblical hermeneutics, interpreting the word of God. As such, it was by and large dismissed as a form of exegetical thinking in which one could read one’s own beliefs and prejudices into the Bible and get them back imbued with the authority of the word of God and Biblical truth.

By the mid-twentieth century, starting with the work of the German philosopher Martin Heidegger and some of his followers, particularly Hans Georg Gadamer, hermeneutics began to acquire a new respectability as a theory of philosophical and cultural interpretation. “In Being and Time (1962) Heidegger ... provided the impetus for Gadamer’s extensive development of philosophical hermeneutics in Truth and Method” (Crusius 1991: 4). Accepting that it is impossible to avoid bringing one’s own prejudices or “pre-judgments” to the text to be interpreted, the point of philosophical hermeneutics instead is to permit the text to confront those subjective expectations and, in a sense, speak for itself. As Neuman puts it, although the “reader brings his or her subjective experience to a text ... the
researcher/reader tries to absorb or get inside the viewpoint it presents ... through a detailed study of the text, contemplating its many messages and seeking the connections among its parts" (Neuman 2000: 70-71). Interpretation turns out to be a kind of conversation or dialogue with a living text.

The concept of "text" itself is interpreted very broadly. It can be anything ranging from a written document or work of art, to an entire culture. The important insight here is that the text (e.g. the culture being interpreted) is a participant in the conversation, not an artifact to be analyzed. It should not be treated merely as an object of scientific investigation. Like any living being, it can be expected to contribute to the conversation. This insight may make it easier for Western philosophers to gain some understanding of more traditional Native American world views. For example, it is well documented that the sacred stories of the Ojibway were always regarded, along with the mythological characters that inhabit them, as "living entities who have existed from time immemorial" (Hallowell 1960: 26f., cf. Copway 1850: 97, Overholt and Callicott 1982: 26). It is important to show respect by telling such stories only at appropriate times. Incidentally, this may partly explain why their "recitation is seasonally restricted" (Overholt and Callicott 1982: 26). In an earlier paper we argued that it is "possible to get Western philosophers to take Native philosophy seriously ... without forcing it into the so-called Western mold, without doing violence to its essential nature" (McPherson and Rabb 1999). We think that philosophical hermeneutics will facilitate that process. We cannot resist mentioning in passing that it seems to have taken Western philosophy until the middle of the twentieth century to develop an insight about the active contribution of narrative to interpretation, which many Native American peoples have known "from time immemorial." However, it is not our purpose in this paper to attempt to explain Native philosophy to the Western trained philosopher. Here we wish to explore the implications of philosophical hermeneutics for Native American community-based research and education.

The Prejudice Against Prejudice

Researchers trained at mainstream universities are taught that "science is value free, unbiased, and objective. ... The scientific community is free of prejudice ... [w]ith complete value freedom and objectivity, science reveals the one and only, unified, unambiguous truth." (Neuman 2000: 116-117). For example, the widely used Canadian text, Portrait of Humankind: An Introduction to Human Biology and Prehistoric Cultures, suggests that in order to avoid the pitfalls of ethnocentrism "anthropologists insist that the customs and traditions of the world's cultures must be studied in an objective way" (Driben and Herstein 1994: 27). However, the hermeneutic turn in post-modern philosophy has questioned the very possibility of such objectivity by revealing an unacknowledged prejudice
pervading the modern scientific world. It is, in short, a prejudice against prejudice itself. “We have been taught that prejudice can only be a barrier to truth, that we should want to shed our prejudice and be objective. Truth is the opposite of prejudice” (Crusius 1991: 34). But there is a very real sense in which we cannot and should not “shed our prejudice” because prejudice as “pre-judgment” or “pre-understanding” is that which makes interpretation possible. We make sense of our world in terms of our expectations (pre-understandings) which are either confirmed or modified by further experience. All seeing is a seeing as, “If we do not see as, we do not see at all; to understand is to exist already in preunderstandings. ... We could have no experience at all without them” (Crusius 1991: 34). Our pre-understandings or pre-judgments are continually modified in dialogue with the text or whatever it is we are attempting to interpret or make sense of. We continue returning to the text with our modified pre-understandings gaining deeper insights, but also having our pre-understandings modified even further. This is what is meant by “dialoguing” with a text:

Dialogue moves in two directions: “back” towards our preunderstandings, for nothing exposes them better for us than dialogue with someone whose prejudices do not merely reinforce our own—in such moments of grace, we in fact first become aware of our biases as biases—and “forward” toward achieving a common understanding, toward agreement, or at least toward recognition of exactly what we disagree about and why. ... Finally, why should we want to dialogue with a text rather than—or at least more than—analyze it? Treated as an object textual otherness loses its transforming power, its claim to truth. It becomes something for us to operate on, something never allowed to operate on us. (Crusius 1991: 38-39).

The Hermeneutic Circle

When the text is allowed to operate on us, exposing and changing our biases and pre-judgments, we begin the cyclical process often referred to as the hermeneutic circle. When we return to the text with our modified pre-understandings it reveals more of itself, once again challenging, if we allow it, those very pre-understandings thus beginning the circle anew with further transformations of our biases and hence ourselves. This circle continues, transforming both interpreter and interpretation, until what Gadamer calls a “fusion of horizons” is achieved. Although this is a “struggle toward consensus” it is important to note that it also includes a healthy respect for difference. “Our horizons do not fuse in the sense of complete identity: if I become the other, I lose the other’s friendly opposition, which prevents me from becoming too hopelessly myself. Rather, our horizons fuse in the sense of a mutual enlargement of horizons which still remain different.” (Crusius 1991: 40).
The Ayaangwaamizin Academy

In our brief discussion of philosophical hermeneutics and the hermeneutic circle we have been citing Timothy W. Crusius’ *A Teacher’s Introduction to Philosophical Hermeneutics*. The reason for making such extensive use of Crusius is that the basic insight we are developing in this paper came to us during discussions of Crusius’ book on hermeneutics with Native students in a graduate course entitled *Philosophical Methods: Quantitative and Qualitative Research*, which we were team-teaching at The Ayaangwaamizin Academy of Indigenous Learning; a student owned and operated post-secondary institution on the Couchiching Indian Reserve. We take this opportunity to thank the entire class for those discussions which made this paper possible. It was our privilege to participate in those discussions from which we learned at least as much as we taught. We were also privileged to assist those same students in forming the corporation, “The Ayaangwaamizin Academy of Indigenous Learning Inc.” This corporation came into legal existence October 30, 2001 (Fleming 2001) with the following objectives:

1. To provide educational programming to on-reserve status Indians in particular and to all others who may be interested.
2. To promote the delineation of customary practices of Aboriginal/Native communities (http://www.ayaangwaamizin.ca).

Though the Academy is still in the early stages of development, part-time graduate courses are already being taught in order to equip community-based researchers with the tools to expose and change their own biases and pre-judgments. They will, in turn, be the teachers this institution needs in order to offer a full programme of undergraduate and graduate courses leading to Bachelors, Masters and Doctoral degrees based upon Indigenous community values and world views. We will discuss this bold, new initiative in Native-controlled community education later in this paper. It is, in fact, an integral part of our argument showing the need for such community-based research and education.

Hermeneutics and Community-Based Research

Although we used Crusius’ text a number of times in graduate courses offered at a mainstream university, it was not until we discussed philosophical hermeneutics with a class composed entirely of Native students in an on-reserve setting that we began to understand the far-reaching implications of hermeneutics for community-based research and education. There, we began to see the kind of pre-understandings which Native students in their home communities bring to their writing about, and their interpretation of, their own traditions. Such pre-understandings are certainly very different from the pre-understandings and pre-judgments of non-Native anthropologists and ethnologists attempting to study those
same traditions. This is, at least in part, what we were trying to get at when we argued in our earlier paper that:

... [T]here are today a growing number of Indigenous scholars equipped to engage in critical dialogue with Elders and others in the community. There are also Elders who recognise the necessity of such critical dialogue, who no longer wish to serve as "informants" for strangers trying to earn a doctorate from some foreign university. There have always been such Elders, but until recently, there have not been the right kind of scholars with the experience necessary to listen openly for the voice of the community. (McPherson and Rabb 2001: 76).

Native students and Indigenous scholars are able to listen openly for the voices of their communities precisely because their pre-understandings, their prejudices, have been shaped by those very voices. For such scholars, the hermeneutic circle has already begun. It has been working since early childhood. That is what is meant by a living tradition. "For where does any prejudice come from? Clearly only from the collective revelation of the past, from books, from tales told over and over, works of art, social and disciplinary practices, old buildings that we live in, still older buildings whose ruins and artifacts we study" (Crusius 1991: 34). The assumption that Native traditions somehow represent a dying culture is itself a product of the prejudices, not just of dominant society in general but also more specifically of the scientific community which, as we noted, perpetuates the largely unacknowledged prejudice against prejudice itself.

The prejudice against prejudice is also a prejudice against tradition, a tendency to equate authority with falsehood, as if anything that manages to survive from the past has to be the source of error, ignorance and superstition. But as some prejudices are enabling and some are disabling, so the past's authority is not something we can either celebrate uncritically or condemn wholesale as human bondage. The choice is not all or nothing; it is much harder than that. We must detect the right prejudices for our place and time, the ones that allow our truths to emerge with the least distortion, distinguish somehow between traditions worth preserving and those no longer helpful, and offer our allegiance to authorities that actually merit it. (Crusius 1991: 34)

Since the time of the early missionaries to North America, Native people have been told that their heathen traditions are not worth preserving, that they should adopt the traditions of the foreigners. This, of course, would be merely "substituting one kind of indoctrination for another, one kind of unquestioned authority for another" (Crusius 1991: 82). To keep their traditions healthy and alive, Native people must be allowed to assess their own traditions from their own perspectives. They must decide for themselves which authorities continue to merit their allegiance, which of their traditions continues to be enabling, and which may no longer be
helpful. That is the only way a tradition can continue to flourish and support the people within that culture. This may involve respectfully questioning the wisdom of some of their Elders. Vine Deloria Jr. has recently argued that “Elders of the 1960s might well have known some of the old beliefs and ceremonies, but more likely they would have remembered the boarding school days of the 1920s. … An elder today, age 75, would probably remember the Great Depression of the 1930s and the revival ceremonies in the 1950s but would know little else of any importance” (Deloria 2004: 4). For Native people to really know their own traditions requires much more than just accepting the wisdom of their Elders at face value. There may be more to the wisdom of the Elders than Deloria is willing to admit, but the only way to discover this is for members of each particular Elder’s community to learn and apply proper research methods in their own unique communities.

Writing as Interpretation

Imagine a group of Native students writing about the community in which they were raised. Then imagine groups of Native students all across North America doing the same thing. (It is important to remember that many major cities in Canada today also “support” large, pluralistic Native communities.) Imagine further all these students reading each other’s work and engaging in comparative conversations about the different Native communities they wrote about. Just think about the rich diversity of pre-understandings and pre-judgments which would be brought to these writings and comparative discussions. A further reason we have been citing Timothy Crusius in our exposition of hermeneutics is that he is one of the few teachers of rhetoric and writing to draw extensively on the contemporary theory of hermeneutics as indispensable to the teaching of writing. Here he follows James Kinneavy’s “The Process of Writing: A Philosophical Basis in Hermeneutics” in recognizing that writing is itself a form of interpretation, a hermeneutical exercise.

When an author wishes to write about something, to interpret this something to future readers, he or she brings to the act of writing a forestructure. This forestructure is constituted by the entire history of the author, including complex cultural conventions which have been assimilated. Against this background, the something which is to be written about is interpreted. … The original forestructure … is continually modified as the richness of the object [that is the subject matter] causes the writer to change his or her original views of his or her intention, unity, and structure. (Kinneavy 1987: 6-7 in Crusius 1991: 78-79).

Native students engaged in community-based research are writing about their own cultures within hermeneutic circles in which, as Kinneavy points out “both object and forestructure may require radical alterations, even transformations” (7, Crusius 79). As the Native students think about what
they are writing they cannot help but transform, sometimes radically change, both themselves and their communities. Hermeneutics recognizes that to interpret, to write or learn about a culture, is to transform that culture.

Part of the job is to get the subject matter to bend and deform so that it fits inside the learner. ... Just as important is the necessity for the learner to bend and deform himself so that he can fit himself around the subject without doing violence to it. Good learning is not a matter of finding a happy medium where both parties are transformed as little as possible. Rather both parties must be maximally transformed—in a sense deformed. There is violence in learning (Elbow, 1988: 223; Crusius, 1991: 91).

There is also violence in writing. There is violence in any kind of interpretation. When a culture is written about from the outside with alien pre-understandings and prejudices, the transformations may well threaten to destroy that culture, particularly if the culture is dominated, occupied or in a minority. But when people within a culture write about their own culture the resulting transformations are healthy and breathe life into the culture keeping it current and alive. The restructures or pre-understandings they bring to their interpretations of their culture are, for the most part, derived from that very culture. The culture is then, in a sense, transforming itself in a normal and healthy way.

**Transformative Philosophy**

The transformative nature of interpretation is particularly significant for community-based Indigenous research because, as we have found in our own research, underlying the diversity of Native American cultures there is a pattern of Indigenous thought that is itself a form of transformative philosophy (McPherson and Rabb 1999). The transformative nature of ceremonial life in traditional Native American society is certainly confirmed by Vine Deloria Jr. in his classic text, *God Is Red*. According to Deloria, many traditional ceremonies still practised today “act to complete and renew the entire and complete cycle of life, ultimately including the whole cosmos present in its specific realizations, so that in the last analysis one might describe ceremonials as the cosmos becoming thankfully aware of itself” (Deloria 1994: 276-277). To begin to think of yourself as “the cosmos becoming thankfully aware of itself” is certainly to experience a transformation of consciousness. It is to be catapulted from the mundane to the spiritual. As Deloria puts it “traditional Indian people experience spiritual activity as the whole of creation becomes active participants in ceremonial life” (Deloria 1994: 274).

But ceremonies can also be exceedingly solitary affairs. In the chapter on the “Phenomenology of the Vision Quest” in our book, *Indian from the Inside* (1993), we discussed an account of a vision quest by Blackfoot-métis architect Douglas Cardinal. We attempted to show that the sweat lodge
experience followed by a solitary four-day fast slowly produces a transformation of consciousness, in this case a transformation of Cardinal’s relationship both to the world and to himself. On the fourth and final day of the fast he experiences a transformation of consciousness which he attempts to describe in the following words: “It seemed like I was a part of everything, and I felt very, very powerful. I just wasn’t there.” He notes that he had undertaken the vision quest because he realized how separated, how alienated from the world he was becoming. The vision quest is, then, an attempt to close this gap between himself and the world.

After 24 hours you get bored of listening to yourself complain. So you start looking outside yourself and you start seeing a whole myriad of life around you. The animals, insects, grass, the trees, the wind and the sky, sun, the stars. There’s lots of stuff around you. It’s a whole different universe. You feel that you’ve probably separated yourself from it. You feel almost like an alien being sitting on this earth. You have to then come to terms because you’re sitting there and these creatures are really bothering you. On the second day, like the elders say, you have to “come in power.” If you set yourself in power with every living thing, then you can see—really see and communicate with every living thing (McPherson and Rabb 1993: 70).

Not everyone who undertakes a “sweat” is going to experience this sort of transformation of consciousness. As we argue in Indian from the Inside, “the tradition feeds into and to some extent governs the vision quest, just as the vision quest in its turn feeds into and reinforces the narrative and other traditions” (McPherson and Rabb 1993: 101).

Forestructure, Tradition and Transformation

The pre-understandings, the pre-judgments, which are much more than expectations you take into the sweat lodge, will certainly have a major influence on what you experience. This is why it makes little sense for someone not raised in the appropriate tradition to undertake a vision quest which is part of that particular tradition. Whatever such persons may experience, they will hardly be experiencing, much less appropriating, that tradition because they simply don’t have the cultural background (e.g. the childhood knowledge of the narratives) to do so. When we originally wrote about the phenomenology of the vision quest back in 1993 we were concerned that many readers would not have enough background to understand Cardinal’s excellent description and might be tempted to dismiss such experiences out of hand as mere dreams or hallucinations. We therefore attempted to draw certain analogies with other transformative experiences more familiar to Western-educated readers. Though some found this helpful others, usually with Native backgrounds, thought it misleading. For example, University of New Mexico philosopher Fred Sturm, one of the very few Western-trained philosophers to have gained
some real understandings of Native American philosophy, offered the following critique of our treatment of Cardinal’s experience:

Before we read the experience’s description it is suggested that it will be more meaningful if we bear in mind two concepts which have arisen in Western philosophy and scientific thought, viz, “cosmic consciousness” and “near death” or “out-of-body” experience. We are warned “not to subsume the vision quest under these preconceived categories”. However, the first part of the chapter is devoted to writings by Henry David Thoreau, John Muir, G. W. F. Hegel, Richard Bucke, Walt Whitman, and Raymond Moody. Like it or not, our reading of Cardinal’s description begins with two Western concepts in mind as tools for interpretation! (Sturm 1996: 139-140)

We certainly respect Sturm’s criticism and in fact largely agree with him. We would only add that, in cross-cultural studies of this sort, tools of interpretation are hard to come by. A great deal more community-based research needs to be done before such cross-cultural studies are really feasible. The Elder guiding Cardinal through his vision quest felt no need to provide him with any tools of interpretation. After complaining to the Elder that he hadn’t expected to experience such suffering, Cardinal tells us that the Elder replied simply “Oh, I experienced the same thing.” Cardinal had no idea what he was going to have to go through. The Elder gave him no warning. Cardinal says he asked him “Why didn’t you tell me?” The Elder replied, significantly from our perspective, “Then you wouldn’t have done it. By telling you, I would have robbed you of the opportunity of learning that experience for yourself. ‘It’s yours’, he said.” (McPherson and Rabb 1993: 66). As we suggested above, if this sort of ceremony is part of your culture then your whole life is preparation for the transformations involved. These transformations, in turn, help to make sense of, cast in a new light, the narrative and other traditions which themselves were essential preparations for, and now serve as confirmations of, such consciousness transformation. “Transformative Philosophy ... does not stand on its own as a theoretical edifice but requires a certain transformation in the student to be intelligible, which transformation it in turn finalizes” (Taber 1983:65). It is important to realize that it is the entire culture, including the various narratives and ceremonies, which contribute to this transformative insight into a truly Indigenous way of being and being in the world. As Cardinal himself puts it:

You have to realize that you’re not only a sensory being but that you have a life force or spirit or whatever that is more than just your complaining human being. To be a man of knowledge in the Indian culture meant that you have to be in touch with that. There were a whole bunch of rituals and ceremonies and things that the elders had for thousands of years that put you in touch with that. The people regard themselves as spiritual beings not as physical beings. They talk in terms of walking with their grandfathers and defeating my worst enemy which is myself. The whole culture is
based on those kinds of values. Then the Christians came along and tried to convert them (McPherson and Rabb 1993: 81).

Australian cultural studies professor Stephen Muecke, following Michael Taussig and José Gil, suggests that for Indigenous peoples world wide “ceremonies ... are culture made to ‘move,’ ‘stand up alive,’ and go down into the ground ‘quiet again’ at the end” (Muecke 1999: 296). It has also been argued that the “flowering of ceremonial worlds from practical respect in some measure transmutes respect itself ... [which] now values the world in which it is engaged, not abstractly, but in very particular ways embedded in practice. A culture’s ceremonial world is that cultures mode of engagement with the world” (Hester et al. 2002: 271). While we tend to agree with both of these insights, we would argue that such claims can only be given specific content and tested empirically through community-based research by Indigenous scholars, as these scholars themselves begin to gain a better understanding not only of their own cultures but also of themselves.

When Native students write about their own cultures they are not only transforming those cultures, they are also transforming themselves, for they are given the opportunity to discover and transform their own pre-judgments. As Crusius notes “we cannot even know our own history, the complex conventions we have internalized; for the most part we can only live it/them, for we are it/them” (79). Native students, in learning more about themselves by writing about their own culture, are keeping that culture alive by actually making the culture conscious of itself. In other words, they are quite literally the culture becoming conscious of itself. This, in turn, allows it to grow and change while remaining true to itself. For the most part, Native cultures in North America have been deprived of this normal healthy development for a variety of reasons. But particularly in Canada, community-based education has not been a part of these cultures since the imposition of residential schools and government sanctioned policies of assimilation.

Assimilation: The Residential School Experience

Hermeneutics exposes the damage done to Aboriginal children and their cultures by the residential school experience. “The whole dimension of preunderstanding that Heidegger calls ‘forhaving’—our thrownness into a welter of preexisting social practices and habits ... are deeply internalized long before any capacity for criticism develops” (Crusius 1991: 71). If, as hermeneutical theory explains, we become the complex forstructures we live but cannot know, what is it that former residents of Indian residential schools have become? What must they live every day of their lives? What pre-understandings, pre-judgments, prejudices, did they “deeply internalize” long before they were old enough to develop any critical capacity? Paulo Freire in Pedagogy of the Oppressed speaks of the “oppressor within” (Freire 1997: 45, 76). That is certainly part of it. The
helpless young Native children at residential schools internalized prejudices against their own people and hence against themselves. Though their own children do not have to endure the residential school experience today, many have nevertheless acquired these same prejudices from their parents. It is little wonder that so many exhibit self-destructive behaviour. They have either tried to silence the oppressor within, with drugs and alcohol, or gas or glue; or the oppressor within has dominated, resulting in dysfunctional communities with one of the highest suicide rates in the world. Yes, these children are helpless victims of government policies of assimilation rooted in the efforts of Christian missionaries to convert the Indians. But it is not our purpose to assign blame. Our purpose is to show how community-based research and education can address this problem, because it is a problem which, in the final analysis, only education itself can address. It is a problem which can also be exacerbated by the wrong kind of education. If, as Battiste and Henderson have argued, “Canadian educational systems view Indigenous heritage, identity and thought as inferior to Eurocentric heritage, identity and thought” (88-89), then such educational systems only reinforce the oppressor within. We contend that Battiste and Henderson are correct. The kind of education provided by institutions run by and for members of the dominant society reinforces the uncritically internalized prejudices developed in and by the residential school experience. That is precisely why we have recently argued at length that in Canada, “Universities today are inadvertently completing the job of assimilation begun by the residential schools” (McPherson and Rabb 2001: 57).

**Exorcising the Oppressor Within**

Native students need to be given the time and intellectual space to reflect critically on their own culture and its place in relation to the dominant culture. This kind of critical inquiry is something all students should be encouraged to undertake. As Crusius has argued:

> This critique is meant to empower students by, first, making them aware of why things are as they are and then, second, by way of this understanding, to see that the current arrangements have not always existed and can be altered. If, that is, we can understand the often concealed forces at work in maintaining the current economic and social dispensation, then we can also perceive how the system might be changed: the movement is from consciousness-raising to at least potential social action (Crusius 1991: 63).

We agree with Freire that the oppressed can “participate in developing the pedagogy of their liberation … [o]nly as they discover themselves to be ‘hosts’ of the oppressor … The pedagogy of the oppressed is an instrument for their critical discovery that both they and their oppressors are manifestations of dehumanization” (Freire 1997: 30). However we would argue that such consciousness-raising is not enough. Exposing the
oppressor within does not in and by itself bring about a revolution in consciousness. It does not remove, nor does it deal with the prejudice and its harmful effects. Freire, for example, writes as if making oppressed Indigenous workers aware that they are oppressing themselves, will bring about a complete conversion in consciousness (Freire 1997: 45, 76). Crusius, on the other hand, though he does not mention Freire by name, argues that it is a far more complicated process, precisely because these oppressing prejudices "are deeply internalized long before any capacity for criticism develops" and are therefore largely "non-conceptual and profoundly resistant to adequate formulation, without which critique is impossible" (Crusius 1991: 71). From this it follows, as Crusius has demonstrated:

[S]o-called conversions must be read sceptically as always very partial, never as completely transforming as we sometimes feel them to be. Change is best understood as an enlarging or modification of horizons, not as the complete "turn about" implied by "con-version." There is no escape from forehaving, no way to surmount our historicity (which cannot be usefully historicized, because it is not a set of conditions that only help to explain circumstances "back then," but rather the accretions overlaying accretions that make us what we are now. ... [S]ubstitution of a revolution of consciousness for the old Marxist faith in revolution by force of arms leaves us still with the liabilities of conversion-revolutionary thinking, which can only end in frustration and in cultural marginalism whose resistance to the status quo is unlikely to bear fruit. In contrast, hermeneutical rhetoric entails William James's meliorism, a mainstream American position much more broadly negotiable. The difference ... is ... faith in the transforming power of critique versus faith in the enlarging and modifying power of hermeneutical inquiry through the conflict of ideologies. Instead of attempting to uproot the unreflective capitalist (racist, sexist, etc.) ideology so many of our students stubbornly adhere to, hermeneutical rhetoric seeks to prune and graft, altering how the tree grows rather than cutting down and burning it and planting anew. (Crusius 1991: 72).

Of course hermeneutical rhetoric of this sort is possible at universities run by members of the dominant society. Timothy Crusius himself teaches English at a mainstream university. However, we are making two important points here:

1. that hermeneutical inquiry is particularly important for Native students unsure of their identity and,

2. that this kind of inquiry is impossible for Native students at an institution run by and for members of the dominant society. There they meet too many professors who consciously or unconsciously "view Indigenous heritage, identity and thought as inferior to
Eurocentric heritage, identity and thought” (Battiste and Henderson 2000: 88-89).

Students in such situations are made to feel defensive. They feel compelled to defend their culture or what limited understanding of their culture they have. They are given neither the time nor the encouragement to engage in the critical discussion of their own culture, so essential for that hermeneutical understanding which would help them discover who they are, and in turn contribute to keeping their culture alive and healthy. Maori scholar Linda Tuhiwai Smith has observed that, “In various places around the world there are small initiatives which are providing indigenous peoples with space to create and be indigenous” (Smith 2000: 198). We are arguing that such initiatives are urgently required here in Canada. On more than one occasion we have spent an entire three-hour class discussing Crusius’ long quotation (above) with Native students (Crusius 1991: 72). It speaks to them. They see its relevance to their own daily lives, to the lives of their children, and to their own communities.

Community-Based, Native Controlled Education

We are forced to conclude that the only solution to the crisis in education facing Native communities in Canada today, is for those communities to take charge of educating their own people. By this we quite obviously do not mean hiring members of the dominant society to run classrooms for children in Native communities. The solution to this crisis in education must begin with the adults. They must be given the opportunity to achieve an education grounded in their own Indigenous values, which will in turn prepare their communities to deal with the rest of Canada in the 21st century, and participate in the global economy on an equal footing. As we have demonstrated in this paper, educational institutions run by and for members of the dominant society are neither equipped nor inclined to provide this kind of educational opportunity for Native people. Quite simply, these institutions have other priorities. In actual fact that is how it should be. After all, they are founded on Euro-western values. However, we do object to universities which proclaim that they are “dedicated to working with Aboriginal peoples in furthering their educational aspirations” while at the same time they are cutting back on what little Aboriginal programming they actually provide. This makes it seem quite obvious to us that such cash-strapped universities are more interested in the Federal government dollars that accompany Aboriginal students than they are in the educational aspirations of these students, much less of their communities. We know of at least one university which was caught misallocating Aboriginal funding (Creber and Zaludek 1996, cf. McPherson and Rabb 1998-1999). But an even greater crime is committed by those universities representing themselves to Aboriginal students as something other than the “foreign” institutions they really are. Of course there is nothing wrong with going abroad for your education. For example, many Canadian students
choose to study in Britain, France or the United States. But they know they are attending a foreign university and can adjust their expectations accordingly. Further, they have a choice. Aboriginal students in Canada do not have this choice. If they recognize the need to continue their education at the post-secondary level, they must attend, what is to them; a “foreign” college or university, where they are unlikely to learn anything about their own identity or community values. At best they might learn about what some outsider has written about some other Native community (cf. Battiste and Henderson 2000: 88-89; Deloria and Wildcat 2001; McPherson and Rabb 1993: 22; and McPherson and Rabb 2001: 75).

In Regina, the government supported Status Indians to establish their own college, which grants Bachelor Degrees in several disciplines. Similarly, there are Native Studies Departments at almost every large university in Canada and many teacher institutes offer special programs to train Natives to be teachers. But their perspectives and ideology are quite consistent with mainstream white supremacy courses. There are also university programs to train Aboriginals in law, administration and commerce. All of these courses indoctrinate Native students to conservative middle-class ideologies. They are orientated toward creating an Aboriginal bourgeois. ... In short ... giving some benefits of the dominant society to a small privileged minority of Aboriginals in return for their help in pacifying the majority (Adams 1999: 54).

We are recommending that Native communities in Canada, not the government, develop their own post-secondary institutions to engage in community-based research aimed at clearly articulating the Indigenous values and world views operant in the cultural interactions found within their own communities. In her ground-breaking book, Decolonizing Methodologies: Research and Indigenous Peoples, Linda Tuhiwai Smith argues, “As Indigenous peoples we have our own research needs and priorities. Our questions are important” (Smith 2000: 198). We are arguing that hermeneutics explains why many Indigenous scholars have the ability to listen for, and articulate, the voice of their own communities. As we noted above, and have documented in greater detail elsewhere, “there are today a growing number of Indigenous scholars equipped to engage in critical dialogue with Elders and others in the community” (McPherson and Rabb 2001: 76). These scholars, mainly recent and battle-scarred graduates of mainstream universities, will form the first core research faculty of their new community-based institutions.

Survivors of the Mainstream

Though battle-scarred, these recent graduates of mainstream universities are far from assimilated. As one recent graduate observed in his Master’s thesis dealing with his own residential school experience, “The primary
obstacle to assimilation and perhaps the saving grace for many ex-residents of the residential school system was a Native world view already rooted in the minds of Anishinaabe children" (Nawagesic 2001: 31). Another "community-based" graduate thesis on the "Continuity of Native Values: Cree and Ojibwa" documented evidence that these are in fact traditional Native values within specific groups and not influenced by or adopted from European standards" (Brundige 1997a: 5). Confirming that such values are also mentioned in first-contact documents such as the Jesuit Relations the thesis concludes that, "These values are continuous with precontact values and they exist and are operating in many Native people’s lives today in spite of European influence" (Brundige 1997a: 5). A further Master’s thesis, entitled Craft, Ritual and World View: A Study in Ojibwa Ontology, concludes that contemporary Ojibwa artists, artisans and crafts people still acknowledge respect for Nature by making tobacco offerings when gathering sweetgrass, cedar, feathers, hides, etc. for their work. They must also work in a respectful manner, often following traditional ceremonies when creating sacred objects such as the Little Boy Water Drum, or a flute which is to be used exclusively in healing ceremonies (A’Llario 1999). In our more than ten years of team-teaching an undergraduate course on Native values and world views we have found when discussing Native values with Native university students, as soon we name and describe such values as respect, autonomy, polycentrism and noninterference, the students recognize and respond positively to them (McPherson and Rabb 2001: 70). To give but one of many possible examples, we particularly remember one student in his mid-thirties coming up to us after class with tears in his eyes. We had been discussing the value of noninterference and the observation that Native children learn by modeling rather than meddling (e.g. constant correction). He explained that when he was a child, he could never learn to set a snare correctly. He said that his dad and uncle used to laugh at him, and would never show him how to do it properly. Until that night in class, he said, with real tears in his eyes, he thought that his dad didn’t care. Now, for the first time, he said he understood his dad. Today there are many such students who have been raised by their parents in Indian ways, with Native values, but their schooling in the dominant society actually prevents them from recognizing this. The Indian residential schools were consciously designed to alienate Native children from their parents and eradicate their values. Schools today, run by and for members of the dominant society, are continuing to do the same, whether or not they want to, or are even aware they are doing so. Linda Tuhiiwai Smith confirms that, though difficult, it is possible to survive policies of assimilation. She says:

Assimilation policies in education were intended to provide one way roads out for those indigenous people who “qualified”. Many did take that road and have never returned. There are many others, however, who choose to remain, to wear their identities with pride.
and work with and for their own communities and nations (Smith 2000: 198).

As teaching and research faculty in community-based institutions, Native graduate students can and will, through their research into community values, develop and deliver undergraduate programmes based on the foundation of those core community values. They will have the unique opportunity to develop and offer the kinds of courses they wish they had studied at school and university, rather than the courses they actually had to endure. We have been astonished at the unique courses and programmes such Native scholars come up with as soon as they are encouraged to think outside the constraints imposed by mainstream universities. We have also been gratified by the number of recent graduates with Masters degrees in Arts, Law, Education and Social Work who have come forward to volunteer their services in helping to develop a post-secondary educational institution committed to community-based programmes. They insist on starting with educating the adults in the community. In order to articulate core community values through community-based research by Indigenous scholars, they agreed by consensus to begin with Graduate Research Programmes in what is essentially Native Philosophy. They are also developing Undergraduate Programmes in Indigenous Learning with Secondary Concentrations in Community Advocacy, Teacher Education and Principles of Law. It was also agreed that the Undergraduate concentration in Indigenous Learning must be taken by all undergraduate students, since it is intended to provide the core values which guide and inform the secondary concentrations offered, as well as the goals of the institution itself (cf. http://www.ayaangwaamizin.ca).

Further Benefits of Community-Based Research and Education

The benefits of community-based educational programmes go far beyond providing well educated leaders, policy analysts, teachers and community workers from within the community, trained in culturally congruent social work practice, health care and business administration. Besides increased employment, including spin-off opportunities to house, feed and entertain a growing body of fully funded adult students, community-based educational institutes would provide their communities with increased confidence, security and faith in the future. Recent medical studies have established a link between anxiety about the future and hopelessness with hypoglycemia and diabetes (Diamond 1990: 124). We suggest that community-based research and education may well address a root cause of the widespread problems of diabetes and suicide in Indian reserve communities. People who are confident of their identity, secure in their future and proud of their heritage are not prone to suicide. We contend that community-based research and education has the potential to revolutionize Native communities in Canada.
As the theory of hermeneutics demonstrates, although this kind of community-based research and learning will inevitably change the communities in which it is based, it will do so in the healthy, natural, beneficial way of autonomous development. The status quo, which has caused so much harm for almost the past hundred years cannot, should not and will not be preserved. Many First Nations Band Councils and local welfare and educational authorities have a vested interest in maintaining the “status quo,” because it sustains their livelihood. For example, some think it is their duty to buy “off-the-shelf” social work and educational programmes from the dominant society. Therefore, it is essential that the new community-based research and educational institutions we are recommending be immune from any kind of political interference. To ensure this, we strongly recommend that such institutions be private, community-based corporations owned and operated by those who have the most at stake: namely members of the student body. This is how the Ayaangwaamizin Academy of Indigenous Learning was incorporated (Fleming 2001). All faculty (including ourselves) are therefore hired by, and responsible to, the student body through their Executive Committee. Most of the faculty, especially in the early years of such institutions, will likely be composed of graduate students engaged in community-based research. Such community-based educational institutes will thus, in effect, be educating their own faculty, as well as the primary, junior and secondary teachers who will in turn communicate these core community values to the younger members of the community. They will, in turn, finally complete the interpretive circle that was so violently broken by misguided government policies of assimilation and the horrendous experiences in church-run Indian residential schools.

To maintain their independence the new community-based educational institutions must also be wary of the lure of accreditation by the dominant society, its governments and university councils. The Ayaangwaamizin Academy of Indigenous Learning, for example, has adopted the following statement on accreditation:

The Ayaangwaamizin Academy of Indigenous Learning is not only a radical revolution in education, it is also a quiet revolution through education.

The Ayaangwaamizin Academy of Indigenous Learning degree programmes are designed by and for the Native community. Accreditation from the dominant society would run counter to the core values and objectives of the Academy. Accreditation is therefore provided through peer review by members of the Native community. All degree programmes offered by the Ayaangwaamizin Academy have a thesis component which requires approval by an external examiner. The external examiners are usually Indigenous scholars from mainstream universities in North or South America, Australia and New Zealand. This is how the Academy seeks
recognition from those mainstream universities; but as an autonomous institution based on Indigenous values it should not and will not use accreditation procedures designed by and for those foreign institutions (http://www.ayaangwaamizin.ca).

As more educational and research institutes appear in other communities we can foresee the development of formal procedures whereby these institutes will, in essence, accredit one another quite outside the influence and hegemony of the dominant society. The Royal Commission on Aboriginal Peoples (RCAP) has, in actual fact, recommended as much (RCAP Vol. 3, 1996: 692, Recommendation 3.5.27).

Constitutional Considerations

The Royal Commission on Aboriginal Peoples also argues that “[t]he promise of a ‘schoolhouse on every reserve’ represented what was state-of-the-art education when the treaties were signed” (RCAP Vol. 3, 1996: 507). On this basis, they conclude that today it would include post-secondary education and recommend accordingly that, “The government of Canada recognize and fulfil its obligation to treaty nations by supporting a full range of educational services, including post-secondary education, for members of treaty nations where a promise of education appears in treaty texts, related documents or oral histories of the parties involved” (RCAP Vol. 3, 1996: 507, Recommendation 3.5.20). What our appeal to philosophical hermeneutics adds to this, we contend, are compelling reasons demonstrating why community-based research and educational institutions seem advisable at this time. This is important because the language of Treaty Three, on which most other treaties were based, includes the provision to maintain such schools as “may seem advisable” to the government. The exact words of the Treaty are, “Her Majesty agrees to maintain schools for instruction in such reserves hereby made as to Her Government of Her Dominion of Canada may seem advisable whenever the Indians of the reserve shall desire it” (Morris 2000: 323). Community-based post-secondary education is certainly advisable for all of the reasons presented above. The Indians clearly desire and urgently require it if they are expected to give anything resembling informed consent to changes to the Indian Act, or any government legislation impinging on their lives. How can they make informed decisions about their relationship with the Canadian government if they are denied, or simply do not have, the kind of education required to make truly informed judgments about their place in Canada and how they got there?

Obtaining Informed Consent

There are also a number of further problems with obtaining anything like informed consent from status Indians in Canada. Over forty years ago,
H. B. Hawthorn "advocated the 'citizens plus' label as the appropriate status for the Indian peoples under federal jurisdiction" (Cairns: 161). Unfortunately, academic concepts have very little impact on the "pith and substance" of legal definitions until they are either accepted by the politicians, or in some cases reviewed by the courts, and the law is changed. To date, in regard to "citizens plus", this has not happened. Hawthorn's concept of "citizen plus" carries no weight within the strict confines of legal interpretation. For example, recent information provided by Citizenship and Immigration Canada clearly distinguishes between a Canadian citizen and a status Indian. Their information states that for an applicant to be eligible for a Permanent Resident Card, besides not being under an effective removal order, the applicant must "not be a Canadian citizen or a registered Indian under the Indian Act" (Citizenship and Immigration Canada 2004). Under the Indian Act status Indians in Canada are still wards of the state. They are not Canadian citizens. They cannot legally sign anything like a binding contract or any other legal document, even their own last will and testament is meaningless without the approval of the Minister of Indian Affairs. For example, section 25 (3) of the Act states that "[n]o will or testament is of any legal force or effect as a disposition of property until the Minister has approved the will or the court has granted probate thereof pursuant to this Act" (Indian Act, R.S.C. 1985, C-5). This does not apply to any other citizens of Canada regardless of their legal presence within the state. Not only are status Indians legally minors, they have far fewer rights before the law than any other minor. For the most part, other minors upon reaching their eighteenth birthday will become legally responsible for their own affairs, whereas, under the present regime, status Indians can never be held liable for anything, whatever their age. This being the case, should researchers seeking informed consent then appeal directly to the Minister? Certainly, since the Minister of Indian and Northern Affairs Canada (INAC) is legally responsible for all status Indians, and has jurisdiction under the Indian Act to give legal consent for status Indians. However, the Minister or his agents are in no position to give informed consent for any individual other than themselves. Legal consent provided by the Minister treats status Indians simply as objects and violates all ethical principles of doing good research with human subjects. We would argue that INAC itself is not appropriately informed about the people in the First Nations communities it oversees. And, if we are correct, INAC could not become properly informed without undertaking the kind of community-based research which requires the very informed consent that is under contention. It may well be that, as the law currently stands, the only kind of community-based research that can take place on an Indian reserve in Canada, in order to be both legal and ethical, would be that undertaken by a researcher who is also a member of that community. At present, there is no legal provision that exists for allowing anyone from outside the First Nations community to obtain informed consent for research involving human subjects when dealing with status Indians, if we are to accept that
status Indians are equally human subjects and not merely objects to be studied. The three Master’s theses on Native philosophy cited above were all based on community research. Leslie Nawagesci compared his residential school experience with his early years and summers in his home community of Gull Bay in Northwestern Ontario (Nawagesci 2001). Lorraine Brundige discussed contemporary Cree values by returning to her mother’s home community, the Chemawawin Band of Easterville and Cedar Lake in Northern Manitoba (Brundige 1997a). Karen A’Llario interviewed Ojibwa artists and artisans from the Red Cliff Band of Lake Superior Ojibwa and the Bad River Band of Lake Superior Ojibwa in northern Wisconsin (A’Llario 1999). Though she is not a member of either of these communities, she also had no difficulty in obtaining informed consent for her research, since these American Indian reservations lie well outside Canadian jurisdiction and are their own sovereign territories. Given current ethical guidelines for research dealing with human subjects, we believe it would be possible to mount an ethical argument for Native controlled community-based research institutes staffed primarily by academics of aboriginal descent who are also community members. Through research partnerships with such institutes, members of the dominant society in Canada might just be able to satisfy their own ethical guidelines for research dealing with human subjects while conducting research on or in Native communities. We suggest that such researchers need to ask themselves if they have really complied with such guidelines in the past. We leave this ethical issue unresolved and turn to a strictly legal issue concerning value-based separate education in Canada, which is what such community-based institutes are designed to offer.

A Possible Constitutional Challenge

To date, all attempts to make the case for separate value-based or religious schools, other than the existing Roman Catholic schools, have resulted in Supreme Court decisions stating that: “[t]he basic compact of Confederation with respect to education was that rights and privileges already acquired by law at the time of Confederation would be preserved… Roman Catholic separate school supporters had at Confederation a right or privilege, by law, to have their children receive an appropriate education …” (Reference re Bill 30, an Act to amend the Education Act (Ont.), [1987] 1 S.C.R., 1173, McPherson 1997: 110-111). The court says “[i]t is immediately apparent that the scope of the rights and privileges protected under the section must be determined by ascertaining the rights and privileges in existence at the time of the Union” (Reference re Bill 30, an Act to amend the Education Act (Ont.), [1987] 1 S.C.R., 1173, McPherson 1997: 110-111). At the time of Union (Confederation) there were at least 29 Indian Residential Schools operating in Canada (Indian Affairs 1902, Neu & Therrien 2003: 102). “In fact the first teaching done in Ontario was conducted in French and Indian dialect by the Jesuit missioners
in Huronia (1639-1649)” (Wilson et al. 1970: 232). In so far as education in the English language is concerned, “the first known Indian school using English was opened at Fairfield on the Thames River by David Zeisberger in 1793” (Wilson et al. 1970: 232).

However, in the view of the Supreme Court, prior to Confederation there were three main classes of schools in Upper Canada: “common schools,” “grammar schools” and “separate schools.” In the case of “common schools,” their function was to provide an education for the common or average person. The purpose of “grammar school” was to provide an advanced form of education. Instruction was to extend to natural philosophy, mechanics, mathematics, Greek and Latin “so far as to prepare students for University College or any College affiliated to the University of Toronto” (Reference re Bill 30, an Act to amend the Education Act (Ont.), [1987] 1 S.C.R., 1173, McPherson 1997: 110-111). These schools were governed by the Common Schools Act of 1859 at the time of Confederation whereas the separate schools were governed by the Separate Schools Act (Scott Act) of 1863, to restore certain rights to Roman Catholics in Upper Canada in respect to Separate Schools (Reference re Bill 30, an Act to amend the Education Act (Ont.), [1987] 1 S.C.R., 1173, McPherson 1997: 110-111). Even though the Scott Act fails to provide the level of instruction separate schools were permitted to provide in 1867 the court held that the Scott Act gave separate school trustees the same powers and duties as common school trustees. Roman Catholic separate school supporters had at Confederation a right or privilege, by law, to have their children receive an appropriate education which could include instruction at the secondary school level and that such right or privilege was therefore constitutionally guaranteed under s. 93(1) of the Constitution Act, 1867 (Reference re Bill 30, an Act to amend the Education Act (Ont.), [1987] 1 S.C.R., 1173, McPherson 1997: 110-111). The Supreme Court fails to mention that there were also Indian residential schools “in existence at the time of the Union.” In fact, as noted above, education of Indian people certainly preceded Confederation by a very long time. The introduction of European-style education to Aboriginal people varied by geographical location, the timing of contact and the specific history of relations between various peoples and Europeans. In some regions, schools operated by religious missions were introduced in the mid-1600s. In other locations, formal education came much later. But if there were many variations in the weave of history, a single pattern dominated the education of Aboriginal people, whatever their territorial and cultural origins. Formal education was, without apology, assimilationist. The primary purpose of formal education was to indoctrinate Aboriginal people into a Christian, European worldview, thereby “civilizing” them. Missionaries of various denominations played a role in this process, often supported by the state (Royal Commission on Aboriginal People, Vol. 3, p. 434). In Ontario many residential schools were run by Catholic missionaries and must therefore be considered “separate schools” within the meaning of s. 93. The implications of this conclusion
are significant. First, it suggests that the education of Indians is properly understood to be a provincial matter under s. 93 of the Constitution Act, 1867. Second, it means that the duties of the Ontario government owed to “separate schools” under s. 93 are owed to Indians. In effect, section 93(1) requires the Ontario government to fund Indian “separate schools” fully (Adler v. Ontario, [1996] S.C.J. No. 110). In the Adler case (1996), the appellants, by reason of religious or conscientious beliefs, sent their children to religion-based independent schools. The “Adler appellants” sought a declaration that non-funding of Jewish schools in Ontario was unconstitutional. The appeal was dismissed. In its reasoning the court says s. 93 is “the product of a historical compromise crucial to Confederation and forms a comprehensive code with respect to denominational school rights …” (Adler v. Ontario, [1996] S.C.J. No. 110). The Court concluded that: “the appellants, given that they cannot bring themselves within the terms of s. 93’s guarantees, have no claim to public funding for their schools” (Adler v. Ontario, [1996] S.C.J. No. 110, McPherson 1997: 112-113). Unlike the appellants in Adler, the Aboriginal people of Ontario would have little difficulty making their case for religious rights under s. 93. They would argue the long history of Indian education, the existence of Indian schools at the time of Confederation, and especially the religious bent of these schools. It would be difficult to reject this argument given the fact both priest and parson (Anglican, Catholic, Methodist or Presbyterian) rigorously “responded to not only a constitutional but to a Christian ‘obligation to our Indian brethren’ that could be discharged only ‘through the medium of the children’ and ‘therefore education must be given the foremost place’.” (Royal Commission on Aboriginal People, Vol. 1, p. 334).

The Federal Government has been informed of these constitutional arguments. However, we do not expect the Crown to respond positively or any time in the near future. As Boyce Richardson has well documented in his book People of the Terra Nullus, “Governments fight like tigers to avoid fundamental change that might commit them to act decently to aboriginal peoples; and when forced into it, they do everything possible to avoid actually carrying out such commitments” (Richardson 1993: 352). We would only ask if delaying until the constitutional challenge is actually filed, or mounting a defence against such a challenge, is consistent with the Federal Government’s fiduciary responsibilities to Aboriginal peoples? What are the financial liabilities to the Canadian taxpayer by failing to live up to these fiduciary responsibilities?

The Necessity of Native-Controlled Research and Education

The importance of First Nations control of Native education has been addressed in a most compelling way by Dr. George E. Burns of the Ontario Institute for Studies in Education at the University of Toronto. Dr. Burns writes:
First Nations control of Native education is a plausible goal for the Native peoples. As plausible as this may be, the various ideals and aspirations underpinning First Nations control of Native education have been unsustainable within the context of tuition agreement negotiations and tuition agreement schooling resulting from such negotiations with provincial school boards. [This] ... has been counterproductive to the self-determination of the First Nations people, as a distinct people. It is not inclusive of the Native Peoples. It is not an effective instrument of socialization for Native children. It does not provide First Nations children, youth, and adults with school based learning experiences required for exploring, examining, discussing, critiquing, understanding, or appreciating various concepts, ideas, methods, affects, skills, and language underpinning a world of possible alternative approaches for regaining control over their political, educational, economic, cultural, kinship, and spirituality systems. [It] ... is devoid of experiences which prepare Native students for working proactively within existing systems to bring about needed changes in both the Constitution Act and in federal and provincial legislation. [It is] ... devoid of relevant experience in the preparation of Native students to intervene in institutional, organizational and agency policies, structures, processes, and practices which hinder or constrain the Native peoples in their attempts to achieve their manifest destiny in Canadian society and throughout Turtle Island (Burns 1996).

Dr. Burns’ paper clearly shows that the most crucial aspect lacking in the present education system for Aboriginal communities is relevant curriculum content. Dr. Burns’ paper also emphasizes the utter and complete failure on the part of both the federal and all provincial governments to address this crucial issue.

The whole basis of our appeal to philosophical hermeneutics has been to demonstrate, using the best methods of qualitative research available, that the curriculum content of education required by Native people today must be grounded in community-based research by Indigenous scholars. Graduate research of this sort is not available to Native students at any mainstream institutions. For example, the Native students who founded the Ayaangwaamizin Academy of Indigenous Learning had all applied to the only Graduate Programme in Native and Canadian Philosophy in Canada, indeed in the world, offered by a mainstream university. In fact, of the 16 Native students who applied to the qualifying year of the Lakehead University M.A. in Native and Canadian Philosophy in 1999, all 16 were rejected. One non-Native student was admitted into the Canadian stream of the programme that year. The following year the University closed its M.A. programme in Native and Canadian Philosophy ensuring that the 16 Natives students had nowhere to do graduate research in Native values and world views¹. The Ayaangwaamizin Academy was created out of necessity.
Colleagues from other universities have expressed incredulity at Lakehead's treatment of the 16 Native applicants and subsequent closure of the only graduate programme in Native philosophy in Canada. Some have even indicated that people at their universities would have "given their eye teeth" to have such a unique programme. We are not convinced that the graduate programme in Native philosophy would have fared any better at mainstream universities other than Lakehead. We deliberately chose Lakehead University for this experiment in Native post-graduate education because Lakehead had the highest enrolment of Native students in the Ontario University system, and among the highest in Canada. It had a long history of programmes designed specifically for Native students, including Teacher Education, Nursing and Engineering. Further, we had attracted a USD $250,000 Rockefeller Foundation institutional research grant for our Native Philosophy Project. This made Lakehead the first university in Canada to become a designated site for the prestigious Rockefeller Foundation Visiting Humanities Fellowship Program, and permitted us to bring on campus leading Native scholars from all over North America and, indeed, from as far afield as France and Africa. If the M.A. Programme in Native Philosophy could have succeeded at a mainstream university, it certainly should have at Lakehead. We certainly believed this is where it had the greatest chance for success. We were wrong. As noted above, Lakehead refused to accommodate 16 Native students in the only programme in Canada expressly designed to encourage Native students to research their own values and worldviews, their own philosophy. Lakehead then closed the programme ensuring that no other Native students could apply. Meanwhile, our own research programme, The Native Philosophy Project, was judged by the Rockerfeller Foundation to be so promising that they encouraged us to apply for a second grant of $250,000, which we subsequently won, making The Native Philosophy Project an unprecedented half-million U.S. dollar research programme on Native values and worldviews. With the closure of the graduate programme in Native philosophy Lakehead lost this grant, which proved to us just how much the University was willing to give up in order to avoid the whole issue of Native people claiming to do research on their own philosophy. From the perspective of those 16 Native students, it seems pointless to fight to gain admission to an institution which so blatantly does not want Indians. Further, as we have argued in this paper, institutions run by and for members of the dominant society have very little to offer Native students anyway, and for what little they do offer the price of assimilation is much too high a price to pay. Whether or not mainstream educational institutions are aware, they seem intent on destroying the interpretive circle which, as we have shown in this paper, is so essential for the normal, healthy, autonomous development of Native communities in Canada today.
Note

1. Compare Lakehead University Calendars for 2000-2001 and 2001-2002. This is the same university which still proclaims in its Mission Statement that it is "dedicated to working with Aboriginal peoples in furthering their educational aspirations." It should really come as no surprise that a mainstream university would balk at the very concept of a Native philosophy. Admitting Natives had a philosophy undermines one of the principal justifications for European occupancy of North America (cf. Flanagan 2000: 58-59). It is one thing to wonder if there is such a thing as Native philosophy, it is quite another to cut the conversation off by closing the programme (cf. Rorty, 1979: 377, "the point of edifying philosophy is to keep the conversation going"). The two authors of this paper while both disgusted by the events, have in fact had individually quite different reactions. McPherson, a status Indian raised on the Couchiching Indian Reserve, was not surprised by the University's actions. For him, the University has finally done something right. It has told Indians they do not belong there. On the other hand, the non-Native co-author, Rabb, could not believe his University would act in such a way and left the University largely because of this issue. In his letter to Lakehead University President Fred F. Gilbert accepting the title of Professor Emeritus, Rabb made it quite clear why he felt morally obliged to leave the University: "You should know that a major factor in opting for early retirement was your lack of support for the Master's Programme in Native Philosophy. I could not live with the fact that the University would deny sixteen Native students access to the qualifying year of the Master's Programme in Native Philosophy. I consider it unethical to change the entrance requirements after such students have applied." (Rabb-Gilbert correspondence, April 10, 2001) The way in which the 16 Native students were treated is probably a case which should be taken up by the Human Rights Commission.

References


