

**TOWARDS MORAL AND ETHICAL
RESEARCH IN COLLABORATION WITH
FIRST NATION COMMUNITIES**

By:

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**A Thesis
Submitted to the Faculty of Graduate Studies
In Partial Fulfillment of the Requirements
For the Degree of**

MASTER OF NATURAL RESOURCES MANAGEMENT

**Natural Resources Institute
University of Manitoba
Winnipeg, Manitoba, Canada**

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Abstract

Western academic and mainstream consultative research within First Nation communities has been carried on since the beginning of academic institutions in North America. How such research has, and continues to be conducted, has been cause for deep concern among Indigenous communities. As a result, the thesis presented here, explores the area of ethical and moral research as it pertains to collaborative inquiry with First Nations communities, with specific examination geared towards the National Tri-Council Policy Statement on ethical research involving human participants.

In addition, in order to invoke superior joint research ventures between First Nations', academic, government and private sector groups, methodologies and methods are advocated that will enhance such collaborations. A discussion on Indigenous intellectual property rights and advocacy for a *sui generis* system of knowledge protection is also presented. Furthermore, personal experience from a First Nations researcher who is situated at the junction of Indigenous and western ways of knowledge acquisition will serve as a venue in bringing forth poignant context. The context illustrates how First Nations teachings have aided in personal development and also providing research perspective from an Indigenous point of view. As a message to non-Aboriginals, the Seven Sacred teachings and the subtlety of the teachings in the Anishinaabe context should be closely examined. This will enable researchers to grasp an aspect of Indigenous philosophy if they choose to collaborate with First Nation communities.

It is a difficult task of specific cross-cultural negotiation and understanding, inherent ethical concerns reach beyond cultural borders. What the literature review has

shown is a significant gap that specifically deals with the problem outlined. However, several First Nation/Tribal organizations have moved towards more obvious self-determination by instituting tribal codes of research conduct that are mandatory for any researcher entering into First Nations territory. It is in the author's opinion that for ethical and moral research to occur, this is the route to follow. Academic, government and private sector groups should be subject to the rules, guidelines, laws and protocols set forth by First Nation communities if outside researchers wish to collaborate in joint research projects. A situation such as this will perpetuate more positive research results for all involved.

The journey outlined in this work is one of personal development and sharing. It is crucial that Native and non-Native researchers recognize the teachings offered by Elders of First Nation communities. The Seven Sacred Teachings of the Seven Grandfathers serve as an optimum example of sharing and personal development. The research presented here provides a basis for ethical and moral research initiatives to move forward. First Nation communities have always shared with those who have asked with honour. However, First Nation communities will determine control and access to all aspects of Indigenous intellectual resources.

Prayer

As I began working on my research endeavour, I made an offering to the Great Spirit, Kitche Manitou asking that I be directed in a way that is respectful of our Teachings and of our Elders along my journey towards furthering my educational pursuits. I have been blessed because my journey is a good one.

I also asked our Creator to ensure that the information that I have been imparted with be respected. I sincerely hope that the people who look upon this work respect where it comes from and also to utilize it in a proper and honourable way. Creator has given me the opportunity to provide resources and knowledge to others who consider working with First Nation communities, I am grateful for that. The knowledge and wisdom of our Elders is enormous and varied, we must acknowledge and respect all that the Elders know.

Megwetch to Kitche Manitou for allowing me to provide this information to my brothers and sisters, Megwetch to the Grandmothers and Grandfathers for providing me with the Teachings, they have made me a better person.

Dedication

This work is dedicated to the life and memory of my brother David, who, next to my parents, was the greatest teacher I have known. Chi' Megwetch for your teachings

Brother, they will live with me in all my journeys.

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First of all I must thank my father, Michael and my late mother Annie for all the love, encouragement, wisdom and guidance that they have given me. The person I am today is a reflection of their loving and caring attributes. To my late brother David, my Teacher, your spirit will always guide me, Megwetch for your teachings. Fraser, my departed nephew, your spirit of youthful exuberance will remain with me until we meet in the Spirit World, Megwetch for all you give me. My tears still flow for those who have left me, but they are tears of joy knowing that I come from a very blessed family; Creator has looked with favour upon us for all we share.

My brothers, sisters, nieces, nephews and relatives, without your guidance, love and experiences I could not have made it to where I am in life, hearty congratulations on your assistance.

To my Advisor, Professor Thomas Henley, Megwetch for your understandings, insights, patience, and autonomy you have shown me, without it, I could not have succeeded. To Dr. Leanne Simpson, I am eternally grateful for your insight, wisdom and direction, Megwetch for your teachings. To my other Thesis committee members, Dr. Virginia Petch, Mr. Ralph Abramson and Mr. Maurice Sutherland, a hearty thank you for the wisdoms you have shared.

I wish to thank my community and the Elders and expert community members who shared their wisdom and experiences with me, each has added to the journey I walk in life. My colleagues at the NRI, thank you for all the invigorating discussions, truly a wonderful learning experience we have all shared. To the front office staff, Angel and Andrea, your assistance throughout my tenure at the NRI made school that much easier.

To the Peguis First Nation Education Authority, Megwetch for the support and guidance shown during my tenure as a student, it is greatly appreciated. To the Interlake Reserves Tribal Council and the Foundation for the Advancement of Aboriginal Youth, the scholarships provided to me have given capacity to aid in my completion of the graduate school program, Megwetch!

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Chapter One: Introduction

1.1 Issue Statement

The following thesis provides a response to the inadequacy of academic information relating to ethical and moral research within Indigenous communities. Here, I address the issue of “doing research” in First Nations communities from an Indigenous perspective.

There is a clear need for more effective methodologies and associated methods for conducting social scientific research in collaboration with First Nation communities. Standard Western types in many cases are normally not relevant to this type of research. Boundaries are also examined with regards to University policy processes that aid in ensuring relevance to the “researched” while attempting to protect against partisan control from academia. Prospective collaborative research within First Nation communities requires improved protocols and standards, ideally those set by the community.

1.2 Establishment of the Issue

As a First Nations Masters Candidate over the last two years and several months, the time spent acquiring knowledge has been a wonderful experience. However, I must point out that I received a privileged education on two fronts. Obviously I attended Graduate Studies at the Natural Resources Institute (NRI) at the University of Manitoba. Additionally, through my ‘research’ for conducting a Traditional Land Use Study (TLUS) for my community, I have received an education that incorporated Aboriginal ways of inquiring and knowing from many Elders and knowledgeable members from my home community.

From these two perspectives, I have been given insight into the inner workings of methodologies and methods of attaining education, or knowledge, however one may wish to perceive it. Caution must be urged however, to use terms such as 'methods' and 'methodologies' for interpreting Indigenous ways of acquiring knowledge is dangerous. I still question myself as to whether this exercise in which I am a part of justifies my inquiries as an Indigenous student. To 'label' our ways of knowledge acquisition as 'methods' and 'methodologies' sets up a scenario for limiting these ways of Aboriginal inquiry. Labelling and the defining process is a part of the methodological process of western paradigms. I prefer to think that Indigenous thought does not define, but is pluralistic in nature and that it does not lead to a limitation of thought. Alternatively, Indigenous philosophies provide explanation as opposed to defining. Through explaining, we can further add to our inquiry later as we gain more experience. Consequently, we witness the dynamics of Indigenist thought, forever building upon, adapting and moving forward. I urge all who come across this Thesis to open up and expand their thinking, remove themselves from the confines of western thought and consider other perspectives or worldviews, those of the Indigenous Peoples of this land.

It must be declared that even though I am going to discuss moral and ethical research within First Nation communities, I am presenting this from the perspective of a young, First Nations¹ male who has spent several years in University settings. I can only speak for myself and my experiences, I have not been given the right to speak on behalf of First Nation communities across this continent, it would be arrogant of myself to consider that. However, I do hope to provide insight into how future researchers may

¹ For clarity, I am Cree/Anishinaabe but refer to myself as a First Nations individual who is indigenous to this continent. I speak in a First Nations context, although some may wish to utilize this work in Aboriginal communities such as Inuit and Metis.

conduct themselves when considering collaborating with Indigenous communities, one hopes that this is made clear from the beginning. As a result, I have recently begun to realize and fully appreciate the wisdoms and voices of our Elders, my journey is on its way towards a more complete and rounded education because of the Elders with whom I have collaborated. It is my hope that other researchers experience such a journey that I am on.

1.3 Objectives of the Study

The primary purpose of this work is to address the issue of “doing research” in First Nations communities, from an Indigenist perspective. Through the incorporation of the worldview that I hold and the “ways of knowing and learning” from my cultural background in concert with some of the aspects of knowledge acquisition I have gained via a Western styled education it is hoped that the following objectives are met.

1. To examine the boundaries of University policy related to Ethical and Moral research as it pertains to First Nation communities.
2. To illustrate the value of Indigenous methodologies and associated methods that are more culturally appropriate in collaborating with First Nation communities when conducting research.
3. To highlight the Peguis First Nation Traditional Land Use Study as a Case Study in recognition of Traditional Resource Rights and Indigenous Intellectual Property Rights.
4. To provide recommendations and guidelines towards meaningful involvement between First Nation communities and University, Government and private sector researchers regarding research in said communities.

1.4 Basis for the Study

In early May 2000 a meeting was held with my Thesis Committee to discuss my thesis proposal. At that meeting they agreed to my proposal, which was to conduct a Traditional Land Use Study (TLUS) for my community, Peguis First Nation. Previous to this, I had concerns about conducting this work and presenting it in Thesis format to an academic institution such as the University of Manitoba. I knew that sensitive information would be shared with me, and therefore reservations about how I could protect these sensitivities. I thought that if I went through with the proposed Thesis, yet maintained some sense of respect for sensitive information, then the Thesis would not have the full impact that a project of this magnitude should have. I considered that it would be a watered down version of facts. My conscience would not stand for such fence sitting. I had two paths to choose from; either present the study fully in Thesis format, or not to do it at all for my Thesis.

At that stage of my research, I knew that my community would benefit from this study, and I still believe that. I am in the process of completing the TLUS for use within my community only. I have resolved my dilemma by producing an alternate focus for my Thesis that was borne out of conducting a TLUS for my community.

The alternate Thesis delves into moral and ethical research issues within First Nation communities based mainly on my perspective as a First Nations researcher. In addition, in consultation with other Indigenous researchers, for whom I am grateful for their contributions, the issue at hand receives input.

The change in direction has alleviated my concerns about protecting the Intellectual and Cultural Property Rights of my community and the information the

Elders shared with me. In this day and age of globalization, knowledge has become and extremely important commodity. This is witnessed by protectionist strategies that are continually upgraded. The Intellectual Property Rights (IPR) regime is a western-based protectionist system that has been considered as one option for the safeguarding of Indigenous Knowledge (IK), a discussion on this debate follows in Chapter Five.

It is vitally important that I share our Elders knowledge with my fellow community members. However, I see it as unnecessary for me to present this information to the public at large by producing a thesis based on the traditional land and marine use activities of my community simply due to fact that it is important to protect our Indigenous Knowledge (IK). The Traditional Resource Rights (TRR), also referred to as Intellectual Property Rights, of the Peguis First Nation in regards to the TLUS will be examined in a later chapter.

The move is one that strengthens our drive towards self-determination as a community, and also individually. For myself, I am making a statement that ensures that our knowledge is not a commodity that western institutions can pilfer. Colonialism has done enough damage to our Indigenous societies through 'research', and I will elaborate on this later in the Thesis.

As noted, I have been exposed to the paradigms of western academia through my University education. However, during my life, growing up in the Peguis First Nation, I have been exposed to many of our methods of knowledge acquisition. Within this work I will only be sharing a few methods, yet one must acknowledge that with the diversity of Indigenous Nations within North America we must be aware of the complex and numerous other methods associated with these Nations.

1.5 An Indigenous Researcher Going Home

I am a Cree/Anishinaabe member of the Peguis First Nation, located approximately 175 kilometers north of Winnipeg, Manitoba. I have lived in my community for the majority of my life, leaving only to attend university. It is not difficult to go home logistically, in comparison to some of my NRI colleagues who have to travel inter-provincially or internationally. However, I am in the unique situation based on the fact that I went home to “do research”.

It is a rare occasion that an Indigenous student conducts graduate or post-graduate research in collaboration with his/her home community, for example, the remainder of my peers at the Institute have, or are conducting their respective research not within their home communities. Within my academic department, and the Department of Native Studies from which I have enrolled in a Graduate course, I was the only male Aboriginal student. Indeed, there has been only one other male First Nation graduate from Natural Resources Institute, where I am a Master’s Candidate. As a result, I consider my situation to be a unique one.

In going home, I spent the summer months of 2000 collaborating with Elders and knowledgeable members from my community towards conducting a traditional land use and occupancy study. At this time, I stayed at my father’s home, which was a wonderful way to re-acquaint myself with my dad, my relatives and my friends after being away from home for some time. I was away from home for two years with only intermittent visits to home that always seemed to end too soon. Being able to spend summer at home with family and friends was very welcoming to me.

It was also during this time that I was able to build new relationships with people from my community whom I had not known. Developing relationships with Elders where I had known of their families, but not them personally, was perhaps one of the most wonderful experiences. As I was from the community, conducting this research was a positive thing. I was aware of the administrative avenues I had to travel in order to receive permission from the Band to conduct such research. I was acquainted with much of the leadership, and this allowed me the autonomy to set up a study office and the ability to move within the workings of Band administration.

This thesis is unique in that it does not address specific Natural Resource mandates, but in a sense, a humanistic mandate that is related to the relationship to our land from the perspective of a First Nations individual. As a result, a response to the inadequacy of the academic process related to ethical and moral research within First Nation communities is put forward. By placing myself within the context of the study and also within the issue that has been highlighted, I believe that I am in a position to adequately address the concerns. The introductory chapter has laid the foundation for which the structure of the study can be built.

Chapter Two: Review of Related Literature

In the literature review, and throughout the Thesis, a concerted effort was made to present the views of Indigenous North Americans, and Indigenous scholars from outside of North America. This was done in order to provide Indigenous voices as the primary source of information, as part of the method of Indigenist thought, which will be discussed in the following chapter, and due to the fact that Indigenous people are experts and authorities on their own experiences. Additionally, the policy statement from the National Tri-Council on Ethical Conduct in Research is assessed in terms of its relevance to First Nation communities. In further examination, by noting the lack of academic literature available on moral and ethical research that deals with conducting research in Indigenous societies, an emphasis on the point of the Western educational legacy and its negative results highlights the destruction and near obliteration of Indigenous knowledge systems in North America. Within the following chapter, the first objective outlined earlier will be fulfilled, while the promotion of Indigenous thought assists in fulfilling the second objective. A review of literature related to this topic has revealed gross inadequacies in the corpus of scholarly literature dealing with the issues presented.

2.1 Tri-Council Policy Statement

The Tri-Council Policy Statement (TCPS) outlines the policies put forth from the members of this council, which include; the Social Sciences and Humanities Research Council (SSHRC), the Medical Research Council (MRC), and the Natural Sciences and Engineering Research Council (NSERC). The policy statement was adopted August 1998 and replaces each of these respective associations' own Ethical Guidelines for Research. The justification for the focus on the TCPS relates to the fact that it is a National body

that provides ethical guidelines for Canadian Universities to follow via the *Ethical Conduct for Research Involving Humans*, produced by the TCPS. According to a directive dated November 3, 1999, the University of Manitoba Senate Committee on Ethical Research Involving Human Subjects stipulates, 'It is mandated by the granting Councils that, in order to receive research funding from these agencies, all publicly-funded Canadian institutions involved in human research must adhere to the principles and articles stipulated in this document'. It is from these protocols that I will discuss shortcomings of the National guidelines and how they lack sensitivity towards First Nation ethics and morals.

Euro-Canadian academic ethics committees must move beyond their antiquated thinking and seriously consult Indigenous societies for their input on ethical and moral research. Research Ethics Boards (REBs) have to implement recommendations forwarded by First Nation organizations and communities in order for meaningful and respectful research to commence in collaboration with these communities.

Section 1 of the TCPS outlines the roles, definitions and relationships of REBs; harms and benefits analysis; conflicts of interest, and review procedures. According to the TCPS:

Canada adheres to a model of ethics review that has emerged in the international community in recent decades. The model generally involves the application of national norms by multidisciplinary, independent local REBs for reviewing the ethical standards of research projects developed within their institutions (1998:1.1).

Within the goals and rationale of the Policy is to seek ethical norms that exceed disciplinary boundaries and that share 'fundamental values that are expressed in the duties, rights, and norms of those involved in research. Research subjects reasonably

expect that their rights shall be equally recognized and respected, regardless of the researcher's discipline' (1998:i.2). What the Policy implies is that the principles outlined are geared towards academic homogeneity that fail to recognize human diversity and especially the diversity amongst the Indigenous Nations of North America.

Within the TCPS guidelines, there are ten Sections in which all sections, with the exception of Section 6, which is devoted to *Research Involving Aboriginal Peoples*, provide Articles for ethical conduct regarding research involving human subjects. An Article serves as a rule or clause that researchers must adhere to in order to receive permission to initiate the study they wish to conduct. Nowhere in Section 6 are there any clauses or rules that researchers must follow when conducting research involving Aboriginal Peoples.

What the TCPS does provide for researchers, beyond an understated Introduction to the section, is Part B of Section 6, which is titled *Good Practices*. Instead of providing Articles for researchers to follow, 'Researchers and REBs involved with aboriginal communities *should consider* (my emphasis) the following "good practices"...' (1998:6.3). The Article only provides several bulleted points such as: stating the standard of respecting the culture, traditions and knowledge of the aboriginal group; to consult members; research as a partnership; involve the group in project design; examine how the research addresses the needs of the group.

Section 6 of the TCPS devotes three and one-half pages towards research involving Aboriginal People. This is a woefully inadequate response put forth by Canada's leading academic authority on ethical research regarding humans. Aboriginal groups are to be treated ethically by *Good Practices*, whatever that means.

In defense of the TCPS, the Councils recognize that they have not had sufficient dialogue with representatives from Canada's Aboriginal organizations and societies. 'The text of Section 6, which builds on the extensive literature on research (*13 references, my emphasis*) involving [A]boriginal [P]eoples, is intended to serve as a starting point for discussion' (1998:6.1). Furthermore, 'The Councils affirm that in developing ethical standards and practices, [A]boriginal [P]eoples have rights and interests which deserve recognition and respect by the research community...In Canada and elsewhere, [A]boriginal [P]eoples have distinct perspectives and understandings embodied in their cultures and histories' (1998 6.1; 6.2). Consequently, the TCPS recognizes the *sui generis*² distinctions of Aboriginal groups but fails to enshrine Articles dedicated to the unique status held by such groups. Note the evidence lacking due diligence by the Tri-Council to meaningfully consult with First Nations and other Aboriginal communities.

The Tri-Council notes historical grievances that Indigenous societies have held towards researchers, providing another understatement that, 'the cultural property and human remains of indigenous peoples have been expropriated by researchers for permanent exhibition or storage in institutes, or offered for sale' (1998:6.2). Anthropology iconoclast and Sioux scholar, Vine Deloria (1969:99), questions non-Indian researchers entering Indian communities, 'Should any group have a franchise to stick its nose into someone else's business? No'. In this case, the anthropologist receives the brunt of Deloria's vilification, yet he implicates researchers from all disciplines who have ventured to Indian communities in the past and those who will do so in the future. Why is there such vilification of non-Indigenous researchers by Aboriginal communities? The answer likely lies in the unethical and immoral treatment by researchers in the past

² Unique; of its own kind; constituting a class alone.

who have failed to respect the wishes and worldviews of Indigenous people and communities as put forth by Deloria (1995).

Due to reasons such as the one stated above, the TCPS provides four *considerations* (my emphasis again) to follow when the interests of an Aboriginal group are at stake arising from research (1998:6.2-6.3):

1. Property or private information belonging to the group as a whole is studied or used.
2. Leaders of the group are involved in the identification of potential participants.
3. The research is designed to analyze or describe characteristics of the group.
4. Individuals are selected to speak on behalf of, or otherwise represent the group.

These considerations are common sense, and thus display the lack of understanding and inability to produce meaningful ethical standards by the TCPS when dealing with Indigenous groups. By providing *Good Practices* and *considerations* for researchers to follow we witness further insensitivity by colonial Western academics. No rules, just good practices and considerations that researchers may, or may not follow.

2.2 Indigenous Concerns Regarding Academy

This study also examines recent history and relevant literature that pertains to the outlined objectives. From this examination and also from my experiences with Elders from my home community, support can be garnered for future researchers who may wish to collaborate with First Nation communities in research activities.

The military, political, and economic subjugation of Indigenous peoples has been well documented, as have social, cultural, and linguistic pressures and the ensuing damage to Indigenous communities, but no force has been more effective in oppressing Indigenous knowledge and heritage than the education system (Battiste and Henderson 2000:86).

As an Indigenous student who has conducted academic research within the walls of academia, the educational history of Indigenous people in Canada could not be put more succinctly than the words offered by Battiste (Mi'kmaw) and Henderson (Chickasaw). Sadly, this situation still persists. In a review of related literature, it was noted a conspicuous and serious knowledge gap has persisted in terms of addressing the above noted suppression of Indigenous knowledge and its associated ways of knowing. The following chapter examines the lack of literature associated with Indigenous ways of knowing and also research related ethical and moral implications towards First Nations communities.

Karen Swisher (Standing Rock Sioux), discusses a National Dialogue Project on American Indian Education as an example of “research conducted by Indians for Indians” in a contemporary, university context:

...research on Indian history and culture must consider Indian perspectives. Methodology using tribal histories and other information about historical and cultural processes not found in primary and secondary source materials will avoid perpetuation of stereotypes. The writers make it clear that that “American Indian scholars need to become involved in producing research rather than serving as subjects and consumers of research. Measures such as these will ultimately introduce more accurate depictions of Indian experience and lifestyles into the classroom” (1998 191-192).

Even though the quote comes from a Native American, the implications are similar in Canada as Swisher and I comprise part of the ‘colonized’ in North America. Academic institutions need to move beyond their paternalistic paradigms when involved in research regarding Indigenous communities. The effects of ‘colonization’ cannot be emphasized enough.

Colonization and the concomitant attitudes associated with it, has been the source of Indigenous suffering in “modern” global contexts (Battiste and Henderson 2000; Henderson 2000a; Wheaton 2000; Tobias 2000; Simpson 1999; Smith 1999).

The incursion of Western society has brought about many cultural and psychological disruptions to the flow of life in traditional societies. Indigenous peoples have become subservient to the Western system and are confronted with new social structures that they do not always find compatible with their needs (Kawagley 1995:1).

It is that aspect of compatibility that Oscar Kawagley, a Yupiaq scholar, speaks of, especially in regards to how the Western education system treats Indigenous knowledge systems. In order to understand the basis for this research, the effects of colonialism upon Indigenous people need to be examined.

Colonization has been the bane of Indigenous populations globally, according to Linda Tuhiwai Smith (1999), a Maori academic noted for her work on decolonization. It is this history of colonization that binds Indigenous populations together, in one aspect. Stories of imperialistic abuses abound when it comes to colonization (Smith 1999; Simpson 1999; Talbot 1981).

As noted earlier, today and in the past, the education system has inflicted severe restrictions on the generational intellectual exchange between the people who have knowledge (the Elders) and young First Nations’ people, who require such knowledge. The cultural impositions placed on our youth by Eurocentric educational systems in order to “civilize” us have wreaked havoc on our own styles of sharing knowledge with our youth, as explained by Henderson, a Chickasaw scholar and Research Director at the Native Law Centre at the University of Saskatchewan:

The conventional methods, universality, binary categories and disciplines of Canadian scholarship, inherited from the European scholarship no

longer seem universal, fair or neutral. Those academic disciplines appear as subjective or self-interested cultural traditions, histories and thoughts. To assume that the Aboriginal past or knowledge can be adequately explained from a totally foreign worldview is the essence of cognitive imperialism and academic colonization (1997:22-23).

Our past, within academe has been mainly propagated to us by the foreign settlers who have squatted upon the traditional territories of the Indigenous Nations of this continent. The time has come for our own stories and histories to be told within the structures of Universities from our perspectives. We, as Indigenous scholars, cannot allow the continuation of incorrect perceptions and perpetuation of these falsehoods within educational systems. Henderson advocates post-colonial theory whereby it criticizes and 'confronts the unequal process of representation by which the historical experience of the colonized Aboriginals comes to be framed in Eurocentric scholarship' (1997:23). The espoused post-colonial theory serves as an intellectual approach advocated by Indigenous scholars and writers that seek the criticisms put forth by scholars such as Henderson and Smith (1999). Henderson also contends that further control by Eurocentric scholars continues as they continuously attempt to define our thought processes, labelling post-colonial theory as post-modern thought. 'However, post-modern thought is another attempt by European scholars to regain intellectual control' (Henderson 2000a:75). Smith (1999:14) adds to the discussion by stating that as Western academics redefine post-colonialism, it 'is viewed as the convenient invention of Western intellectuals which reinscribes their power to define the world'.

Consequently, it continues, as Indigenous scholars pursue more meaningful discourse within and about Academy, the Academy sees fit to redefine according to its own worldview, nary a consideration for our worldviews. Is this the way it began? Is this

the way it will continue? However, in an effort towards self-determination, I have brought forth my views and perceptions, supported by Indigenous scholars, of the Academy in an effort to counter-balance the views of First Nations, both negative and positive, conveyed by non-Indigenous researchers and the associated institutions. The effort will enable positive discourse to occur for the betterment of the Academy.

2.3 Our Perspectives and Western Views

What is a worldview? Kawagley (1995:7-8) provides a good perspective on this, a worldview ‘consists of the principles we acquire to make sense of the world around us. Young people learn these principles, including values, traditions, and customs, from myths, legends, stories, family, community, and examples set by community leaders’. What needs to occur is that much of the teachings of Indigenous peoples have to be taught within our current education systems, especially within First Nation communities. Each culture has its own worldview; there is no singular worldview in which to look up to, each is valid in its own right. Within First Nation communities (dealing with my perspective) a return to our *Pedagogy of the Land* must occur. I will touch on this pedagogy in Chapter Four.

The fact is that there is a differing of worldviews between Indigenous and Western thought. What is the prescription for bridging understanding between the two views? There is no simple answer; I can propose an overhaul of the current educational system whereby the *application* of Indigenous Knowledge is incorporated within the education system. Note: application of Indigenous Knowledge, not the *integration* of Indigenous Knowledge. In order to achieve this proposal, a beginning in understanding

the differences in worldviews must occur. As such, this is my explanation, albeit brief, of the aforementioned bridge to understanding.

Whose worldview have we been acculturated into over the last 150 years? Unfortunately it has not been our own in most respects, but a Eurocentric version, which has been introduced by coercion, foreign thoughts and values. Through the various acts of colonialism Indigenous metaphysics and epistemologies have been torn asunder to the point where our languages and systems of daily operations have been fragmented and distorted.

In order to better understand the dichotomies of the two differing worldviews, a brief analysis of them are necessary. This is not a comparison of the two but an attempt at describing the differences. These need to be understood from the outset. Comparing two differing views is a characteristic of Western science, whereas from my cultural viewpoint comparison is not necessary, but understanding the differences are. Learning “culture” is a lifelong experience, and our differences in cultural perspective have tremendous impacts on how our approach to tasks occur in everyday life, including the education of our youth (Barnhardt 2000).

Examples of the Aboriginal and Western worldviews are presented and adapted from the following authors, Proctor 2000; Simpson 2000a; Ghostkeeper1996; and Knudtson and Suzuki 1992. These authors agree that Aboriginal worldviews are holistic and cyclical; with Ghostkeeper (1996) adding that living *with* the land is holistic. Contrary to this view, Western society generally holds economic value to the land in order to *live* off of the land, humans hold dominion over nature, as stated in Genesis, the

first chapter of the Bible. Deloria (1995; 1969) adds 'Manifest Destiny' as one of the strategies for overcoming Nature by Western societies.

Related to these are the consumption, materialism and technology that Western society endears, again an offshoot of the subsistence pattern driven by profit, economic growth and the accumulation of wealth and property. Western knowledge sees natural resources as available to unilateral exploitation (Knudtson and Suzuki 1992), which lends itself to ownership and further substantiated by 'Manifest Destiny'. Some instances of Western thought state humans were created in God's image and that humans and Nature are placed in hierarchical order, with humans at the top, separated from the land, animals and resources. The hierarchical order is shown through the taxonomic schemes that Western science has created, such as lower order and higher order species. Regardless, there is a ranking of species that implies order of importance, with humans at the top again.

As mentioned above, Aboriginal worldviews are cyclical; for example the seasons change as the Earth orbits the Sun, a natural cycle as this serves to aid in understanding our philosophies as cyclical. As seasons change animals migrate or hibernate, some plants enter and leave stages of dormancy; these are cycles that have served as part of the basis for our worldviews. Western thought does not view time in this manner, but views time in a linear fashion. Western history is viewed in a linear sense, either from an evolutionary or creationist standpoint. From these positions, progression is noted, again in sequential fashion.

The generation of knowledge from a Western standpoint is through scientific laws, hypotheses, abstraction from context, and assumption (Simpson 2000a; Proctor

2000; Deloria 1995). Through mechanisms such as these, didactic rationalization and reduction of the natural world takes place in an attempt to understand the workings of Nature. Western science is grounded on linear thought and attempts to find the quickest, most logical reason for getting from point A to point B. In trying to understand Nature, this worldview distances itself from Nature in order to arrive at an “unbiased” and “value-free” assessment. According to Freeman (1992:10), ‘...the [Western] scientist is concerned with causality, with understanding an essential linear process of cause and effect’. According to Knudtson and Suzuki (1992), Western knowledge description of the human role is to dissect, analyze and manipulate the natural world for [mainly Western] human needs.

Before examining Aboriginal worldviews, it must be pointed out that there are hundreds of different Indigenous Nations on this continent. I must reiterate that my perspective is presented here; I do not speak for all the Nations of this land. Regardless, there is a common theme amongst Indigenous philosophies, and that is their spiritual relationship to the land and that relationship is key to understanding our worldviews. Everything relates to the land, water, rocks, air and spirit-beings. Pam Colorado (1988:49), an Aboriginal scholar states, ‘All peoples, including Native Americans, have some way of coming to knowledge. Each tribe has its specific methods...’.

In order to understand our worldviews, placing ourselves in context with Nature would be a good place to start. Winona LaDuke (1999:2), an Anishinaabekwe writer, points out ‘Native American teachings describe the relations all around – animals, fish, trees, and rocks – as our brothers, sisters, uncles, and grandpas. Our relations to each other, our prayers whispered across generations to our relatives, are what bind our

cultures together'. Therefore what is shown is 'the intimacy that Aboriginal people have with the land; in Western science there is no intimacy whatsoever with regards to the natural environment. Western orthodox sciences reduce the natural environment into small segments in the hope that the scientist will understand the natural processes' (Stevenson 2001:77).

In our understanding of Indigenous worldviews, we recognize the cyclical and holistic nature of these views. It is holistic in the fact that our spiritual, physical, mental and emotional aspects are considered together, each part equally important and necessary in achieving harmony and balance as a person and as a community. Whereas, within Western views generally; these four aspects are looked after individually, segmented off, each aspect requiring attention at different times than the others. Western science distances itself from humanistic notions and morality towards nature all the while leaning too heavily upon scientism and empiricism (Berkes 1988).

Related to Indigenous worldviews is the issue of collective rights. Collective rights lead to sharing and respect for ourselves and our identity as First Nations people (in my case). Within our system of belief, we are a part of the land, and all constituents of the land, air, water and animals are equal, we are all related as LaDuke mentioned previously. Treaty rights are collective as a case in point. When Elders from my community spoke of their traplines, they also recognized that other people from neighbouring First Nations held and maintained traplines within much of the same region. However, the trappers respected each other's trapline, regardless of which First Nation they belong to. The point is, the trappers respected one another's traplines and associated areas, recognizing each was working with the land to provide sustenance for

their respective families. Consequently, a collective respect for livelihood was maintained across several communities.

Within Western worldviews we see individual rights as paramount. Each tries to accumulate wealth, properties and hold title to land. Titles restrict access and protect the individual's right; respect has to be held via Euro-Canadian laws and the associated court system. The foreign concept of land title and ownership brought over by the Europeans has presented many conundrums for Indigenous Nations in North America. Seemingly, more often than not we have to operate within this foreign framework in order to protect and advocate for our collective rights as First Nations Peoples. This seems contrary to our beliefs in some ways, not being able to present our views within our own systems, but coerced to justify within alien frameworks.

Witness the fact that relationships are key in Aboriginal worldviews, Knudtson and Suzuki (1992) mention how harmonious relations between humans and the natural world are necessary. Reciprocity between humans and Mother Earth, spirit beings and all creatures has to occur in order for humans to survive from the gifts that the Creator has provided us with (Ghostkeeper 1996). Yupiaq scholar Oscar Kawagley (1995) spoke also on relationships as integral to their worldview, saying specific cultural mandates regarding the ways in which the human being is to relate to other human relatives and the natural and spiritual worlds required the people to live harmoniously with the land and others. Gifts and offerings made by Indigenous people to Creator, Mother Earth, Elders and spirit beings are evidence of this spiritual exchange of reciprocity and relationship. Ghostkeeper (1996) maintains that spirituality, sharing, giving and receiving are the essence of his, the Metis/Cree worldview, and this is supported by ceremony, ritual and

sacrifice. The Indigenous worldviews have been with us since the beginning of memory, and they shall remain with us forever.

The world in which we live presents us with many teachers, all due to the gifts provided us by the Creator. Our Elders hold precious wisdoms; the landscape, animals, birds, insects, spirit beings and natural resources all provide us with teachings. These teachings provide us with ways in which to live and lead a proper and quality life. From my perspective, I believe the teachings provided to us lead us in this manner. However, Indigenous societies in North America interact within the two worldviews that are in a dichotomous relationship. How does one deal with the juxtaposition? All I can add at this time is that it is very difficult to interact within these two views and trying to maintain a semblance of understanding of one's own heritage when mainstream ideologies are so domineering, especially in the urban, university setting. Therefore, understanding in my case, and others from mainstream society is required.

What has been presented within the literature review is division; a division of views between Aboriginal perspectives and those of Western knowledge systems. Consequently, it should be understood how the Academy utilizes its position to impose their knowledge systems to propagate universal and homogenous thinking. Western thinking is erroneously viewed as the epitome of human thought from discourse within the Academy (Deloria 1995). It is from this basis that ethical guidelines are put forward, yet the consideration of Indigenous thought is ignored. Failure by the Academy to promote understanding of colonization and its concomitant effects on Indigenous Knowledge leads to a lack of understanding and misunderstanding of our philosophies on ethical and moral treatment in terms of conducting research in collaboration with First

Nation communities. I would submit that all University disciplines that interact/study with First Nation societies implement courses on decolonization to counter the effects of an unbalanced education system thereby leading to a foundation for ethical and moral research in the future. Furthermore, it should be understood that control of research activities in First Nation communities must be with the First Nation. I believe that institutions, especially the Academy, have failed to adequately protect the interests of First Nations' within the research conducted by such institutions.

Research to facilitate change in First Nation communities can, and has occurred. However, more positive change can occur. The heart of Traditional or Indigenous Knowledge lies with the ability towards preservation and sharing wisdoms and philosophies with our First Nations youth. Our ability to protect our knowledge is essential in any research endeavour. Through this document I have offered a place where Indigenous Knowledge can be applied in a wise and respectful manner. If all our relationships are seen as sacred, and respected, fruitful research can take place. Acknowledgement, understanding and patience is required for this to occur from both sides of research.

Chapter Three: Methodology and Methods

The following chapter outlines the methodologies utilized in this research, followed by introducing the specific methods of *visiting, story-telling, humour and evening discussions*. The second objective outlined earlier will be fulfilled within this chapter.

In conducting academic research, there are certain regimens in order successfully complete their studies. I believe that I have accomplished this, partly through western ideas and also greatly through the perspectives and ways of my own people. It was vital as an Indigenous researcher that I incorporate some aspects of our own methods of knowledge acquisition in order to succeed in academia. I felt if I did not accomplish my goals utilizing Indigenous ways of knowing, I would be committing a disservice to the First Nations community and myself. An awareness and understanding of our ways needs to occur, I sincerely hope I aid in these aspects.

It is generally understood that methodologies provide the philosophy within which to conduct research, and the methods serve as the tools in which to acquire. The following methodologies and methods are sophisticated in their own unique sense and should be considered as such within each of their respective ways of understanding. A discussion on the methodologies utilized; Collaborative Inquiry, Oral Traditions, Indigenist Thought and Know Thy Community will follow.

3.1 Collaborative Inquiry

This is a western methodology that I originally adopted in order to complete the Traditional Land Use Study for my community. However, based on the experiences I

have with the Elders it comes across as an appropriate methodology for conducting research within First Nation communities.

Collaborative (Co-operative) Inquiry is a fairly recent methodological development within the social sciences. 'The simplest description of co-operative [collaborative] inquiry is that it is a way of doing research in which all those involved contribute both to the creative thinking that goes into the enterprise – deciding on what is to be looked at, the methods of the inquiry, and making sense of what is found out – and also contribute to the action which is the subject of the research' (Reason 1988: 1). With reference to beginnings of collaborative inquiry, one can point out that its origins begin in the 1970's and early 1980's (Torbert 1976; Reason and Rowan 1981; Torbert 1981). Torbert (1981) discusses how this new model of inquiry acknowledges the fact that research and action are in reality intertwined and that valid social knowledge stems from well-informed action.

Positives of collaborative inquiry include; according to Castleden (1992:235), 'Collaborative research...is less likely to violate indigenous values, beliefs and experience than other more invasive research methodologies such as positivist research which views people as objects to be studied at a distance rather than as participants and co-researchers engaged in inquiry but collaborative inquiry needs to move beyond its own paradigm and elicit indigenous ways of knowing and of making sense of the world'. The term collaborative comes from the fact that in order to collaborate one has to create and foster relationships in a friendly and respectful atmosphere (Torbert 1981). This brings out improved senses of intuitiveness, theoretical, empirical and sensual knowledge (Torbert 1981), all advantageous to the inquiry.

Perhaps a negative of this methodology would be in terms of the western scientists' understanding of validity. Western science requires the ability to replicate studies or experiments. If one were to conduct the same study as Castleden, they would not receive the same input or results simply because the new researcher is not Castleden. Each researcher would elicit slightly differing responses from the questions posed if the queries were the same due to the fact that personalities and experiences of each researcher is not the same. 'To have an experience is always to identify its content: indeed, an experience is a way of construing, of giving meaning to, its content' (Heron 1988: 41). To further counter this negative assumption, Reason and Rowan (1981: 241-242) mention,

... any notions of validity must concern itself both with the knower and with what is to be known: valid knowledge is a matter of *relationship*. And of course this validity may sometimes be enhanced if we say *we* [my emphasis] know, rather than simply I know: we can move towards an intersubjectively valid knowledge which is beyond the limitations of one knower.

In essence, what it translates to regarding the research I have undertaken is that the stories and knowledge that the Elders have shared with me are both of our knowledge after our collaboration on the study. I will carry many of the stories on, the main or central concepts of these stories will remain the same. However I may incorporate my own style in terms of re-iterating these knowledge experiences and they will maintain their validity and reliability. An example would be the way in which Simpson (2000a) outlined collaboration in the Anishinaabe way. 'Collaboration, mutual respect, listening, reflecting and consensual decision making have long been recognized as tenets of Aboriginal societies' (Simpson 2000a:174). For further discussion of collaborative inquiry theory (criticisms of conventional Western paradigmatic structure, suggested alternatives etc.),

see the following: Cruikshank (1990), Castleden (1992), Ward (1996), and Procter (1999).

3.2 Oral Traditions

The second methodology type used within the scope of my research was Oral History/Tradition. The terms history and tradition are similar however they have subtle differences. Oral history refers to a 'life history' or 'life narrative' of an individual's (i.e. Elder) experience. Whereas, oral tradition refers to 'a message considered important by a group of people, but not witnessed first-hand by the narrator, is passed from one generation to the next' (Lagrand 1997: 75). The oral traditions are a part of all cultures, and so, in participating in hearing these stories, we are helping in propagating this part of our ways of learning, definitely a positive for this methodology. As part of the defining process of oral traditions, caution has to be taken in order to understand the implications. In order to understand, Western academics find it necessary to define the process, yet while doing so limitations as to how oral traditions are understood are set in place. The Western processes of defining differ from the Indigenous worldview of knowing and understanding the oral traditions (Cruikshank1993). Whenever I visited or collaborated with an Elder, they never said 'OK, we are going to learn oral traditions'. Rather, to me there seemed as if there was an innate sense of what was being shared with me was just the way it was supposed to be. The classroom was in our sharing time together and in our dialogue.

Being able to spend time with Elders and hearing many of their stories was an act of participating in the oral tradition. On a few occasions, during our interview sessions, some Elders would tell me to turn off the voice recorder and put down my pen. At this

time, they were giving me a teaching in the 'real' sense of the oral tradition. They would tell me a story and say this is how it was in the past; meaning the story and also indirectly telling me that this is how our traditions and knowledge were passed on to the younger people. These were definitely special times having the Elders recognize that they felt that I was a worthy recipient in their sharing of knowledge, with no foreign instruments to record, only our memories, as it was meant to be, in the passing down of knowledge.

In the past, many oral testimonies were viewed as 'supplemental' information that assisted in research activities of Western academe (Cruikshank 1990). However, recent developments such as the Delgamuukw decision have helped to affirm and bring forth proper recognition to this type of knowing. Another possible negative stemming from the oral traditions methodology is the 'need' to document knowledge. Reading the literature regarding this methodology tends to lead one to believe that we are a race against time in terms of trying to document the oral traditions. Speaking as an Indigenous researcher, I believe that we should be working towards strengthening the oral traditions, but not via writing down the shared knowledge. What has to be put in place is a strengthening of dialogue between the Elders and youth in which knowledge is to be passed down in the traditional manner, by sharing stories and life experiences. Therefore, the Western curriculum, on-Reserve and off, established by the mainstream society, has to improve so the knowledge that the Elders possess is shared with our youth, thus reinforcing the traditions. A situation such as this would also contribute a base for Indigenous philosophies to be shared with all youth.

Another hurdle in maintaining and improving the oral tradition is our loss of language. The essence of the many meanings and understanding of our stories lie in our

languages. By not having our own languages being transmitted down through the generations, we lose much of the traditions. It is imperative that we, as Indigenous people, make every effort to protect and revive our languages so as we can pass on our knowledge in a 'true' sense, not through a foreign language. Not being able to speak my language has left a certain sense of loss within myself. An Elder asked me a question in the Cree language and I was only able to respond with *motz*, which means no, which also means that I was not able to answer the question in my language. Colonial and assimilationist policies have left our culture and especially our language in tatters. Consequently, we have much work ahead of us in order to strengthen our Nations.

In terms of research conducted using this methodology, Traverse (1999), an Anishinaabekwe scholar, found that the oral traditions and history reflected a beneficial collaboration in conducting her research in her home community. I will not delve into the history of oral traditions and how it was utilized earlier since the way in which it was utilized by disciplines such as Anthropology, History, and folklorists were degrading and racist as most colonial perspectives were. In these terms, oral traditions were seen as 'cultural artifacts' (Cruikshank 1993). Simpson (1999) explores Traditional Ecological Knowledge (TEK) and the close association it has with the oral traditions. Gaywish (1993) in a roundabout way incorporates this methodology within her thesis. In it Gaywish explains how stories, songs and ceremonies are shared amongst Nations in order to build and maintain relationships. Julie Cruikshank (1989; 1990; 1993, 1998) can be seen as one of the foremost authorities on the oral traditions as she collaborated with Elders from the Yukon in many research capacities.

3.3 Indigenist Thought

The third methodology that is incorporated within the study could be termed as Indigenist thought. The means in which research is collected and examined would be through Indigenous ways of knowing and acquiring. Many of the methodologies utilized in research within Indigenous communities still reflects the western paradigms. Collaborative inquiry and oral histories are ways that were composed by Western scholars, these are fine ways in acquiring knowledge, but still manifested and defined from Western thought. How I would explain the Indigenist paradigm is that I have utilized the words of Elders, Indigenous academics and philosophers to assist in framing the argument I have presented. Within the Indigenist paradigm, which I make no attempt to define, and the way in which I operated from it is to consult with Indigenous academics and Elders. The focus of the methodology will be to devise a strong thesis based on the works and words of the Indigenous community. I do not consider a definition for this methodology, as I tend to offer an explanation. The explanation can added to in layers as people may consider utilizing such a methodology in future research. For myself, definitions are limited in that borders around the definition are constructed that do not allow for further addition to a definition.

There is a re-awakening of Native science, and it is burgeoning. More and more Aboriginal scholars are producing wonderful literature from which to make reference to. A utilization of Aboriginal ways of knowing is key to this methodology. Therefore, an immersion of oneself within the Indigenist thought and words of the Elders and authors must take place in order to *re*right our experiences and histories as pointed out by Indigenous academics. In addition, I have made a concerted effort to indicate the

Nationhood or Aboriginality of Indigenous authors as part of this methodology. It is in my opinion, that by doing this, I am adding further context to the words offered by Indigenous academics and philosophers and the issues they address.

As stated earlier, I do not define this methodology, defining to me seems so 'Western'. Once it becomes defined, it becomes restricted to this definition. Hopefully, I have 'explained' as opposed to 'defined'. I believe that within Indigenous thought our ways were not defined but explained, this led to the ability of our ways to expand and grow, as we learn, not being restricted by definition. New layers of knowledge are added continually within our cycle of knowledge as we grow, learn and experience. How can one define something that grows continually? In order to participate in this 'methodology', one must immerse oneself in our ways of knowing, thoughts and words of Indigenous people as much as they possibly can. When I consulted with Elders, they sometimes explained when I was not able to comprehend some aspects of what they said or meant; the Elders did not provide definitions. There is a difference in the two, as is a difference between Western and Indigenous thought.

The written perception that Indigenous peoples have had to endure during colonial times has been difficult to say the least. The histories written regarding Indigenous cultures and thought were not our histories but those of colonial perspectives. We are in a process that includes contesting the current views of Western histories. This is a process of empowerment and self-determination for the colonized. Even during this process of Indigenous assertion of knowledge, i.e. Post-colonialism, Western academics saw it fit to claim this process as a postmodern theory (Smith 1999). As Indigenous people strive towards self-determination, Western thought still attempts to hold onto

some semblance of colonization in claiming and defining systems of self-determination. Again, we have to move towards our own systems of knowledge acquisition, back to our traditions.

One may find fault in the writings of many of these authors; however, the critics of these talents have been mainly ‘Western academics’ who seem threatened by the truths that the Indigenous authors boldly put into print. Howard and Widdowson (1996) are two such authors that conceive Traditional Knowledge as a “threat”. Thus it seems to me that when the ‘radical’ Indigenous authors are speaking from their own experiences and philosophies they do not fit into the “orthodox” ideologies that Howard and Widdowson espouse. Our Indigenous statements could not be any more truthful, for what holds more truth than our experiences? The negative of this methodology is that there is a lack of understanding on part of ‘Western academics’ in that they fail to see the untruths of the histories and experiences that they write about. Many Western academics write of other peoples’ experiences from the perspective of a “Western researcher”, perhaps, or perhaps not, but each foreign researcher that enters a First Nation community carries with her/him contextual baggage from their own worldview when they attempt to interpret their experiences with community. Yet the experiences that the ‘Western academic’ speaks of are our experiences. Who better to tell our stories than ourselves? To balance this statement, Indigenous and non-Indigenous researchers carry “contextual baggage”. If I were to enter a different tribal community, I would have contextual baggage from my experiences, but also considering that I may be more able to empathize with this community than perhaps a non-Indigenous researcher could.

Authors to choose from are many and may include Taiaiake Alfred, Pam Colorado, Ward Churchill, Vine Deloria, Winona LaDuke, Eva Linklater, Deborah McGregor, Linda Tuhiwai Smith and Leanne Simpson to name a few. Each author will lead the reader on to more Indigenous scholars, thus a web of Indigenous authors will soon be created. This is similar to how Elders refer young learners to other Elders so that the young may acquire from a more complete circle of experiences throughout their journey. Once I spoke to one Elder it never failed in that he/she would make reference to another Elder that I should speak with, definitely recognition of the importance of others to the community. In contrast, I had a non-native researcher, whom I respect, provide me with advice on a method, or 'technique' stating that I should visit the Band Office and pore over the Band List and gauge Elders by the ages of the people on the Band List. This technique lends itself to replication very nicely and comes across on paper as 'correct'. However, this to me was not the way in which I should be building my contacts within the group of Elders with whom I should spend time.

3.4 Know Thy Community

I believe in order to create a superior research project one must do as much as they can in order to learn about the community in which they plan on collaborating with. As noted earlier, I placed myself in a unique position in that I went home to learn about our traditional land uses and occupancies. Growing up and keeping in touch with my community afforded me the ability to learn and maintain a sense of awareness of what types of issues were important to my First Nation. The majority of researchers will not have such a luxury.

However, in learning about a community one desires to collaborate with, one should also keep in mind not to flaunt their knowledge of the community. To enter into a community and profess to know more than a community member is patronizing, which will deter from acquiring positive collaborative relations with community members. Deloria (1991b:466) elaborates further:

... demonstration of an intimate knowledge of the community will be perceived as the researcher setting him- or herself up as an authority on the community,... Young people in particular seem to resent this kind of behaviour. It only reminds them that the researcher has the luxury of studying the community as an object of science, whereas the young Indian, who knows the nuances of tribal life, receives nothing in the way of compensation or recognition for his knowledge, and instead must continue to do jobs, often manual labour, that have considerably less prestige. If knowledge of the Indian community is so valuable, how can non-Indians receive so much compensation for their small knowledge and Indians receive so little for their extensive knowledge?

Consequently, Deloria warns non-Indigenous researchers to be cautious in their use of the knowledge they bear when it comes to 'knowing thy community'. Common sense should prevail when preparing to understand the researchers community of interest. In most cases, one should be familiar with the political scheme of the First Nation they wish to collaborate with, and also know who are the present leaders of the community, this will aid in providing confidence to a researcher first entering into a community. Devon Mihesuah (1993), a Choctaw scholar, notes the importance of dealing with tribal leadership when pursuing research projects, and also cautions not to take advantage of intratribal differences, if any exist, for that deed itself is unethical. Because of this Mihesuah (1993) states that only the elected political and spiritual leadership should evaluate and approve research proposals. In undertaking my research initiatives, I

obtained a Band Council Resolution (BCR) from the Chief and Council of my community, which acknowledges and provides consent for the research to move forward.

In 'knowing thy community' Dyanna Riedlinger (2001), a colleague from the NRI, explained that a *relationship-based* approach was central to her collaboration with the community of Sachs Harbour in the Canadian Arctic. Inherent in her approach to the community towards creating a relationship are trust, respect, reciprocity, humility and humour. So it is that when coming to learn about a community, an open mind and an open heart are all that is necessary, along with a willingness to learn from the perspectives of the citizenry and their associated Indigenous principles.

3.5 Methods

Regarding the methods presented, one must keep in mind that each of these methods easily interacts and mesh together in striving for knowledge acquisition. These are possible methods that may or may not work in every First Nation community (that depends mainly on the individual researcher). However, I strongly suggest that these are methods that the researcher should make themselves aware of when collaborating with First Nation communities and individuals. Researchers must recognize that mainstream positivist research methodologies may not be as culturally appropriate in First Nations' research (Castleden 1992). The opportunity lies with the communities and researchers to expand non-positivist research methods, which in turn will push the margins of research for the betterment of all associated.

One method utilized within the scope of my work would be called **visiting**. Traverse (1999:12) refers to this method as 'a type of interaction/communication'. Colorado further outlines the importance of this method:

The visit is an essential ingredient of Native scientific methodology. The visit includes introductions, establishing the relationship between the Elder and the younger person (i.e., Who is your clan? Who is your family? What is your Indian name?) socializing including humour, and finally raising the purpose of the visit. Through visits a contract is established (1988:57).

In order to create a respectful, honest and open relationship with the Elders whom I wished to collaborate with, usually several visits had to be made in order to achieve their trust. It was imperative that I be as plain and clear as possible to the Elders and show that I was willing to learn and respect their words and knowledge. During the visits it was a time of being relaxed and not restrained by the structures of an interview. At many visits there was wonderful interaction in terms of conversations that would beckon to the experiences of the Elders. At these times they seemed most open to share their experiences, when I had no notebook or recorder. A harkening back to the Oral Traditions no doubt, the Elders saw that, it took me longer to see this. It is through the process of several visits where the young learner is taught the qualities necessary for becoming an Indigenous scientist (Colorado 1988).

The Elders see visiting as an important component of community cohesion and awareness. The visits occur in an informal and friendly atmosphere. The hosts always offer tea or coffee, and many times offer more. At these times stories are shared, or the talk may delve around community happenings, or who may be sick and having difficulty and needs help. Regardless of the topic, visits are an important aspect of community wellness that does not occur as often as it should, from what I was told by Elders.

Mainstream academia may not see this as a 'method' as defined by Western standards from my understanding of readings of paradigmatic structures in terms of research approaches. However, it seems as if Indigenous research always must somehow

be defined so as the “academics” can understand. ‘The quest for precision and certainty is a typical Eurocentric strategy. Eurocentric scholars impose a definition, attempt to make it apply universally, then, when it fails to comply with any universal standard by deductive logic, quibble over its meaning’ (Battiste and Henderson 2000:36). Do the academics ask me if I understand their worldviews and ways of knowing? A double standard is placed before Indigenous researchers in their attempts for a ‘privileged’ education from Western institutions. Western thought would deem that Indigenous ways are ‘antiquated and outdated’. Consequently, Indigenous people continue to strive towards self-determination in order to combat such stereotypes and reinforce their perspectives and knowledge.

The second method that could be termed is **humour**. This is directly related to the first method of visiting. According to Deloria (1969:148) ‘One of the best ways to understand a people is to know what makes them laugh’. He further adds that satire and irony brought about by humour provide keener insights into a group’s collective psyche and values than years of research does (1969). Elders always seem to know when to use humour, often explaining that seriousness does not always have to be present in meetings.

The Elders I visited with knew how to use humour as a way in which to put the young learner at ease. Most often many Elders would start off with telling an amusing story (personal communications; Hudson 2000; Thomas, V.2000; Stevenson, B.2000; Stevenson, M.2000; Thickfoot 2000). They seemed to recognize that it is sometimes difficult for a young person to come into their homes, to me it sometimes seemed as if I was imposing upon the Elders. However, once they put everything at ease with each their own unique sense of humour, it became clear that this a teaching for me.

The Elders use humour as a teaching. Unbeknownst to me at the time, they were showing me that humour and laughter are essential in creating and maintaining relationships. Many have the ability to laugh at themselves and their experiences. This ability definitely was a way of keeping balance and humility within their lives. Within my experiences in dealing with First Nations people, I have always noticed how we tend to ease and relax situations through humour. We have the ability to be able to laugh at ourselves and can tease one another at the drop of a hat.

Story-telling was, and still is an important aspect of learning within First Nations communities. Regardless of which Elder I visited, they always mentioned a story that would be key in understanding many of the places and activities that they experienced. This was also time for relaxation and to change gears from our informal interviews, or a signal to move onto a new subject. In speaking of a specific place or region, many of the Elders spoke of experiences that they had, whether it was on a trapline or in a fishing camp or gathering berries. Experiences they shared with me come to mind and bring a smile to my face, reliving these thoughts within myself vicariously. I also recall earlier experiences that Elder friends who have since passed on, they have shared such experiences with me when I was younger. They shared their time in explaining whether the Elder was digging seneca roots, picking wild rice or hunting as an example. These stories help the younger person to prepare for their own experiences that they may have being on the land. 'Storytelling is a very important part of the educational process. It is through stories that customs and values are taught and shared' (Little Bear 2000:81). It is a way for the Elders to pass on experiences to the youth, in order to learn from the Elder. 'As a research tool,..., story telling is a useful and culturally appropriate way of

representing the “diversities of truth” within which the story teller rather than the researcher retains control’ (Smith 1999:145). In relating back to the collaborative methodology, storytelling offers control of information to the storyteller. Within the venue of storytelling the amount and focus of the dialogue and conversations is controlled by the Elder, yet it is a process for passing down the beliefs and values of our community to the next generation in hope that they will pass them down and treasure the stories. Henderson elaborates:

Not only do stories transmit validated experiences, but they also renew, awaken, and honour life forces. Hence, ancient stories are not generally explanations but focus instead on the processes of knowledge. They discuss how to acquire these relationships on every level, how properly to use them, how to lose them, and the consequences attendant on the relationships. They say that one is lost without allies, and stories about allies are guides to the unseen and seen (2000b: 266).

The Elders may have spoke of certain weather related conditions or about animals and how they dealt with these kinds of experiences in case the young learner comes across similar situations. As a result, the young learner would have the experience of those who came before him/her to guide them. At the time of listening to stories, they may just seem that, as stories, but the meaning and intent of these stories run deep. Again, my inability to see this at the time may be attributed to my youth. However, upon reflection, these stories and teachings came back to me and have allowed me to better understand the experience of hearing stories from our Elders.

Another method that was key in wisdom sharing was **evening discussions** that I had with my father, a community Elder who is 82 years old. Sometimes I would refer to a place or site that was mentioned to me, not getting into any detail to what was shared with me, protecting the confidence of the person who shared their experience with me.

But I would mention a place that I did not hear of previously, and my father would provide further insight and stories into the region or site mentioned. Willie Ermine, a Cree scholar indicates the importance of evening discussions within his research,

... the purpose of the evening discussions was not to observe and report, but simply to hear fascinating narratives about the ethos of the community..., the process of observing my mentors “in situ” was in itself a process of “coming to knowing” about myself and my people with many of the pieces of the knowledge puzzle being inserted one by one over many nights (1998:11).

This was a wonderful experience for my father and I in that it created more interaction between us, something that was not occurring since I was away at University. These evening discussions lead to much laughter as my dad told of some of the experiences he had with his friends and family over the years. I was very fortunate to being able to spend this time with my father hearing of his experiences and wisdom. This was a blessing in disguise provided to us by the Creator, for which I am truly thankful for. If there is opportunity for research collaborators to be billeted with community Elders, they should welcome the billet, for there is much to learn from Elders, in many ways. Riedlinger (2001) provides an excellent account of listening to stories and learning from Elders and how she was provided guidance from being billeted with an Elder in her research experience.

Chapter Four: The Process is the Product-Personal Development and the Teachings

This Chapter must start by acknowledging and giving thanks to the Elders who generously shared their time and wonderful insights with me. In addition, there were several “knowledgeable community experts”, people who shared their wisdom with me, yet are nearing the “status” of Elder but are not quite there yet. There were also others who also shared many of their experiences, family, friends and acquaintances, many times informally and over coffee. In this sharing of experience they have all contributed to my growth and personal development as a person and as a member of the same community. Each has contributed in their own unique way to the final product, for that I am grateful.

The Chapter will outline the Seven Sacred Teachings that were shared with me by the Elders. Each has shared these teachings with me in his or her own unique way. And that is one of the beauties of First Nations epistemology that the teachings are always around us, so subtle in many forms and fashions, we just have to learn to recognize them. I urge all who wish to collaborate with First Nations in joint research ventures to consider teachings such as these. Although they may come in a variety of fashions from the many Nations of this continent, the teachings are fundamental to Indigenous philosophies, and recognition of the many subtle forms of learning is crucial to successful collaborations.

Within this section, I will *italicize* my insights and perceptions on each of the seven teachings. I feel this will assist in providing a link between research in First Nation communities and how it serves as a catalyst for personal growth. This will highlight my own experiences conducting “fieldwork” in a First Nation community, this is not to say that such experiences may or may not happen in similar circumstances. Yet I must

emphasize that from the Indigenous perspective of knowledge acquisition, tribal knowledge makes people, contrasted against western knowledge, which makes professionals (Deloria 1991a).

4.1 Elders and Community Experts

Our Elders are considered to be the cornerstones of our communities, in the past traditionally, and in today's contemporary First Nation societies. Our Elders are seen as the ones who hold significant knowledge of our sacred and secular ways within each of our respective Indigenous Nations (Couture 2000; Kulchyski, McCaskill and Newhouse 1999; Sinclair 1994; Cajete 1994). 'It was, and still is, the belief of our people that Elders are held in high esteem. They alone have the experience and wisdom of the years and the deep understanding of our roles as Indigenous people and our relationship to Creation' (Clarkson, Morrisette and Regallet 1992:8). Ermine (1998) adds that the experience and insight into the communities held by Elders provides them with the responsibility and authority to carry the teachings and the truth forward.

The rule that governs the behaviour between elders and the younger learner is therefore that of helper rather than instructor. The Elder does not interfere in the relationship between the individual and the Creator. Instead the Elders guide us through our experiences, usually by identifying appropriate rituals or processes so that we can gain insight and understanding of ourselves, the universe and our place in it. The guidance of Elders, the teachings of the natural world and its catalysts (i.e., rocks, fire, wind and water), comprise the Native literature search (Colorado 1988:56).

Going forth and sharing time with many Elders from my community has been an eye-opening experience in many ways. Couture (2000:32), a Metis/Cree from Alberta poignantly states that Elders are 'the oral historians, guardians of the Secrets, as interpreters of the Life of the People, as unusual teachers and way showers to the People'.

Further to this Deloria (1991a:40) states, 'As Indians we know some things because we have the cumulative testimony of our people'. To elaborate on Deloria's point, he was speaking on the context of traditional knowledge and Elders passing knowledge down which coincides with the context of western knowledge and how it is taught to Native American youth. 'We must learn to place the difference within the tribal context and there reconcile conflicting points of view' (Deloria 1991a:39). It is with context that the Elders guide and assist us, always telling us to remember where we are, where we are going and where we have been. The Elders are our history, our present and our future.

Murray Sinclair, Manitoba's first Anishinaabe Associate Chief Justice points out how Elders help him to formulate a proper living style:

Through attendance at traditional gatherings such as sun dances, feasts, giveaways, namings, weddings, fastings, and Midewiwin lodge meetings, we were able to learn from our elders about the underlying values and approaches of our tribe. We were taught, among other things, that the values of the people are taught not only in direct ways, such as through the correcting of children, but also in more subtle ways, such as through language itself (1994:24).

In every facet of life our Elders have taught us. Knowledgeable community members also serve in many of these capacities. These wise people have also shown me a vast part of our shared history, they have been told stories as they have grown and matured. Some of these stories and experiences they have shared with me. All aspects of teachings and stories shared with me have helped me to learn and to grow more as a productive member of our community. It is my responsibility to ensure that many of these stories and teachings be passed on and shared with those youth on their way up and those yet to be.

The teachings that the Elders shared with me were very personal at times, that is part of the Indigenous way of teaching, having the students appreciate the wisdom

through personal experiences that the Elders have had. The contexts of the teachings contain wide and various meanings, often taking days, months or even years to fully comprehend (Kulchyski, et al 1999). The beauties of the teachings are that they serve you lifelong.

Elders stress listening, observing, and waiting in an attitude of respect. Knowledge can often come in a moment of experiencing a hidden meaning. Learning is thus a matter of personal responsibility. Elders often request that the learner be 'of a good mind' while listening to the teachings, in order to more fully understand their meaning. The teachings frequently involve moral lessons that pertain to an individual's behaviour, often linking that behaviour to spiritual understandings (Kulchyski, et al 1999:xv).

It should be understood how the teachings provided by the Elders contain holistic meanings. The wisdom shared should serve the community as well as the individual. In the time I shared with the Elders, they have shown me the maturity and thoughtfulness that is required when one attains such stature. 'Wisdom is a complex state of knowing founded on accumulated experience. In Tribal societies, wisdom is the realm of the elderly' (Cajete 1999:48). Cajete (1999:48), Tewa Pueblo, further states that Elders 'maintain the Tribal memories of the stories, rituals, and social structures that ensured the "good life" of the community through the spirit'.

Elders, as highly aware persons, and as carriers of oral tradition, are the exemplars, the standing reference point. When guided by the Elders, the apprentice learns to perceive and understand something of such dimensions as the nature itself of their knowledge, of the centrality of primal experiences, of the "laws of Nature", and this in Elder sayings (Couture 2000:61).

Having spent time with Elders and knowledgeable community experts over the course of the summer of 2000, much of what the Indigenous academics have written in the literature, I have experienced. Granted, as I grew up on my First Nation, I have also

had similar experiences, hearing the stories of long ago. As a youngster, when the old people would visit my parents and have tea in the kitchen, I would sit along the wall closest to the kitchen from the living room and listen to these stories. Enjoying the laughter emanating from the kitchen, many times I would sit quietly and wonder about the stories and what the experiences meant. Today, I still wonder sometimes about my time shared with Elders. It is part of the process of learning, reflecting back on those experiences. The Old Ones, as Ermine (1995), a Cree scholar, refers to the Elders, are our guides in the communities who encourage young minds to recognize and affirm mystery, both aesthetically and spiritually. It is up to us, the younger generation to perpetuate our ways of knowing and learning. To remember who and where we came from and to listen to the directions of our Elders to lead us in the future, this is central to the teachings that have been shared with me. The Elders have questioned me in what lies ahead for our future, I can only state that we have to work together as a community to make it stronger, healthier and more vibrant. With their teachings, I know I am headed in the proper direction.

4.2 The Seven Sacred Teachings of the Seven Grandfathers (Anishinaabe)

There is a need in the contemporary Native world to articulate traditional views, and to transmit with discernment and discretion to the extent possible, something of the fullness of the Traditional Experience – in its intricacies, beauties, and ineffabilities (Couture 2000:33).

The teachings that follow generally are seven basic tenets found within Anishinaabe society. The seven teachings are outlined as found in works provided by Eddie Benton-Banai (1988) and Lena Odjig-White (1996), both of whom are respected members of the Anishinaabe Midewiwin. The manners in which the teachings are passed down were mainly through traditional ceremonial gatherings, oral histories/traditions and

informal settings. The Elders with whom I have spent time with, not in a formal fashion, but in an informal manner, presented these same teachings to me. The above quotation leads one to consider these teachings and how they may be followed and communicated to others who may heed the teachings. However, these are only a minute sampling of teachings from Anishinaabe philosophies, the teachings of Aboriginal societies are countless.

Growing up and attending school first in my community, then in University settings, I have often wondered if this was “our education”? Was this how we were always taught? If not, then why are we being taught in this manner? Of course as I became more aware of the “Indigenous situation” I was then able to piece together some semblance of answers to these questions. Recently I have begun to see the realization of the above quote by Couture and initiate a beginning to the understanding of what the quote means. Researchers, presently and into the future, Indigenous and non-Indigenous must become aware of and respect Indigenous worldviews if there is to be continued research in our First Nation communities, and if this research is to be conducted in a fair and equitable manner as prescribed by Indigenous views. However, allow me to articulate the process that I was led through by the wisdom of numerous Elders and community experts within my community by discussing the Seven Sacred teachings of the Seven Grandfathers and how I have perceived them.

4.2.1 Wisdom

To cherish knowledge is to know wisdom. From this ability we are able to reflect upon our experiences and learn from them, both good experiences and bad ones. From these reflections opportunities of lessons learned are presented. Integral to finding

wisdom is the constant venture of seeking to increase our knowledge and skills. Wisdom helps us in maintaining focus of our goals and visions sought. Cherishing knowledge also means using knowledge in the proper manner, maintaining our values and upholding ethical standards of conduct within the community. Without Elders guidance, we would not be able to see the true nature of wisdom (Benton-Banai 1988; Odjig-White 1996).

Sharing time with Elders has given me insight into the wisdom that they hold. Wisdom is gained by experience. Both the women and men Elders shared many of their experiences as they have built their community and raised their families. Not only have they passed on many of their experiences, but the experiences of those who came before them as stories and as oral community history. There was wisdom in their knowledge of plants, animals and medicines, of which I am in awe. It was truly amazing to hear these stories of how the gifts that Creator provided us with were and are used.

Hardship was an enormous part of the Elders' experiences. They never ceased to amaze me with how arduous their livelihoods and everyday living were. It is safe to make a sweeping statement and point out that the majority of this hardship was brought upon them through colonial activities and the shackling legislation such as the Indian Act. However, the Elders also mentioned how the community seemed so much happier in the past as opposed to contemporary times. People actually spent a great deal more time together and that was the bond that made the community strong and healthy. The Elders have shown me wisdom by how they have dealt with and adapted to the hardships that befell our community. All First Nation communities have dealt with a great deal of hardships. The one constant is that we have survived and are regaining our strength, much in part to the wisdom displayed by our Elders.

4.2.2 Love

To know love is to know peace. The Elders always maintained that to have a strong community we had to learn how to get along with others and be able to work with them. They say have compassion, kindness, to care, share and to cooperate. These attributes all contribute to the well-being of the individual and the community. To show love and peace is the ability to accept, yet provide hope. Creator has provided us with many lessons, through our interactions with each other, and through interactions with the animal and spirit beings. We have to acknowledge these lessons to learn and to obtain hope which leads to support for ourselves and community. Love nurtures harmony and that is an honourable goal in interpersonal relations (Benton-Banai 1988; Odjig-White 1996).

The Elders showed love in different ways, but essentially they spoke of community and caring for others in terms of love. They reminisced on the old days when everyone helped one another, making sure no one would endure terrible hardship. Many spoke of how “Bees” were held, where a family would have a “Wood Bee”. Families would come together for a day and cut and stack fuel wood for the family hosting the “Bee”. There would be enough wood gathered for that family to last them throughout the coming winter. The host family would feed all the workers throughout the day as reciprocation for the help that was provided them. This was an opportunity for families to come together, work, and have fun. Similar “Bees” happened for crop harvests or for raising homes and barns. This was one aspect of bonding that led to community spirit and love of fellowship. Today, perhaps the closest thing that may resemble “Bees” in our

community today would be the annual sandbagging effort to combat the spring flooding. People work together to save homes and infrastructure from the spring flood.

Elders also spoke of their love of the land. Much of their happiest memories were about time they and their families spent out on the land. Reference to the following Pedagogy of the Land will provide explanation.

4.2.3 Respect

To honour all of the Creation is to have respect. Respect to me has been the biggest teaching offered to me throughout my lifetime. It is from respect that you learn a great deal. Showing respect means that you respect others, and to accept differences that may occur cross-culturally. ‘To respect someone is to regard them with deference, esteem and honour’ (Lickers 1995:10). From respect one also learns ethics and high standards of conduct that is expected from oneself, family and from the community. The Elders also told how offerings and prayers are made to the gifts that Creator has shared with us. These gifts, plants, animals, fish, water, air and medicines have to be respected. ‘Appropriate includes the moral dimension of respect for the part of nature that will be used or affected by our action’ (Deloria 1991a:15). A basic tenet within North American Indigenous philosophy is that we are all related; everything is related. Therefore, we see relationships as key to our survival and well-being. We need meaningful relationships with others (plants, animals, humans, land, water) in this world and in the spirit world for healthy living, this is the basis for respect (Benton-Banai 1988: Odjig-White 1996).

Growing up we were always told to “respect our Elders”, I remember hearing this constantly when I was young. Looking back and reflecting on the possible meanings for this, I realize how much that one saying has meant for me. Our “Elders” include our

human Elders and also the plant, animal and spirit “Elders”, for they teach us so much. Our respect for our Elders brings us knowledge we require for strong communities and individuals. Respect must be shown to our teachers, traditional and secular, for they shape our views of this world. However it is the Elders that teach us of our past and of our ancestors, the ancient teachings are relived and remembered through them. Our circle is strengthened through our Elders teachings. My respect for the Elders that I shared time with is immense, if all young First Nations people could share time with the Elders as I have, I have no doubt that the youth would see the world as a place where they can thrive.

Respect was also shown through the work we do. What we do for our families and others shows we respect them. My parents always made sure we had work to do, whether it was hauling water, cutting and hauling season wood for winter heating, working in the garden or just cutting grass. I am grateful to my parents for showing me the value of work, when I was younger I did not realize the importance of our daily tasks as the young are apt to do. However as I matured (albeit lately some may argue!), upon reflection the value of the work ethic has dawned upon me. Respect also means that when I am home it affords me the chance to help out my father. I enjoyed our time on the land as we went to the bush to haul wood, at these times he would relate stories about his experiences on the land. These often times would be humorous stories of times he spent with his work partners as they worked to provide for their families. That in itself is a lesson, even through hardships, as our Elders have endured, they shared humour as a way in dealing with hardships. Also my father would speak of the land in which we were in, relating where certain activities took place. Where people worked, camped or animals had their

trails and favourite areas, these to me were important to hear. The knowledge that the Elders possess is wonderful, beautiful stories emanate from their spirits that teach.

4.2.4 Bravery

Bravery is to face the foe with integrity. Every Indigenous person has a great deal of bravery within. Over 500 years of colonial activities that have been used to degrade and dehumanize Indigenous populations could not remove our essential aspects of humanity, bravery being one of them. Is colonization the foe? The answer lies in what people themselves think, for myself, I believe it is a major obstacle to healthy communities. Integrity is the key to bravery, be truthful to yourself and our friends and others we meet along our journeys and you will exude good morality such as bravery. Therefore, to have courage to face demanding situations is being brave. Bravery also means the ability to have self-assurance, be strong and become complete individuals in professional and personal development. Bravery includes the ability to maintain self-awareness, knowing our own personal needs and values, which leads to an understanding of our attitudes and values we place in the process of learning (Benton-Banai 1988; Odjig-White 1996).

Bravery for me meant having to come into the city from the reserve to further one's education, and dealing with foreign institutions such as the universities, one has to deal with the culture shock. It sounds like a simple thing, but coming to the city can be a traumatizing experience. To look at this another way, take a "city" person and place them in the bush and they will become traumatized. The point is, these are two different scenarios we have to deal with, one we are familiar with, the other we are not. We have no choice but to familiarize ourselves with these foreign systems (again an outcome of

colonization). Dealing with non-Indigenous people who expect those of us who come from the reserve to immediately understand every minute detail of city living or university life is harrowing. If we do not understand we get glances of “what planet is he from?”. However, bravery provides us with persistence, allowing us to overcome our inexperience of urban living. After several years of University, I still have plenty to learn about in terms of city living and university life. Regardless, that urges me on to want to learn more.

I think it took a little bit of bravery to knock on the doors of Elders and ask if I can interrupt them from their daily lives. Yet they sensed my apprehension about disturbing them and they ensured that my intrusion was not that, an intrusion. The Elders have shown bravery in retelling of their experiences to me. All went through terrible difficulties growing up and living through their adulthood. We lost our land in St. Peter's³, we were forcibly removed⁴ from that area. It still pains those who remember or heard of the stories about how our land was stolen from us. However, this is a story that must remain with the community. This is only one pain, there are countless others. Yet under all this duress, our Elders have maintained our sense of values as Indigenous peoples and have seen to it that these values are passed on. Through all of the adversity, the Elders have been examples of bravery to the ones who follow in their footsteps.

³ For an accurate account see, *The Illegal Surrender of St. Peter's Reserve*. TARR Centre of Manitoba, Inc.

⁴ It can be argued that an attempted “cleansing” took place. In the colonial history of North America, cleansing policies by European and Euro-Canadian governments have taken place. The Beothuks of Newfoundland were systematically eradicated by such policies, as one example. Every First Nation community has suffered this fate in not such so conclusive terms. First Nations' in Canada have been cleansed from their traditional territories and placed on small pockets of land called Reserves. this would constitute a “cleansing” from their traditional territories.

4.2.5 Honesty

Honesty in facing a situation is to be brave. This is possibly the most important value to consider when cooperating with First Nations in terms of collaborative research. It is crucial to remain honest and open at all times. When meeting with an Elder for the first time, one has to show the qualities of sincerity, truthfulness and equality. Honesty also means that we have to know how to handle sensitive information in a confidential manner. The wisdom that Elders possess is their intellectual property this has to be respected. Related to the aspect of sensitive information is how the feedback of communication occurs. The stories serve a purpose and the purpose should benefit the community. If the Elders agree to meet with you, they are putting forth that the stories they share are truths; there is a sense of importance and solemnity in passing on information to assist the young learner. Therefore, the Elders knowledge should be held in high regard. Their experiences, and the teachings that have been passed on to them have helped the Elders survive and helped our community. It is through their honesty that we respect their wisdom (Benton-Banai 1988; Odjig-White 1996).

Coming forward and asking to visit and speak with Elders I had to show honesty in the situation in which I presented myself. I wanted to hear of their stories and experiences about the land in which we used and occupied. More often than not, it took a few visits for me to gain their trust. However, as long as I maintained a sense of honesty and why I was asking them to share their time, they were willing to share.

Honesty in any type of research is integral to the success of that research. Within the Ethics Application I had to complete before I went to the field, I noticed one question in the application, which asked if deception was to be used in the proposed study. I was

actually quite shocked to come across this question in the Ethics Application. Upon further contemplation, it seems hypocritical that an Ethics review form would ask if deception would be used. This was one area of the ethics application process that I thought showed little regard for First Nations philosophy. The idea of deception runs contrary to the sacred teachings that have been left with us, if one is to collaborate with First Nations in a research venue deception of any kind should not be an option.

Personally, honesty has come from living and dealing with family, friends and community. I think that through living life and experiencing the ups and downs life gives us, we see the value of what being an honest person is. As a younger person, one has the tendency to see how far one can stretch the boundaries of good conduct. Eventually, the bounds of good conduct are broken, this shows a lack of honesty, among other things, and a process of learning takes place. Some learn, some take longer to learn. Perhaps it has taken me longer to learn about this. Regardless, from our mistakes we learn, the impetuosity of youth does serve some purpose. As we mature we begin to recognize the value of what being an honest person means. The Elders recognize this in people who come to ask them for advice and teachings. The level of advice and teachings one receives reflects the amount of maturity one shows. In visiting with the Elders I have tried to show the utmost of respect for them and asked in an honourable manner that they take time to share with me some of their experiences. Honesty breeds honesty, and being the best person you can be to help your community is all that the Elders ask of you.

4.2.6 Humility

Humility is to know yourself as a sacred part of the Creation. Humility means to be modest about our achievements and to be sensitive towards others. We have to respect

the way in which the Elders share and tell of their experiences. Everyone and everything is a part of Creation and we have to respect this interrelationship, this sacredness. Being modest about our accomplishments also teaches us to be aware of our own limitations and strengths, yet we also must be aware that we have the capacity for always moving towards improvement and growth. Thus, in order to do this we have to sharpen our listening and observational skills. This will lead us to develop proper strategies in terms of respecting Indigenous styles of learning (Benton-Banai 1988; Odjig-White 1996).

Without a doubt, the biggest teaching I have learned in terms of the teachings shared with me by the Elders has been humility. Within the actions, words and personal conduct, the Elders did not tell me about humility, they served as examples of humility in their own way of teaching. At the end of my summer at home, after I had spent time reflecting upon the information that the Elders had shared with me, a sense of how little I knew over came me. Not only that, but the sense of how much the Elders know! And even though I spent time with them, this was not enough time to gain more from their insight. Meaning that I wish I had more time to spend with them.

Regardless, humility sank in me as I realized the hardships and trials that our Elders had to endure in order to make our community strong. Stories of Residential schools, how our Elders had to re-build our community in totally new location as we were forced to move from our original Reserve adjacent to Selkirk, Manitoba. The harsh realities of re-establishing the community were a story of strength, determination and despair. The willingness by the Elders to share this information is a testament to their fortitude in dealing with adversity. I was overwhelmed at the dealings the people before me had to put up with. I may have read about many of these hardships, but to actually

hear of them firsthand really puts it in perspective. A teaching of ours says that we must always look to our past to see where we are going, if not, we lose our sense of direction. The Elders provide us with our sense of the past through their teachings, helping to guide us in our futures. I am so amazed at how much knowledge and wisdom our Elders have, it heartens me to know that they and others are there to help guide us in our journeys.

The ability of the Elders to look back upon their hardships and share them with me in a caring way shows how much that they know the way in which to share teachings. It would have been very easy for them to relay harsh feelings towards the colonizers and all that they have brought upon us. However, the Elders recognized that this would not be a proper way in which to share their knowledge. Through their humility they have given me examples to follow in order to become a more complete person.

Even though I have moved through western academia somewhat unscathed and with some success, the humility that I have been shown has taught me to be careful with how I share my experience. I have to be considerate of sharing in a proper manner, not trying to talk down to those who may wish to listen to what I may have to say. Knowing what I know, I realize how little I know. Strange comment, but I have plenty of years to continue learning and observing, as those before me have done.

4.2.7 Truth

Truth is to know all these things. To know and have the ability to enmesh all the teachings in one's daily life, that is truth. We have to appreciate our growth and development and how they correlate to the seven sacred teachings, this leads to truth. Utmost is the ability to be loyal in all our relationships, be they to humans, animals, the land, spirit beings or Creator. If one stays true to the relationships that are a part of one's

life, the sacred interconnectedness, one will truly be on the journey of completeness as a woman or a man (Benton-Banai 1988; Odjig-White 1996).

In sharing the teachings with me, the Elders show me their own truth in what they revealed to me. The little time I shared with them, from the outset they established what was required of me, and that was the ability to be and remain truthful to their teachings. They did not come out and say it as such, but it was implicit in the way that they provided the information to me. Reflecting back on my time with the Elders, I realize, albeit not fully yet, how they intended me to learn, to find out and learn from myself, for myself, and more importantly, for our community. The Elders provided the teachings and the guidance; it is up to me to live up to their collective outlook of me. They expect me to carry on our collective struggle for self-determination, not by myself, but as part of community. The younger generations are taught to carry on the roles that the Elders had when they were younger, the reciprocity and interrelationship of community is crucial. The teachings that were shared with me will assist me in fulfilling my responsibilities as a community member.

4.3 Pedagogy of the Land

Everything, including the stone, can talk to you. Everything can teach you something. Everything is alive, related, and connected in the dynamic, interactive, and reciprocal relationships of nature. All events and energy unfold and enfold in themselves. That means that things come into being and that things go out of being when they are needed. This principle, this idea, is part of the indigenous way of knowing (Cajete 2000:190).

Learning is a lifelong experience, and there are several ways in which to learn. What is to follow will be a portrayal of an aspect of pedagogy that continues to be utilized by Indigenous people of Turtle Island⁵. First of all, what do I mean when I say

⁵ Anishinaabe refer to North America as Turtle Island

pedagogy? Pedagogy can be explained as the science of teaching or how we come to know. The land and its constituent parts (Earth, air, water, animals, insects and spirit beings) all provide us with teachings in one fashion or another as Creator has meant it to be. There are other ways to learn than from the land directly, as in obtaining a formal education, or traditional teachings (see also: Simpson 2000a; 2000b). However, the focus of this section will be on the Indigenous pedagogy as derived from the land as I have experienced it through listening to Elders, Indigenous Academics, my limited time spent on the land, and what I have read from literature.

In visiting with Elder Hugh Hudson from my home community, he has observed animals and how they interact within their natural habitat to prepare for the change of seasons. It is through these observations that Elder Hudson has been taught by the animals to make weather and climate forecasts, just as one example. Elder Hudson is a retired trapper who has spent years on the land. In my limited time I have spent with him he has shared with me some ways that plants and animals have helped our people. My father Michael, a community Elder has shared many stories with me over the years. One he has related to me was how the Old People used to forecast weather by how a campfire burned. The different hues of the flame in association with the change in air pressure would signal a coming change in weather. Thus, a correlation would be made between the hue of the flames and the coming weather; this was done from an acute sense of observation. My uncle Bethuel Stevenson, another Elder from the community and retired trapper, told me how different he and I see the land. Since he spent years in the bush, he knew what to look for in terms of what he needed in specific situations. He said since I have not had that opportunity, that I would not have the insight as he and other people

like him would, our perceptions would differ, which is correct. Two women Elders, Mrs. Aurelia Thickfoot and Mrs. Eleanor Olson, spoke of hundreds of medicines that have provided for us within and around our traditional territories. All the Elders I have spoke with shared some knowledge about medicines, but in most instances, they recognized that I would have to apprentice with an Elder if I were to come to such knowledge intimately. I have been told stories of how people lived and learned on the lake. Celestial bodies are used to aid in navigation, and also how to locate schools of fish, as examples. Within certain moon phases, on specific lake sites, stories have been related on where to find fish on a new moon for instance. The examples outlined are only a miniscule amount of Indigenous knowledge that has been shared with me. I have only begun to scratch the surface, but it seems as if I have learned so much. The amount of knowledge held by our Elders, which was provided to them partly by the land, is vast. One must keep in mind that the pedagogy of the land is one aspect only that must be considered in conjunction with other ways of knowing in order to obtain a full grasp of what Indigenous Knowledge constitutes.

It is the affective elements-the subjective experience and observations, the communal relationships, the artistic and mythical dimensions, the ritual and ceremony, the sacred ecology, the psychological and spiritual orientations-that have characterized and formed Indigenous education since time immemorial. These dimensions and their inherent meanings are not readily quantifiable, observable or easily verbalized, and as a result, have been given little credence in mainstream approaches to education and research...Education is essentially a communal social activity...Traditional systems of Indian education represent ways of learning and doing through a Nature-centered philosophy. They are the oldest continuing expressions of "environmental" education (Cajete 1994: 20-21).

Cajete has provided a comprehensive overview of Indigenous education in many of his works. He further elaborates:

Native science is a metaphor for a wide range of tribal processes of perceiving, thinking, acting, and “coming to know” that have evolved through human experience with the natural world. Native science is born of a lived and storied participation with the natural landscape. To gain a sense of native science one must participate with the natural world. To understand the foundations of Native science one must become open to the roles of sensation, perception, imagination, emotion, symbols, and spirit as well as that of concept, logic, and rational empiricism (Cajete 1999:2).

Much of what Cajete points out can be witnessed through what the Elders have shared with me. The articulation provided gives basis for how we learn from the land. Yet, a literal description for much of Indigenous science is not attainable, the dominant scientific and anthropologic terms utilized to describe Native conceptual frameworks lack in providing a true and honourable account (Cajete 1999).

Our relationship to the land is sacred, it is a tenet common amongst all peoples indigenous to this land. “To understand the meaning of life...Aboriginal people [must] re-establish with their local ecological order. Ecological forces have always been the source of the most important lessons in Aboriginal thought and life (Henderson 2000b:256). It is from our traditional territories that we learn. Our science is derived from our ancestral lands, and from these lands the birds, animals, trees and plants provide us with teachings in which we learn. Henderson describes further:

Most Aboriginal thought teaches that humans are the youngest life forms on earth and the most dependent and the least knowledgeable. Our gift is our ability to learn and to think. Traditionally, Aboriginal people studied the behaviour of life forms and the seasons to develop an understanding of the dynamics of a space and the role of each life form in it. They also studied life forms and seasons to create a lifestyle that was harmonious with the local ecosystem. The ecosystem in which they lived in was their classroom; the life forms that shared the land with them were their teachers (2000b:264).

Within the traditional format, isolation from creation does not occur; the fact of relatedness provides the basic context which education in the growth of personality can

occur (Deloria 1991a). It is through these varieties of relationships that we learn from 'the people of the animal and plant world who steward certain doors to knowledge' (Ermine 1995:106). As stated earlier, learning is a social activity, and the ways we learn are dynamic, always in flux, never static. According to Battiste and Henderson (2000:42):

Indigenous ways of knowing share the following structure: (1) knowledge of and belief in unseen powers in the ecosystem; (2) knowledge that all things in the ecosystem are dependant on each other (3) knowledge that reality is structured according to most of the linguistic concepts by which Indigenous people describe it; (4) knowledge that personal relationships reinforce the bond between persons, communities, and ecosystems; (5) knowledge that sacred traditions and persons who know these traditions are responsible for teaching "morals" and "ethics" to practitioners who are then given responsibility for this specialized knowledge and its dissemination; and (6) knowledge that an extended kinship passes on teachings and social practices from generation to generation.

Native peoples' connection to the land is so strong that the relationship to the natural world could be referred to as "ensoulment" (Cajete 1999). By way of deep involvement with their traditional territories, First Nations people derive and create mental maps of their ancestral lands. Through participating in the variety of hunting, trapping, ceremonial and gathering activities, a sacred bond is strengthened and maintained by Indigenous people to their land. Recognizing and respecting their traditional territories, and the territories of other First Nations if one visits another community, a projection of the reverence of Creator's gifts ensures that the relationship to the land can continue. A display of symbiotic relationships occurs between Indigenous societies and their respective territories, as explained by Cajete:

Creative use of the environment guaranteed its continuity, and Indigenous people understood the importance of allowing their land its rich life because they believed their land understood the value of using humans. If humans could use the land, the land would also use them to enrich it and keep it alive. They and the place they lived were equal partners in life (1999:204).

The symbiotic relationship reflects the sacred order held by Indigenous communities on this continent. 'This system categorizes social obligations, such as sharing and deference, as well as proper moral and ethical considerations, with the reciprocal ecological relationship. Plants, animals, and humans are related, and each is both a producer and a consumer with respect to the other, in an endless cycle' (Henderson 2000b:257). Peter Hanohano (1999:215), an Indigenous Hawaiian scholar explains that the Native notion of sense of place,

refers to appreciation and recognition of certain lands, locations, natural monuments, and places as sacred and imbued with special power and spirit. Man is thus required to maintain these places with honor and respect to ensure that the spiritual essence and power continues to benefit each succeeding generation of people, whether Native or not.

Reference to relationships is central to Indigenous cosmology, throughout this work, one should notice the prevalence of the word 'relationship to the land', ecosystems, space, or landscapes. Deloria signifies the importance of relationship to the land:

Here, power and place are dominant concepts – power being the living energy that inhibits and/or composes the universe, and place being the relationship of things to each other ... put into a simple equation: power and place produce personality. This equation simply means that the universe is alive, but it also contains within it the very important suggestions that the universe is personal and, therefore, must be approached in a personal manner. The personal nature of the universe demands that each and every entity in it seek and sustain personal relationships (1991a:4).

So it is in our relationship to the land we perpetuate our pedagogy of the land. Maintaining respectful relations in accordance with the Great Spirit and the gifts provided to us is key to our survival. Leroy Little Bear, member of the Blood Tribe and legal scholar explains:

In Aboriginal philosophy, existence consists of energy. All things are animate, imbued with spirit, and in constant motion. In this realm of energy and spirit, interrelationships between all entities are of paramount importance, and space is a more important referent than time. ... Aboriginal languages allow for talking to trees and rocks, an allowance not accorded in English. If everything is animate, then everything has spirit and knowledge. If everything has spirit and knowledge, then all are like me. If all are like me, then all are my relations. ... The function of Aboriginal values and customs is to maintain the relationships that hold creation together. If creation manifests itself in terms of cyclical patterns and repetitions, then the maintenance and renewal of those patterns is all-important. Values and customs are the participatory part that Aboriginal people play in the maintenance of creation (2000:77, 78, 81).

Little Bear articulates well the Indigenous understanding of relations to everything, so crucial to Indigenous values and customs as part of our worldview. We cannot learn without first developing a relationship, a logical statement in every sense, yet First Nations people develop relations with all entities from the land to learn. It is through these relations that pedagogy of the land is maintained and perpetuated.

Chapter Five: Responsibilities as a Researcher

5.1 Indigenous Intellectual Property Rights

The idea of intellectual property rights (IPR) first developed in European and North American law as a mechanism to protect individual and industrial inventions. Until recently, it was considered unlikely that IPR could pertain to the collective, transhistorical, and (in Western legal terms) nebulous qualities and assets of indigenous cultures (Posey and Dutfield 1996: 1).

From an Indigenous perspective, the protection of knowledge has always been in place. According to Colorado (1988) cultural protocols are in place that restricts Elders or spiritual leaders from sharing information without being approached in the proper fashion. In terms of protecting knowledge, there are tremendous differences between Indigenous and western concepts of protection. As such, IPRs are not a new concept for Indigenous populations. However, as part of the adaptation to Western legal systems coincide with the continuation of Indigenous systems of knowledge protection; witness the fact that this issue must be broached as research within First Nation communities continues.

What are intellectual property rights? 'Intellectual property rights are private rights' (Monagle 2001:3). Accordingly, Posey and Dutfield (1996:230) observe:

Legal rights can attach to information emanating from the mind of a person if it can be applied to making a product that is made distinctive and useful by that information. Legal rights prevent others from copying, selling, and importing the product without authorization from the holder of the property right.

Further to this, Grenier (1998:102) states that IPRs are:

Laws that grant monopoly rights to those who create ideas or knowledge. They are intended to protect inventors against losing control of their ideas or the creations of their knowledge... Intellectual property legislation is national, although most countries adhere to international conventions governing intellectual property.

Monagle (2001:3) states further that ‘the control afforded by IP protection thus enables right holders to limit who can use the resource, and so claim the benefits of commercialisation with little competition’.

Much of what Indigenous Knowledge (IK) pertains to in my estimation is not new knowledge, but knowledge that is ancient and yet contemporary. No one First Nations individual can say that the teachings or knowledge of medicines are theirs to own, or that they have “created” them. As a result, it may be said that IK for the most part is communal knowledge. Shiva (1997) refers to this type of IK as collective intellectual property rights (CIRs). The utility of plants for medicines for example has been passed down for countless generations, thus who can lay claim to creating this knowledge? Only the Creator can make this claim, for the knowledge shared with us has been done so only with the consent of Creator through our teachings. Consequently, IK can be considered community knowledge that derives its perpetuation from community rights which decides who can use the resource and who benefits.

During a visit with respected Elder, Mrs. Eleanor Olson, she related a story how protection of knowledge takes place in one sense. She stated how researchers (I suspect bioprospectors posing as medical researchers) approached traditional healers from Peguis asking if some of the plants that the healers utilized could be examined for research purposes. Knowing full well that the plants and the spiritual significance associated with them would not be respected, and additionally the improper way in which the traditional healers were approached, the bioprospectors were told that this arrangement would not

take place and were told to return to the institution from where they came from. This is one instance in how traditional forms of protection take place.

The struggle for the validity of indigenous knowledges may no longer be over the *recognition* that indigenous peoples have ways of viewing the world which are unique, but over proving the authenticity of, and control over, our own forms of knowledge. The debates of intellectual and cultural property rights cast the contestation of knowledge in a new frame. The commodification of knowledge as intellectual property, of collective knowledge as public knowledge, and of knowledge as value-added takes the struggle into another set of cultural interpretations. Now indigenous peoples have to prove that what was used for centuries to heal an illness was something which was 'discovered' and then had a value added to that discovery through some sort of scientific process (Smith 1999: 104).

Once again, Indigenous peoples have to deal with the foreign institutions that impose alien frameworks upon them. Legal frameworks such as IPRs have to be considered due to the insatiable appetite of the Western model of market economy. The traditional systems of knowledge protection will endure. However, how much the Western legal framework will be incorporated within Indigenous knowledge systems remains to be seen. If it occurs, does this perpetuate the further assimilation of values by Indigenous populations? Or would this preclude that integration of this protection system mean that Indigenous peoples are diligent in the protection of cultural values? This is an extremely complex issue and the debate will continue for quite some time. Monagle (2001:5) considers that:

IPRs can provide an incentive for continued investment in the preservation of these practices. Other commentators argue that traditional knowledge generally falls outside the parameters of protection offered by current IPR regimes, and that these regimes may enable their knowledge of indigenous and local communities to be misappropriated by others. These views are not mutually exclusive, and there are examples where both are true.

Gervais (2001:4) indicates that ‘Traditional knowledge is a serious challenge for the current intellectual property system, which some say is unable to respond to the concerns of the traditional knowledge holders’. Further, Battiste and Henderson (2000:145) recognize ‘that existing national and international intellectual and cultural property laws are not always compatible with Indigenous peoples’ concerns for protecting knowledge and heritage’. They continue that the challenge lies in a negotiation that protects Indigenous knowledge and heritage within the modern concept of property. The negotiation of protection relates back to the two questions posed in the previous paragraph. Further to this, Mann (1997:21) signals that ‘Despite the broad scope of intellectual property rights in Canada and internationally, there is general agreement that no one identified right, and likely not a clear combination of rights, adequately correlates to indigenous knowledge’. Monagle (2001) also points out that local and indigenous communities have concerns relating to the fact that existing IPRs do not provide positive incentives for these communities to preserve their IK. The various forms of IPRs (outlined in the next paragraph) are limited in their breadth and effectiveness in relation to IK (Monagle 2001).

The market economy of today’s world has spawned protectionist measures such as IPRs. Some of the measures in the Canadian context include patents; plant breeders’ rights; trade secrets; integrated circuit topographies; industrial designs; trade marks; appellations of origin; and measures to protect against “passing off” or other inappropriate business practices (Mann 1997). Noticeably absent from this list is Indigenous Knowledge. How can Indigenous Knowledge be reconciled within such protectionist systems? Some consider it is mainly done through international covenants

such as the 1992 United Nations (UN) Convention on Biological Diversity (CBD) also known as the Biodiversity Convention.

5.2 The Convention on Biological Diversity and Soft Law

In 1988 an Ad Hoc Working Group of Experts on Biological Diversity began to explore the need for an international convention on biodiversity; this led to Technical and Legal Experts preparing an international legal instrument for the conservation and sustainable use of the globe's biological diversity (Secretariat of the Convention on Biological Diversity 2000, later to be referred to as SCBD). The document was revised in the following years leading up to its introduction where it was opened for signature on June 5, 1992 at the United Nations Conference on Environment and Development (the Rio "Earth Summit") (SCBD 2000). The CBD serves as a response to the recognition that biodiversity 'is a global asset of tremendous value to present and future generations. At the same time, the threat to species and ecosystems has never been as great as it is today' (SCBD 2000:1). Secwepemc (Shuswap) Chief Arthur Manuel (2001) emphasizes that it is apparent that the areas of greatest biodiversity globally coincide with the traditional territories of Indigenous Peoples'. Simpson (2000c:9) also relates that in Canada 'the ecological integrity on most reserves is often much higher than other areas in the country'. Consequently, Indigenous people fully recognize the importance of diversity; this is evident in the Indigenous philosophy of interrelationships. According to Article 2 of the CBD,

"Biological diversity" means the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems.

In my estimation, the 1992 Biodiversity Convention can be regarded as 'soft law'.

As stated by Cree scholar Priscilla Settee:

The agreements [such as the CBD] fall into three categories: legally binding agreements, Indigenous peoples' declarations, and soft law, documents that are not directly enforceable in courts and tribunals but may have an impact on international law. It is important to note, however, that no international law has supremacy over a national law (2000:468).

Canada is a signatory to the CBD when it was opened for signature at the 1992 Rio Earth Summit (Mann 1997:1). Soft laws are not as well-defined as hard law, nor as well defensible and international in general. Posey and Dutfield (1996:120) state:

In practice, soft law refers to a great variety of instruments: declarations of principles, codes of practice, recommendations, guidelines, standards, charters, resolutions, etc. Although all of these kinds of documents lack legal status (are not legally binding), there is a strong expectation that their provisions will be respected and followed by the international community.

On the contrary, Grenier (1998:16) states that the CBD is a legally binding international agreement. With regards to the CBD, as soft law, what is mainly of interest to Indigenous groups worldwide in reference to intellectual property rights, is Article 8(j). Article 8(j) of the CBD outlines the principle convention obligations regarding this relationship:

*8. Each contracting Party shall, as far as possible as appropriate: ...
(j) Subject to national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of holders of such knowledge, innovations and practices and encourage the equitable sharing of benefits arising from the utilization of such knowledge, innovation and practices.*

Dr. Vandana Shiva, an Indigenous scholar from India is an outspoken critic of the CBD and the IPR regime in their current formats. Shiva (1993) outlines that the CBD

(Article 8j) is an initiative of the North (referring to Western industrialized countries) to globalize the management, control and ownership of biological diversity and Indigenous knowledge, which she states lies primarily in the Third World, also referred to as the South. Chambers (1997:58) outlines the North-South relationship:

Those who are powerful and dominant in a context are, then, 'uppers' and those who are weak and subordinate are 'lowers'...The North-South analogy resonates with two interlocking orientations. The first is a global polarization of wealth and power, with the temperate North dominating the tropical South.

Shiva (2000) indicates that western IPR regimes serve as major instruments of North-South inequality. It is at this time that it must be stated that Indigenous populations within North America can also be seen as paralleling the situation of populations in the South. Traditional territories of First Nations have and continue to be plundered by western corporations mirroring actions by the North in developing countries. Consequently, what Shiva states as happening in the South can invariably be stated as occurring in a developed country like Canada, but with emphasis on a further exploitation of Indigenous knowledge after a pillaging of Indigenous territories.

The IPR regime is an inherent aspect of the CBD and by initiating a protectionist system such as the current IPR regime will not provide an accurate safeguard for IK systems. Advocates of the CBD mention that by implementing the CBD, protection will be afforded to IK systems. Yet, it must be understood that the IPR regime as it stands today was authored by three organizations which has as its constituents transnational corporations (TNCs), this is a coalition of 12 American, Japanese and European corporations (Shiva 1997). Therefore, the impetus for the current protection system was established in order to protect and enhance the bottom line of shareholders of TNCs.

Shiva (1997) outlines as an example that pharmaceutical companies have patents on Third World biomaterials collected without payment of royalties to the Indigenous groups within those regions, and that these TNCs worked closely to bring in IPR protection to the international trade agreements. Settee (2000) points to Echinacea as a North American example where this plant has been an important aspect of Indigenous medicines, yet pharmaceutical companies profit from this knowledge and not the Indigenous peoples whose territories the seeds and knowledge came from. 'For many reasons, the current legal and ethical ways of dealing with questions of economics and ownership have been inadequate and have little or no provision for sharing benefits with the users and keepers of plants and local knowledge' (Settee 2000:463). In sum, I believe that the basic principles of ensuring the protection of Indigenous cultural, heritage and intellectual property cannot be reconciled with that of intellectual property law (see: Settee 2000; Battiste and Henderson 2000; Shiva 1997, 1993; Posey and Dutfield 1996). The failure lies in the fact that IPR law does not recognize and respect communal intellectual rights held by Indigenous peoples globally. Shiva explains:

Common property systems recognize the intrinsic worth of biodiversity; regimes governed by IPRs see value as created through commercial exploitation. Common property knowledge and resource systems recognize creativity in nature...Human production is viewed as coproduction and cocreativity with nature. IPR regimes, in contrast, are based on the denial of creativity with nature. Yet, they usurp the creativity of emerging indigenous knowledge and the intellectual commons...biodiversity is converted from a local commons into an enclosed private property. Indeed, the enclosure of the commons is the objective of IPRs in the areas of lifeforms and biodiversity (1997:67).

What is the alternative? Shiva (1997), along with Posey and Dutfield (1996), state that *sui generis* systems of IPR in relation to Indigenous peoples have to be instituted for adequate protection to be enabled. Shiva (1997:80) declares, 'The positive assertion

of collective intellectual property rights (CIRs) creates an opportunity to define a *sui generis* system of rights'. Shiva further elaborates:

Effectivity needs to be reinterpreted to account for the specific context of different countries. Only then would the diversity of IPR systems become a possibility; legal diversity, in turn, protects the biological and cultural diversity of peasant societies across the Third World. IPR diversity that has room for a plurality of systems, including regimes based in CIRs, would reflect different styles of knowledge generation and dissemination in different contexts (1997:80).

However, Gervais (2001) states that *sui generis* protection should be a solution of last resort, indicating locating the problem and correcting it as it relates to indigenous communal property. Gervais questions the implications that the *sui generis* system would have on the current IPR regime. It must be pointed out that Gervais is a non-Indigenous scholar who, as one of his duties, served as legal officer at the GATT/World Trade Organization (WTO). GATT/WTO is member to the group of architects that inspired the current IPR regime. Indigenous scholars have announced that the current system fails to protect IK, consequently *sui generis* protection must be enacted at the national and the international level to further enable self-determination and the traditional resource rights of Indigenous communities.

What are the implications for researchers in their responsibilities? Recognizing and respecting community-based institutions and cultural mores related to the protection Indigenous heritage must be outlined in research proposals. The debate outlined is meant to provide researchers with a foundation for understanding the complexities involved in protecting Indigenous Intellectual Property Rights so that they can create ethical and moral relations in collaborating with First Nation communities.

5.3 Ethical and Moral Standards of Research with First Nations

When they try to separate morality and moral duty from scholarship, they end up with a diminished morality and a trivialized scholarship. Morality to be real and meaningful must be informed by historical accuracy and grounded in the facts of human existence, while scholarship that does not have a moral vision lapses into trivia (Snider 1996:45-46).

The purpose of this section will be to illustrate what I consider more culturally appropriate means of conducting collaborative research with First Nation communities. In addition, a basis will be provided for policy related to ethical and moral research to occur within such communities. Therefore, it must be stated that within the scope of the ethics review process, I have not come across any reference to morals, perhaps morality is implied. However, moral standards are necessary for researchers, lest their work becomes trivia as stated by Snider. The section will assist in fulfilling objectives 1 and 2 of the study.

Researchers are knowledge brokers, people who have the power to construct legitimating arguments for or against ideas, theories or practices. They are collectors of information and producers of meaning, which can be used for, or against Indigenous interests (Indigenous Governance Program, University of Victoria, hereafter referred to as IGOV 2000).

In my experience in completing an Ethics Review Application, the first thing that struck me was how inappropriate the form is in terms of collaborating in research projects with First Nation communities. I also took note of the fact that nowhere in the ethics form is there voice for First Nation concerns regarding ethical and moral research. Research in First Nation communities is carried on today as it has been in the past, yet within the majority of academic institutions like the University of Manitoba, no Protocols, Principles or Guidelines exist for honourable research within an Indigenous context. It must be recognized that there is a responsibility on behalf of academic institutions to

address the need for institutional protocol when conducting research with First Nation communities (IGOV 2000). The guidelines that accompany the current University of Manitoba ethics submission form do not make reference to the unique situation of First Nation communities and the research stigma (see: Deloria 1969, 1991b). Protecting the Institution from legal proceedings if the research undertaken offends the researched in some fashion drives the process itself. The University of Manitoba's *Human Subject Research Ethics Protocol Submission Form*,⁶ (derived from the TCPS discussed in Chapter Two) was drafted by lawyers representing the Institution, if changes derived from recommendations for the current form are to be made, any changes will require the consent of the legal advisors. The lack of culturally sensitive ethics forms are obvious to myself as a First Nations person, however, would it be obvious to non-Indigenous researchers? It may be, but such insensitive forms are still being perpetuated to young researchers who look to become the future teachers of future generations. What we should realize is that much improvement to the ethics process lies in front of us.

Devon Mihesuah, a Choctaw Nation member and Assistant Professor at Northern Arizona University recognizes that establishing guidelines for academic research is not easy, with grievance procedures one of the most difficult aspects of the process to deal with (1993). However, Mihesuah goes further by stating, 'It is vital that the institution be willing to adopt the guidelines as policy; otherwise, it is a useless endeavour to create them. The guidelines need to be approved at every level of the institution, and every researcher must be required to adhere to them' (1993:137) when collaborating in research efforts with First Nations. Consequently, the task to seek respectful joint research ventures requires a great deal of work and understanding from all sides of the table.

⁶ Available at http://www.umanitoba.ca/academic_support/research_admin/ors/human_ethics/forms.html

Perhaps the most blatantly disrespectful words located within the University Ethics forms would be the terms “subjects” and “coercion”. Subjects as part of academic investigations implies research “on” as opposed to research “with” from a collaborative sense. The term itself is offensive to me as a First Nations individual and shows a lack of respect to communities and persons from First Nation communities. Additionally, the term denotes that First Nations people are mere research subjects with no right to self-determination in the context of the study, thus limiting the so-called objectivity of the study.

With regards to the term coercion or “deception” in some cases, the use of such techniques to undertake social scientific research in First Nation communities also indicates a lack of understanding and respect for the cultural mores of these communities. To obtain information from Elders and community members in such fashions would be deceitful and also dishonourable and disrespectful to the citizens. The late Dr. Clare Brant (1990), a Mohawk psychiatrist, outlined, as part of the Native ethic of non-interference, in promoting positive interpersonal relationships, coercion of any kind, be it physical, verbal or psychological was discouraged. The aspect of positive relationship building, central to Indigenous cosmology, would not be able to thrive under the guise of coercion or deception. Thus, to incorporate deception or coercion when researching with First Nation communities would be met most likely with a rejection of the study.

It is obvious that progress in terms of bringing forward mutually agreeable ethics forms that respect First Nation communities is a necessity. According to Augustine (Mi'kmaw) and Masuzumi (1999:5) ‘...ethical guidelines must be developed by both sides, taking into account the Aboriginal perspectives and mainstream expectations’.

Scott and Receveur (1995) point out that ethical principles related to Indigenous peoples are meant to be continually assessed since Indigenous people are increasingly taking more control of their affairs. It is also no longer acceptable for researchers to enter into Indigenous communities without paying attention to the research needs and priorities of the people who reside there. Therefore, a new ethical process of carrying out social scientific investigations is emerging (Battiste and Henderson 2000; Ermine 2000; IGOV 2000; AIATSIS 2000; Smith 1999; AILC 1999; Lambrou 1997; ATFE 1996; Mihesuah 1993; Deloria 1991b; W.L.F.N. n.d.).

What are some of the concerns with regards to research in First Nation communities? The American Indian Law Center (1999:1-2, hereafter referred to as AILC) has put together a list, among the complaints are:

- individual Indian people have been persuaded to participate in research in which they did not fully understand the risk to their health and safety;
- research was conducted which did not respect the basic human dignity of the individual participants or their religious and cultural beliefs;
- researchers have not respected the confidentiality of Indian people to the same degree that they would have those of non-Indian individuals or communities;
- researchers have been interested in Indian people as an “isolated” or “pure” gene pool to be used for laboratory purposes, demeaning the dignity of Indian individuals and communities;
- researchers have profited economically and professionally from research in Indian communities, but many of them make no effort to employ local people in any capacity regardless of their abilities and make no effort to compensate the individual participants of research, regardless of the risks or burdens associated with the research;
- researchers have treated Indian researchers as “informants” rather than as colleagues, allowing themselves to appropriate the work of Indian researchers as their own;

- researchers have sought and published sensitive religious and cultural information, in some cases destroying its efficacy by publication;
- researchers have violated promises of secrecy regarding sensitive religious or cultural materials and information;
- researchers have taken cultural information out of context and, as a result, have published conclusions that were factually incorrect;
- researchers have collected, published and profited from information about Indian tribes that are part of the heritage of the tribe and - in the sense understood and valued by the dominant society – “owned” by the tribe;
- researchers have failed to respect the cultural beliefs and practices of the Indian community in their research methods;
- researchers have sensationalized Indian tribal, community, family and individual problems and released publications heedless of their impact on legitimate Indian social or political interests;
- despite promises at the outset that research would benefit the Indian community, researchers have failed or refused to follow through on promised benefits, to share preliminary results with the Indian community or to give the community an opportunity to participate in the formulation of recommendations or of a final report.

One must keep in mind also that positive research has been conducted in collaboration with First Nation communities (AILC 1999; Deloria 1991b) showing that most researchers are sincere and dedicated professionals whose goals are to enable and strengthen communities while preserving the cultural and heritage aspects of the communities.

What can be done to alleviate the concerns of First Nation peoples with regards to poorly tasked social scientific research? According to the AILC (1999) where research affects tribes, the review process should include tribal and community representation. Specifically, ‘Tribes should participate fully in the IRB [Institutional Review Boards] available to them to ensure that their interests are fully reflected in the federal regulatory

process' (AILC 1999:3). A further step towards addressing positively the concerns laid out would be by having First Nations members, one male and one female, sit on the University of Manitoba's Research Ethics Board (REB) to bring an Indigenous perspective to the table when research is proposed to be conducted in collaboration with First Nation communities and individuals. However, within the jurisdiction that the AILC was associated with, the AILC recognized that there are shortcomings in the process, and as such have developed *The Model Tribal Research Code* in 'an attempt to identify those special issues, both to enable tribes to develop their own approach to the regulation of research ...' (1999:3).

Cross-cultural or inter-cultural workshops are seen as a step towards bridging understanding between Indigenous communities and researchers (Augustine and Masuzumi 1999; Mihesuah 1993). The Akwesasne Task Force on the Environment (ATFE) has created a Research Advisory Committee (RAC) that reviews and comments on all proposals that involve scientific and/or environmental research in the Mohawk community of Akwesasne (1996). One of the stipulations for researchers to undertake when they wish to collaborate in research within this community is cultural sensitivity training. The process outlined is a prime example of a First Nation community exerting the self-determination of its citizenry. ATFE explains:

So that researchers are better prepared to work in our community, all principle investigators, researchers, graduate students and others involved in data collection will be required to undergo cultural sensitivity training which will be provided at the researcher's expense ...Costs will be determined based on the scope of the project (1996:7).

Cultural sensitivity workshops for researchers are an excellent idea and should be promoted for institutions that conduct research with Indigenous communities across

Canada. In addition to this, I would strongly urge that members of the Research Ethics Board at the University of Manitoba also undergo such training so that they may become more aware of cultural practices and protocols pertaining to First Nations so that members may be able to make wiser decisions on ethics application forms. Training of this type is a definite logical step for institutions to make in order to strengthen joint research with First Nation communities.

Related to the ATFE mandate, Battiste and Henderson (2000) point out that many tribes in the United States and Central America exercise a large degree of autonomy by enacting tribal laws regulating research on their territories. Battiste and Henderson further elaborate:

The establishment of community-based institutions for supervising research, promoting education and training, and conserving collections of important objects and documents, is clearly essential. However, in most countries, this process is only beginning. ... The threshold issue is guaranteeing community control of research activities. Only if Indigenous peoples can impose conditions upon entry into their territories can they insist on negotiating for a share of any future benefits of research (2000:142).

The establishment of such community-based institutions should be seen as an assertion of rights and self-determination by First Nation communities, not a devolution of power from academic institutions. Academic institutions must respect the capacity building abilities of First Nations; respecting situations such as this will create positive and meaningful research relationships.

It has been shown that much work lies ahead if ethical and moral research with First Nation communities is to be realized. The University of Manitoba has an opportunity to be a global leader in terms of providing respectful Ethics Review forms and guidelines if many of the recommendations laid out by the ATFE, AILC, IGOV,

Mihesuah 1993; Deloria 1991b; Smith 1999; Battiste and Henderson 2000, Ermine 2000 and others are initiated.

5.4 Verbal Consent

Within the social sciences, verbal consent pertaining to Research and Ethical Guidelines for academic institutions for the most part has not been recognized adequately. In defence, it would be due to the needed protection from litigation that must be afforded the institution should a research subject(s) (institution language, not mine) find cause to initiate legal proceedings against University research(ers). As such, the written word is seen as paramount in order to receive prior informed consent.

However, when research includes collaboration with First Nation people(s) and communities, verbal consent, especially with Elders, is the most culturally appropriate form of obtaining consent. Piquemal (2001), a non-Native researcher, acknowledges that in cross-cultural research, as Native and non-Native participants negotiate, it is done so within one another's own interpretation of consent/non-consent, leading to misunderstandings due to the intercultural dialogue because people speak and act in accordance to their own cultural norms. As I have observed in recent years and from my limited experience, I have witnessed that mainstream society holds values that are not as sacred when juxtaposed against First Nation values. One case in point that I would like to make has to do with verbal consent.

Within Indigenous worldviews, relationships are crucial. Thanksgivings take place for all the relationships we experience. When collaborating with Elders or community members from First Nations, we enter their institutions, their ways of seeing. As a result, we must follow the appropriate cultural protocol. Researchers have to

establish a relationship with the people they want to collaborate with. Elders recognize that the relationship between teacher (Elder) and student (youth) is vital to the perpetuation of knowledge. Therefore, when asking Elders to transmit knowledge, we follow their protocol. Verbal consent represents a distinguished part of a relationship; it is an affirmation that the Elder recognizes that the one asking is ready to listen. There is nothing to interfere with this relationship; knowledge is passed directly from Elder to the one asking, creating a sacred bond. Hence, a direct relationship is borne and the Elder will see how ready the researcher may be to hear what the Elder imparts. Maori Scholar Linda Smith eloquently communicates on consent:

For younger students there is a very real constraint on access to knowledge when working with elders. There are also protocols of respect and practices of reciprocity. The relatively simple task of gaining informed consent can take anything from a moment to months and years. Some indigenous students have had to travel back and forth during the course of a year to gain the trust of an individual elder, and have been surprised that without realizing it they gained all the things they were seeking with much more insight, and that in the process they gained a grandparent or a friend. Asking directly for consent to interview can be interpreted as quite rude behaviour in some cultures. Consent is not so much as given for a project or specific set of questions, but for a person, for their credibility. Consent indicates trust and the assumption that the trust will not only be reciprocated but constantly negotiated – a dynamic relationship rather than a static decision (1999:136).

When dealing with prior informed consent, the written word, normally seen as consent forms, do not represent a direct relationship. Written words are transferred with little emotion and personal interaction and without relationship. The Elders look at written words as holding little or no value. Whereas, verbal consent when collaborating, represents a pact between the Elder and the one seeking knowledge. In my experience, as I conducted my 'fieldwork' I presented Elders with consent forms to sign, thinking that I was being diligent in my research. However, I soon learned that this was not the way that

the Elders wished to work with me. I was told that I was acting like a 'white man' when I presented them with consent forms. At first I was confused, but then soon realized that the comment was a valid one. After I came to this realization, I put away the consent forms and verbally explained the reasons for my seeking their counsel, a bond was cemented through our words, and no paper was necessary. As I respected their words, they respected my questions, that is the way the Elders taught me. In hindsight, through the teachings from the Elders, researchers must acknowledge that it is disrespectful not to follow cultural protocols when seeking knowledge from Elders. By initiating verbal consent within research protocols based on First Nation community standards, the bar can be raised towards superior joint ventures between communities', researchers and academic institutions.

5.5 Case Study – Peguis First Nation Traditional Land Use Study

Over the summer months of 2000 fieldwork was undertaken in order to begin a land use and occupancy study for the Peguis First Nation. As a citizen of the Peguis First Nation, I found that collaborating with Elders and knowledgeable members from my community was very enlightening, providing a great amount of personal development. In addition, Amanda Sinclair, a member of the Peguis First Nation was hired as a Research Assistant for the summer months while fieldwork took place. Ms. Sinclair was a tremendous asset in sitting in on interviews and taking in-depth notes and also transcribing the interviews. Additionally, she also served as another set of ears for clarity on points if I had missed them. Lastly, I wanted to ensure that I was not the only one to hear the stories from our Elders; I wanted Ms. Sinclair to relate the stories to her friends

and family in her own words, as part of the perpetuation of our oral tradition. The outlining of the case study will fulfill the third objective of the study.

In conducting fieldwork in my home community towards the TLUS, 20 interviews took place over the summer months. In addition, visitation to many sites also took place. Collaborators in the study mainly hailed from the main community of the Peguis First Nation, while others were from our original community of St. Peter's Reserve (the St. Peter's Band of Indians). The St. Peter's Reserve was adjacent to the north side of the Town of Selkirk, Manitoba. However, Elders and other members have made further referrals for interviews that should take place. As a result, I will attempt to accommodate these referrals. Consequently, the TLUS data gathering will continue, and will most likely remain as a lifelong quest for myself.

As part of the impetus for the TLUS, the project will assist the First Nation in terms of providing knowledge from Elders for the community and especially the youth. It will only serve as a complement to the Oral Tradition of passing down knowledge. In addition, the project should also aid the community in seeking recourse and righting wrongs against the community resulting from the illegal surrender of the St. Peter's Reserve.

National Topographic Map Sheets (NTS) and National Topographic Database (NTDB) digital maps of the same NTS were obtained in order to create Geographic Information System (GIS) based maps of the land and marine use activities outlined from the collaboration with Elders and community experts. Through the knowledge that has been collected, patterns of historic and contemporary land and marine use activities relating to the traditional territories of the Peguis First Nation are to be spatially

represented through GIS mapping. Many of the sites have been visited and photographic records of these cultural and heritage sites have been made. Activities of our people have included the former buffalo hunt, which took place from west and south of our original community of St. Peter's; wild rice harvesting in the south-eastern region of Manitoba, and fishing throughout Lake Winnipeg. Our traditional territories cover a vast amount of land and water; these activities indicated only provide a minuscule amount of the traditional activities and range of our territories.

The knowledge accumulated regarding the traditional land and marine use of members and past citizens of the Peguis First Nation/St. Peter's Band is detailed and quite substantial. Information shared with me has ranged from traditional plant medicine uses and where they can be located, to fishing, hunting and trapping grounds and locations associated with those activities. Traditional social, ceremonial and political gathering places were outlined. Stories about learning from the land and animals were shared with me, as were difficult stories about residential school experiences. There were times when policies restricted our people from leaving the reserve without permission from the Indian Agent, stories such as these were shared with me. The point that should be taken from this is that the information shared with me is proprietary information of the citizens of the Peguis First Nation. Proprietary rights are seen as rights of ownership and rights of property (Burke 1976).

As a result, in order to protect the cultural and heritage knowledge of the members of the Peguis First Nation that collaborated with me on the TLUS project, a decision was made not to make the proprietary information available to the public through the venue of a Thesis as I had originally planned. In my youthful impetuosity,

I had thought that the project would work well as a Thesis. However, as I began to listen and think about the stories as they were related to me, I soon realized that most of the knowledge and experiences shared is sacred and only meant for use within our community. It is from this understanding that I have produced the alternate thesis, which was spawned from my experiences of 'doing research' with a First Nation community.

I have made a concerted effort not to relinquish sensitive information relayed to me by our Elders and community experts. I feel that I have accomplished this within this body of work. I am satisfied with the unfolding of my journey.

In April of 2000, before I went to conduct fieldwork for the TLUS, I said a prayer and made an offering to Creator asking that I be shown the proper and respectful way with which to treat our Elders' knowledge. Creator has granted my wish by leading me down my present path. However, more work lies ahead as I move to complete the TLUS for my community, with the assistance of our Elders and community experts. Also, I humbly ask that the information provided through this work be utilized in a manner of respect and honour towards First Nation communities.

Chapter Six: Synthesis, Conclusion and Recommendations

6.1 Creating a Bridge to Understanding and Respect

The work presented here has been a culmination of experiences that I have enjoyed as a result of my time spent in the University setting. From reading, writing and interacting with colleagues, both Indigenous and non-Indigenous, these experiences have been the basis for my academic underpinnings. As well, the time I have spent in collaboration with Elders, family, friends and relatives from my community have all helped shaped my views on the world in which we live. As a result of these experiences, I have learned to question and perhaps learned to answer some of the issues related to First Nation communities that I have flagged along my journey.

Within the first chapter, the outline of the study has been presented, along with a contextual placement of myself in the study. This is vital for the synthesis of the study to progress. Every researcher places him/herself in some type of context when conducting research. At times it may be easier to dissociate oneself from their work after spending time in the field, writing up the results and producing the results. However, in my case, I have taken a personal approach to this research because it affects my community and myself in our relations to academic research. I feel that other First Nations scholars/communities may have similar intuitions as myself in this regard. Therefore, the shortcomings of ethical and moral academic research warrant the production of the present study from the perspective of a First Nations student.

The Tri-Council Policy Statement (TCPS) provides a basis for the University of Manitoba to frame its ethics review process and the acceptance or denial of research regarding human participants. As shown earlier, the TCPS lacks severely when dealing

with First Nation communities. In highlighting such weakness within the academic research circles at the University of Manitoba, it should be evident that movement towards rectifying this situation should be paramount, given that First Nation communities and individuals are a favourite destination of academics.

The methodologies and methods employed by members of academia towards scholarly pursuits have been for the most part based from the Western scientific paradigms. Peering into First Nation communities through the lens of settler philosophies will normally not endear the researcher to the community. Paramount to the collaboration that took place between Elders from my community and myself as a fellow member and also as a researcher was the fact that Indigenous methodologies were utilized for the majority of information gathered. In preparing the present study, I sought to incorporate the words and thoughts of our own philosophers, our Elders. Additional support was gleaned from community experts, and from the writings of Indigenous scholars and philosophers. In operating within two worlds, the First Nations and the western academy, I have attempted to provide an inter-cultural link for acceptable scholarly research in the utilization of Indigenous method/ologies. Smith provides further insight:

Within an indigenous framework, methodological debates are ones concerned with the broader politics and strategic goals of indigenous research. It is at this level that researchers have to clarify and justify their intentions. Methods become the means and procedures through which the central problems of the research are addressed. Indigenous methodologies are often a mix of existing methodological approaches and indigenous practices. The mix reflects the training of indigenous researchers which continues to be within the academy, and the parameters and common sense understandings of research which govern how indigenous communities and researchers define their activities (1999:143).

Consequently, witness how the parameters of academic research must be broadened in order for the proper application and utilization of Indigenous methods of knowledge

acquisition to take place. This will enable the production of sound and superior research results to come forth in collaborative inquiries. The method/ologies presented are a mere snapshot of the possibilities available for researchers to incorporate within research structures. Realization of these possibilities must be promoted if the perpetuation of original research is to flourish in concert with First Nations and academic institutions.

It was upon reflection of Elders' words with whom I had collaborated with where I learned the most. When Elders spoke of their experiences, they provided me with teachings. They may have spoke about the land, our community, ceremonies, gatherings, or helping one another out. Regardless, each epitomized and incorporated the seven sacred teachings of wisdom; love; respect; bravery; honesty; humility; and truth. It is my hope that future researchers who venture into First Nation communities and seek the counsel of Elders and local experts open their minds to the teachings provided, and with it they should develop more as a member of the human population. It may not seem like traditional teachings at this time, but upon reflecting on those experiences, it will come to pass that the researcher will have become enriched through the teachings, regardless of how they are acquired. It is through these teachings that I have been able to grow more as a person, in spirit and in mind. Peat (1994) indicates that within Indigenous society, coming to knowledge involves a personal transformation, as was the case with myself. The teachings were also taught to me through our pedagogy of the land; our territories which we love so much. The Elders emphasized respecting and listening to the land. It is from here that we garner most of our natural teachings.

By including Indigenous Intellectual Property Rights and the debate associated, a dialogue on the future road to take in terms of protecting Indigenous knowledge can be

initiated. The protection of the cultural and heritage property when research takes place within First Nation communities has to be addressed. There are alternatives available, from instituting community-based institutions of protection, to creating *sui generis* models for the protection of Indigenous heritage. As it stands presently, the current system of IPRs does not provide adequate cultural and heritage protection for First Nation communities.

A culmination of my research experiences has been presented, which has led me to present the following recommendations. The synthesis of the project should lead one to understand that working in partnership with a First Nation community, one should be willing to develop and mature more as a person. In showing maturity, I have also developed a more acute sense of our self-determination as a First Nation, and as a member of the Anishinaabe and Cree Nations. The development of self-determination logically leads to the ethical and moral standards required for the protection of our culture and heritage, which fosters a healthy respect of who we are as a First Nation community.

In the final analysis, when one collaborates with a First Nation community in academic research, one needs only to open up to common sense. What I have outlined, presented and recommended are tenets of common sense; all related to respect. Jo-ann Archibald, (Sto:lo Nation) maintains, 'The fundamental teachings of our Ancestors emphasize respect in all aspects of our lives and in our interactions with others. If we are to be "true" to our Aboriginalness, then respectful thoughts and action are essential in educational research' (1993:190). Understanding the First Nations' worldviews and histories, respecting the words, thoughts and ceremonies of First Nations members, and reciprocating the respect necessary is crucial for any researcher entering into joint

research ventures with such communities. Through this, we each must consider the words of Meyer and Ramirez in our research efforts:

understanding the nature of dissociation between a modern academic world view and the traditional world view of an indigenous culture requires a commitment to the integrity of indigenous knowledge. Those engaged in cross-cultural inquiry must anticipate coherence to unfold in interpreting indigenous thought; they must expect, as characteristic of indigenous thought, disparate styles of inference well integrated with the indigenous ways of life (1996: 104-105).

6.2 Recommendations

The following recommendations presented will satisfy the fourth objective that was laid out in the introductory chapter and can also serve as pillars for the creation of the bridge to respect and understanding.

- Indigenous students should incorporate Aboriginal frameworks, methods, ethics and philosophies wherever possible in their research. Further to this, Aboriginal philosophies must be incorporated across the disciplines within the courses most applicable to Indigenous issues in order to provide all students with a more complete understanding of the issues at hand.
- The University of Manitoba should, as an institution that advocates for Indigenous scholarship, incorporate within its Degree granting scheme, a framework where Indigenous students strengthen the Oral Tradition. Whereas, Indigenous students may have the option of presenting their research within an Oral tradition framework. Students can present their findings simultaneously in front of their Thesis/Dissertation Advisory Committee, and a Committee of Elders and community citizens with whom they may have collaborated with at the research community.

- **Research conducted within and regarding Indigenous issues should incorporate Indigenous Ethical and Moral Standards as prescribed by the Indigenous Communities. Consequently, the University of Manitoba should promote and respect community-based institutions that supervise research within First Nation communities.**
- **The Traditional Resource Rights, Indigenous Intellectual Property Rights or Communal Intellectual Property Rights of Indigenous communities must be respected at all times, and due diligence on behalf of the researchers must be conducted with respect to this.**
- **The University of Manitoba's Research Ethics Board (REB) should install at the very minimum two First Nation members onto the committee, one male and one female.**
- **The University of Manitoba's REB members should undergo cultural sensitivity training with regards to First Nations worldviews' in order to foster and promote understanding towards First Nations concerns related to academic research. Similar training should be mandatory for all researchers who conduct research in collaboration with First Nation communities.**
- **First Nations, Tribal Organizations and First Nation academic collectives have established Guidelines and Principles of Ethical Conduct. As a result, the University of Manitoba must adopt existing guidelines or create Principles of Conduct for research in First Nation communities in partnership with First Nations' organizations.**

- The University of Manitoba must fully respect the Indigenous views on verbal consent. Through initiating verbal consent within research protocols based on community standards, the institution will move closer to gaining respect and admiration of First Nation communities through acceptance of this recommendation. However, the University of Manitoba must fully recognize and respect that established Guidelines and Principles of Conduct are in place in many First Nation communities that may require written consent.

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Appendix A

Guidelines for Equitable Research Relations for Researchers, Government Officials and the Private Sector Who Enter First Nation Territories

These guidelines are meant to serve as a starting point for First Nation communities and researchers alike who wish to collaborate in research activities. First Nation communities are increasingly managing their own affairs, and as such are aware of trespasses by researchers in the past. Movement towards self-determination provides First Nations' to act positively on such concerns. As a result, the following guidelines are a framework for research collaborations to occur. It is suggested that the guidelines serve as a beginning, and thus can be expanded or shortened, however the research partnership agrees. Regardless, control of access to First Nations resources is crucial to the community. Control of access refers to the self-determined process of managing spiritual, cultural, medicinal and traditional knowledge held by First Nation communities and their membership; control of access is also a political issue, as well as one of ethics and human rights (Lambrou 1997).

1. The locus of control for all research activities lies with the First Nation community. Approval by Chief and Council of all research proposals must be sought after thorough explanation of the objectives and anticipated benefits of the venture. The community also reserves the right to suspend all research activities if the community decides that the research is unacceptable. The community also has a right to say no to any publications derived from all or portions of knowledge that was shared with researchers. All researchers must realize that the wisdom and

knowledge of First Nation communities has to be respected as such, not as 'data' or 'information'.

2. A community consultation committee should be established to oversee all stages of the research process. The committee should consist of community leaders, Elders, and youth from both genders. Proposals forwarded to communities must be brief, concise, and in non-technical language. University institutions must take more responsibility by improving the screening process for research proposals. First Nation communities also have to accept more responsibility with regards to research in their communities, a stronger defence of their intellectual resources is needed.
3. Indigenous Knowledge (IK) should not enter the public domain without prior community consent. Researchers must agree to release knowledge and information that can be interpreted and presented from the First Nations' perspective. Researchers have no legal right to divulge IK revealed to him/her without explicit permission (Lambrou 1997).
4. Informed consent should be obtained from the community and any individuals involved in the research. To obtain informed consent, the researcher must fully explain the purpose of the research; potential benefits and possible problems associated with the research for people and the environment; sponsors of the research; and the offer of anonymity and full confidentiality. Ongoing consultation is required to ensure informed consent and for maintaining mutual understanding for that consent and the research (Inuit Tapirisat of Canada, in Posey and Dutfield 1996; AIATSIS 2000).

5. First Nations should control the identification of issues and areas where research is needed. Included in this is how the research is designed, collected, interpreted and utilized. The control would ensure that IK is not misconstrued, taken out of context or misrepresented. This would also ensure that the research process is truly collaborative (Lambrou 1997).
6. All information resulting from interviews, projects or research activities with First Nations becomes property of the First Nation. Publications resulting from collaboration must fully acknowledge input from the First Nation and individuals key to the project. First Nation members must have access to research and project information. As part of the approval process, the extent of data accessibility that the community should expect be clearly stated and agreed upon (W.L.F.N. n.d.).
7. First Nation intellectual and cultural property rights must be acknowledged, respected and preserved. This relates to all IPRs such as those that are related to traditional medicines, rituals, ceremonies, songs and other cultural traditions (IGOV 2000; AIATSIS 2000).
8. Under no circumstances will secretive or deceptive techniques be utilized to undertake research activities in First Nation territories.
9. Capacity building for First Nation communities should be part of the research process. Hiring and training of community members for research activities must be included within the research proposal presented to the community.
10. Cultural sensitivity training for researchers not from the First Nation community assists in developing a mutual understanding. This generates respect for social,

political and cultural structures. Consequently, all researchers entering the First Nation community should undergo cultural sensitivity training (ATFE 1996).

11. In the post-research stage, researchers must return all raw, draft and final format information that has been collected to the First Nation community.