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Holistic Peacemaking
A Cultural Model of Inter-Group Conflict Resolution
for Aboriginal Organizations

by

Rainey Jonasson

A thesis submitted to the Faculty of
Graduate Studies and Research in partial fulfilment
of the requirements for the degree of
Master of Arts
in Canadian Studies

Carleton University

OTTAWA, Ontario

July 30, 1993

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submitted by Lorraine Jonasson
in partial fulfilment of the requirements for
the degree of Master of Arts

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August 1993

ABSTRACT

This thesis proposes an inter-group conflict resolution model for Aboriginal organizations. The model is based on an Aboriginal Clan System, and on the philosophies of peace and peacemaking contained in Aboriginal societies. It incorporates a training component, to guide Aboriginal organizations in developing a culturally appropriate, inter-group approach to resolving conflicts they experience.

Disputing is cultural behaviour. A culture's philosophy, structure, institutions, and norms of interaction, form a system of meaning that defines how conflict is perceived within the culture. Within a culture's system of meaning, are the values and practices needed for people to find their own culturally-legitimized approaches, and solutions, to conflict.

Colonization fragments and distorts the fundamental cultural means, by which colonized peoples maintain peace, and resolve conflicts, in their societies. The process of de-colonization, combined with the structural barriers to development that colonialism created, are issues in each conflict that occurs within Aboriginal institutions. These conflicts need to be addressed by conflict resolution and healing approaches, that are based on Aboriginal philosophy and cultural norms.

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Chapter One

INTRODUCTION

Alternative dispute resolution, or ADR, is gaining more importance as contemporary society becomes more complex, thus creating a stronger potential for conflicts to emerge. People are increasingly interested in ways to resolve disputes that are non-coercive, and that allow greater community involvement in determining approaches and solutions to conflict. The impact of cultural values and behaviour on the attitudes of people towards conflict, as well their responses to conflict and conflict resolution, are being given increased recognition. These realizations are placing greater pressure on researchers to critique the models that exist for dispute resolution, and to develop new alternatives that are workable in specific cultural and cross-cultural contexts.

Many of the dispute resolution approaches that have been developed to date are based on Western knowledge of human sociology and conflict. Every group of peoples around the world have developed ways of dealing with conflict based on their own science, and on their specific values and traditions of their culture. Much of this knowledge has not been documented or has not yet been utilized in the formation of

comprehensive theory on conflict resolution. (Avruch et al, 1991:3).

Literature on ADR has occasionally noted the importance of culture in dispute resolution. For example, Folberg commented that "mediation as a conflict resolution process is universal and comprehensible to people of many different cultural and ethnic views, but it must be provided in such a way that it is consistent with their beliefs and traditions." (Folberg, 1984:319). However, research on cultural influences has only recently begun to be given attention in ADR approaches. Lederach comments on how a colleague described culture as "the new sexy issue"¹ in the field of dispute resolution (Lederach, 1992:1). Cultural relevance of conflict resolution approaches, for Aboriginal Peoples, is of vital concern. This concern is reflected by Merry, who describes disputing as "cultural behaviour, informed by participants' moral views about how to fight, ..social practices that indicate when and how to escalate disputes to a public forum, and participants' notions of rights and entitlements (Merry, 1987:2063).

¹This light quip touches on that which is a serious concern for Aboriginal people; when attention has been given to almost any aspect of our cultures by mainstream society, the result has often resulted in cultural exploitation. Aboriginal art, music, traditions and philosophies, and more recently, spirituality, are all perceived by Aboriginal people to have been exploited.

Although a significant quantity of literature exists on Aboriginal Peoples in North America, research on how Aboriginal people perceive conflict or approach conflict resolution is scant. Much of what is available is scattered through anthropological and social science research. This research is problematic, as the researchers have neglected to account for the influence of European colonization² agents, particularly missionaries, on conflict and on resolution approaches documented in Aboriginal societies (Avruch et al, 1991:45).

The field of alternative dispute resolution contains a great deal of knowledge, about the nature of conflict, and options for approaching resolution. This knowledge and these options are resources for Aboriginal groups searching for ways to deal with conflicts, both in cross-cultural conflicts that we experience, and in inter-group conflicts that occur within our own cultures. The movement of Aboriginal Peoples in Canada towards self-government is an extremely complex and difficult process, involving conflict within emerging and established Aboriginal institutions. However, if the dispute resolution

²Colonization is the establishment, by a nation, of colonies or settlements in another territory. Colonialism refers to the policies of acquiring or maintaining colonies, and also refers to the exploitation of the indigenous people of colonized territory by colonials. The term colonization is sometimes used in place of the term colonialism, as is true in this paper.

approaches available are a poor fit for our cultural context, a number of issues pertaining to self-government are raised. One issue is the availability of choices which are consistent with self-government objectives, and are culturally legitimate. A factor of autonomy is having the ability to make choices. This issue is addressed by focusing this thesis towards a conflict resolution model, and a training process that facilitates the development of culturally-congruent dispute resolution options by Aboriginal people.

1.1 Aboriginal Cultural Revitalization, Colonization and ADR

Nicholas (1966) commented on how Aboriginal societies in North America contained a strong foundation of "tension-handling mechanisms ... that, through ritual and other means¹, served to prevent internal forces from disrupting their equilibrium." The cultural values, ethics and behaviour norms that provide the foundation of these harmony maintenance laws and conflict resolution approaches of Aboriginal societies are

¹These "tension-handling mechanisms" need to be recognized as inclusive of dispute resolution theory and approaches. Some common anthropological terms, such as "mechanisms", or "rituals" obscure the real level of sophistication that existed in indigenous civilizations. The use of these terms tend to deny recognition of indigenous theory and practice, and imply, implicitly, that indigenous societal functioning is frozen in a cultural/ideological framework of the past.

still strongly manifested in Aboriginal people's responses to conflict.

However, the culturally-determined ways that Aboriginal societies used for centuries to deal with conflicts have been profoundly impacted by colonization. Aboriginal people are still living with vestiges of colonialism that prevent resolution of conflicts from Aboriginal cultural perspectives. The continued impact of colonization is a serious source of the conflicts that Aboriginal people now experience. Colonization and re-colonization⁴ tend to create and aggravate issues in conflict situations that occur in Aboriginal societies.

Any conflict can be stressful, frightening or painful depending on the nature and degree of the conflict, and the perception of what stakes are involved in a conflict. The conflicts that we experience as Aboriginal Peoples are additionally complicated, as they involve what might be termed "historic pain"⁵. Historic pain is different from the pain, anguish, stress or angry feelings that involvement in conflict

⁴See the review of the colonization theories of Frideres and Galtung in Chapter 2 for examples of re-colonization.

⁵I borrowed this term from a brochure on Conflict Resolution from the National Coalition Building Institute in Arlington, MA.

often generates. It is no minor concern. The impoverishment, discrimination, and losses of autonomy that Aboriginal Peoples have experienced, as a result of our historic, colonized relationship with non-Aboriginal society, is tremendous. A perception of personal and collective powerlessness has been created within our Peoples, and it comes directly from our colonial experience.

The term "internalized oppression" has been identified as a dynamic created among the colonized throughout the world where people have been subjected to the colonization process.⁶ In Aboriginal communities, internalized oppression is very real; it continues to affect many aspects of our lives, and greatly complicates the rifts that surface in our communities and institutions during change and development processes. As a result of the psychological impact of oppression, we have come to believe often that we are powerless to address conflicts, and that to attempt to do so would only result in further victimization. The psychological and emotional pain of oppression increases the trauma of a conflict experience.

Through my own experience as an Aboriginal woman, I have long known that many cultural differences exist between

⁶Albert Memmi, (1967) The Colonizer and the Colonized The Orion Press, USA. Memmi describe the manifestations of internalized colonization in South Africans.

Aboriginal and non-Aboriginal people of mainstream Canadian society. Explanations that place any differences between Aboriginal and non-Aboriginal people in the negative are easy to find. They are promoted through racial stereotypes that are virtually entrenched in the attitudes of Canadian society. I grew up, as did most Aboriginal people, experiencing the devaluation of my culture, and the erosion of my identity as a person, an experience which is endured worldwide by many colonized people. It would be extremely difficult to find an Aboriginal person who has not been victimized in some way by racism, in the forms of systemic or direct discrimination based on stereotypes, in their interaction with non-Aboriginal society.

Inculcated values and norms of behaviour are not obvious to the people who hold and practice them. Often, it is only through interaction with people of other cultures, or when attempting to communicate across cultures, that differences in cultural values and behaviours become noticeable (Carbough et al, 1990:256). The stereotypes that colonization has created about us and our cultures are being challenged by Aboriginal Persons articulating our own perspective, and by developing fundamental principles to effect de-colonization, and to guide our approaches for regaining control over our lives and our societies. These principles are the preservation and

strengthening of Aboriginal cultures -- based on the lifeways, philosophy and inherent values and ways of our cultures and upon the utilization of "the best of the white world"⁷ - in contemporary knowledge of human development, community and economic development, education, and contemporary technology.

1.2 Objectives and Method

For me as an Aboriginal woman, the larger picture, or over-arching objective for my research, is to contribute towards the process of decolonization of Aboriginal Peoples. More specifically, this thesis proposes a model for alternative conflict resolution based on an Aboriginal clan system of government, which can be used towards the development of Aboriginal conflict resolution approaches, for use in Aboriginal institutions.⁸

⁷Beatrice Medicine, 1987.

⁸Some prior work has been done in developing conflict resolution approaches that are congruent with Aboriginal cultural values. For example, the Medicine Wheel concept and teachings, or theory, has been used as the basis for an Aboriginal culturally appropriate conflict resolution process. The model was developed by Marge Huber, in conjunction with Aboriginal people in Vancouver, B.C. These models are useful, but their existence does not preclude the need for others to be developed and to contribute to the small but growing body of indigenous knowledge.

Some Aboriginal nations, and the Metis and Inuit, will find the clan-based model less relevant to their cultures. This calls attention to the need for other models to be developed for these Aboriginal Peoples that are appropriate to their cultures. The training approach developed in this thesis might prove to be useful for other Aboriginal Peoples, in providing a guide for action research⁹ towards development of their own models and approaches to conflict resolution.

This thesis, and the model it proposes, is based on the following premises:

1. Decolonization occurs through self-determination, and self-reliance on the philosophies and practices of our cultures, to provide the foundations from which we approach development, followed by the incorporation of relevant and helpful Western knowledge into our perspectives and approaches - not the reverse.
2. The philosophies of Aboriginal Peoples are highly sophisticated, and contain powerful teachings that give direction on how human societies can deal with internal strife, in ways that preserve autonomy and maintain

⁹Action Research, is an approach to research that has a defined methodology; however, I use this term in the less formal sense, as research through dialogue and analysis, in a training forum, by the participants.

harmony. Aboriginal knowledge also contains effective conflict resolution approaches to deal with disputes, that are consistent with values, ethics, norms of behaviour and discourse systems of the people of that culture.

3. Mainstream ADR theories and approaches, although valuable as resources, assume norms of behaviour, ethics and communication which conflict with those that are common to a number of Aboriginal cultures.
4. Aboriginal societies desire revitalization of the knowledge and traditions of their cultures, and support the development of culturally-based approaches to dispute resolution, that can be incorporated into the structure and practices of contemporary Aboriginal institutions.

I will argue that, within the traditional clan systems that evolved in many Aboriginal nations in North America, are the foundations for a model of inter-group dispute resolution that, when combined with contemporary knowledge of conflict and conflict resolution, can be developed as an approach for use by Aboriginal Peoples, to successfully deal with inter-group, intra-cultural conflicts and disputes.

The organization of this thesis was difficult in terms of how to create as whole a perspective as possible - within the frame of this medium - of the complex factors that generate and impact on inter-group conflicts, as experienced by Aboriginal Peoples. I approached this task with caution, driven by the reality that too many times, the sharing of our perspectives has resulted in appropriation and sometimes distortion, that contributes to further entrenchment of existing racial and cultural stereotypes of Aboriginal Peoples. I have listened often to the words of elders, who warn us about the dangers we might incur to ourselves and to our cultures, if we attempt to separate our cultural and spiritual teachings from the context in which they are meant to be taught. However, I believe that it is important that we as Aboriginal Peoples move further into using some of the tools of the Western world, to pursue our own objectives for cultural retention, development and self-government. The important consideration is to ensure that we engage in thoughtful analysis of what the impact of using mainstream tools and technology will be on our cultures, values and aspirations, and on the processes we engage in to achieve our goals.

For the purpose of organization (and for conformity to what I believe to be Western logic, I admit), I have organized this thesis into the following chapters:

Chapter one is an introduction to the perspective from which I approach the development of a model for inter-group conflict resolution, within an Aboriginal organization, that is based on values and ethics that have been identified as common to many Aboriginal cultures.

In chapter two, I turn to building a conceptual framework for understanding the complexity of Aboriginal Peoples' reality which has been affected by colonization. To discuss conflict within Aboriginal societies without an understanding of colonialism, and the impact that colonialism has on Aboriginal Peoples as its victims, would result in a much less precise and honest evaluation of the problems and issues faced by Aboriginal people in addressing conflict.

In chapter three, I discuss mainstream theories and approaches to conflict. This chapter provides what is essentially an examination of the development of conflict theories, and of issues that exist in application of mainstream conflict resolution approaches cross-culturally, or more specifically, to conflicts experienced by Aboriginal

groups. The Aboriginal conflict model is then placed within the framework of Western conflict resolution thought and is used to critique mainstream theory.

Chapter four concentrates on identifying values that are shared across Aboriginal cultures, and provides examples of how these values are taught or acquired within the culture. Each of the values described are contained within Aboriginal philosophies, and provide the fundamental basis out of which conflict is perceived.

In chapter five, I provide background on the structures and approaches to conflict contained in Aboriginal cultures that originate in pre-colonial times, in particular, the clan system of government and social and spiritual practices that supported the cultural imperatives. I also examine the discourse system that still exists in Aboriginal cultures. I compare these to the discourse system of mainstream Euro-Canadian culture, to provide further data for use in assessing dispute resolution approaches.

Chapter six contains the proposed alternative dispute resolution model, based on the clan system. It also includes a training guide for users to develop their own culturally-

legitimized conflict resolution approach based on the clan system model.

Chapter seven is the epilogue to this thesis.

1.3 Literature Review

In conducting research for this thesis, I relied to a large extent on my own knowledge and experience of Aboriginal cultures.¹⁰ I also conducted research in the following areas of literature:

1. Literature on traditional clan systems of Aboriginal Peoples, and on the processes for dispute resolution that are contained in these traditional systems. I focused on the clan systems of plains and woodlands Aboriginal nations. The research in this area that I found most helpful, was a paper prepared by Jim Dumont, an Ojibway scholar, for the Royal Commission on Aboriginal Peoples (1992). Very little attention appears to be given to the clan systems in the anthropological research on

¹⁰Aboriginal teachings are profound; neither this thesis nor any other could adequately reflect the whole of Aboriginal philosophies. This thesis deals with the general teachings common across Aboriginal cultures. More in-depth understanding of these teachings would have to be learned in the cultural context and under the guidance of a recognized teacher, usually whom are the Aboriginal elders.

Aboriginal Peoples in Canada; the largest portion is on the Iroquois, in research on the Iroquois' Great Law of Peace.

2. Literature on mainstream dispute resolution theory and approaches has been reviewed, focusing on inter-group dispute resolution approaches that involve consensus seeking. This research posed some very interesting issues as I progressed, particularly in the research that called question to the degree of mainstream culture influences the development of ADR. Laura Nader, Kevin Avruch, Johan Galtung and John Paul Lederach provided me with valuable insights on this and other issues in their research.
3. Literature on the philosophies of Aboriginal cultures, and on the values, ethics, behaviour and communication norms of Aboriginal cultures that have endured through the colonization experience. Rupert Ross's book, "Dancing with a Ghost (1992), and "Cultural Communication and Intercultural Contact" edited by Donal Carbaugh (1990) were helpful contributions to this research area. Jim Dumont's and Bazil Johnston's research on Ojibway culture was especially helpful, and additionally

credible, as research on Aboriginal cultures by Aboriginal people.

4. Literature on colonization and the impact of colonization on Aboriginal Peoples, and on de-colonization and healing initiatives of Aboriginal communities was reviewed. I looked to the work of Frideres and Galtung for theories on colonization, and to my own experience and knowledge to describe the impact of colonialism on Aboriginal Peoples. I found that little has yet been published on the relationship between the healing initiatives that Aboriginal Peoples are engaged in and our goals of de-colonization.
5. Literature on contemporary Aboriginal government institutions and organizations; the structures, processes, leadership, staffing and developmental issues and inter-group conflicts was reviewed. Research in this area is just beginning to be published, and what I found was generally incorporated into broadly focused research on Canada/Aboriginal Peoples relations. I relied to a great extent on my own knowledge, gained from previous experience as an Adult Educator involved in management training for First Nations.

6. Literature on adult education, particularly experiential education and training models which support culturally-determined styles of learning and action research was reviewed.
7. Literature on Aboriginal science and ways of knowing or indigenous knowledge was reviewed. In a sense, this is the "new, sexy issue" for non-Aboriginal researchers exploring Aboriginal societies. Pam Colorado provided the field with a very important piece of research in this area, in describing, from an Aboriginal philosophical perspective, the way to conduct Aboriginal culturally-appropriate research. (Colorado, 1988).

Chapter Two

ABORIGINAL PEOPLES: COLONIZATION AND DECOLONIZATION

As previously stated, discussion of conflicts within Aboriginal societies must be accompanied with an understanding of colonialism, and the impact that colonialism has on Aboriginal Peoples as its victims. This chapter explores how colonization of North America was implemented through a strategy of structural violence, which has become entrenched in Canadian society's relationship with Aboriginal Peoples.

The terms used to refer to the indigenous peoples of Canada and their descendants continues to be problematic. One of the major issues is that the distinctions and definitions of who are descendants of indigenous peoples, including legislative definitions, are based on colonial ideas, laws and concepts. Since first contact with Europeans, all recognition of citizenship of indigenous peoples has come to be framed within British and Canadian law. Recognition of indigenous peoples' original laws and conventions, and recognition of citizenship in an Aboriginal nation, has been ignored in legal distinctions created by the colonial governments. These distinctions, which are part of the inheritance of a colonial past obscure recognition of the inherent rights of the indigenous peoples of this land.

I have resolved to use primarily the term Aboriginal Peoples to identify all indigenous peoples of Canada. However, use of this label is not meant to imply that it reflects a more accurate definition of who we are as indigenous people. However, it is based on the one legal term, aboriginal peoples, which acknowledges the four major groups of indigenous peoples (Indians, non-Status Indians, Metis and Inuit.

As a result of the Constitution Act of 1982, Aboriginal Peoples have constitutional status in Canadian law, with unspecified rights, claims and entitlements. I have chosen to capitalize Aboriginal Peoples in support of the assertion that in spite of the ongoing argument about the unspecified rights, claims and entitlements of Aboriginal Peoples, sovereignty was never relinquished, or extinguished by acts put into place by the British or Canadian government."

Aboriginal Peoples are defined in the 1982 Canadian Constitution as Indian (which includes status, non-status and treaty Indian people), Inuit and Metis. Status Indians,

"Frideres provides a historical outline of the debate around Native sovereignty: "On the basis of certain historical documents, the Crown, until the twentieth century, recognized the inherent sovereignty of Indians." The European concept of sovereignty "suggests that a political state exists. ..in order for a state to exist, three conditions have to be present: population, territory, and government."

according to Canada, are inclusive of all Aboriginal nations who are recognized under the Indian Act. The Indian Act recognizes the Aboriginal descendants of all Aboriginal nations who entered into treaties with the Crown, as well as Aboriginal Peoples who did not enter into treaties. Non-status Indians are defined as Aboriginal people who never took treaty, were denied treaty or who lost treaty through forced or voluntary enfranchisement, or surrender of Indian status, under the Indian Act. Inuit are the indigenous people of the northern territories of Canada, with smaller populations in Labrador and northern Quebec. The Inuit never entered into treaties with the Crown, and their rights are under the direct jurisdiction of the British North America Act of 1867 (Frideres, 1988:16). The Metis are defined as having mixed Indian and non-Indian ancestry. Metis have only recently regained, through the 1982 Constitution Act, recognition as a legal entity with a corresponding right to make claims upon the Canadian state" (Fleuras & Elliott, 1992:15).

Ongoing negotiation is occurring in Canada that concerns almost every aspect of Aboriginal lives. These debates centre around a number of issues such as: what constitutes Aboriginal Peoples unspecified "rights claims and entitlements"¹² and how will these be defined; racism and inequity faced by Aboriginal

¹²See chapter two for further discussion of this issue.

Peoples; the legitimacy of Aboriginal land rights and impact on Canadians of land rights settlements; the meaning of self-government; provincial versus federal jurisdictions and responsibilities regarding Aboriginal Peoples; whether and how to dismantle the reserve system; and how to effect healing of the social dysfunction that exists in Aboriginal communities. All of these issues arise out of a particular reality of Aboriginal Peoples as colonized.

Although social and political patterns of colonized countries differ to the degree that some social scientists argue that comparisons cannot be made, in the case of Canada, the differences "do not obscure the fact that the indigenous peoples of Canada were unquestionably colonized and that their position on Canada today is a direct result of the colonization process." (Frideres, 1988:367).

Colonization is an inherently violent process. Johan Galtung, in his book, "The True Worlds" describes two kinds of violence; *structural violence* (exploitation, penetration, fragmentation and marginalization), and *direct violence* (tearing, piercing, crushing, exploiting, etc.) (1980:101). Galtung bases his theory on a definition of violence as "any cause of avoidable difference between potential and actual human self-realization." (1980:29). He describes structural

violence as a process whereby, through dominance or internal imperialism, one society dominates another within the same political borders (1980:107). Dominance "not as a series of deliberate actions by dominance-oriented people, but as a pattern of billions of acts, almost all of them routine, spun around the four themes of exploitation, penetration, fragmentation and marginalization." (1980:150).

Euro-Canadians seem to have a myth about themselves as pseudo-colonizers. They perpetuate the myth that their treatment of Aboriginal Peoples in the opening-up of Canada for settlement and development was a "kinder, gentler" colonization than had been the case in the United States and other parts of the world.¹³ However, Aboriginal Peoples in Canada have been victims of direct violence as war, as slavery, and as forced relocation.

Relocation of Aboriginal Peoples was a primary strategy used by Canadian colonials to gain access to Indigenous Peoples' territory. This practice continued into the twentieth century, when in 1953, Inuit from Port Harrison in northern Quebec and Pond Inlet on Baffin Island were relocated to Cornwallis Island and Ellesmere Island. Federal

¹³This Canadian attitude is described somewhat by Lipset in Continental Divide Chapter 10, "Mosaic and the Melting Pot"; Native North Americans, (p.174-177)

bureaucrats, and RCMP, who effected the relocation of the Inuit are challenging the Inuit claim that they were coerced to move and suffered extreme hardship in their new location.

Canadians perceive slavery to have only been practiced, in North America, by the United States. Weatherford, (1991:142) describes the preference that French settlers in Canada had for Native American slaves, and notes that slavery was legal in Canada until August 1, 1834.

Ponting (1989:63) referred to E. Palmer Patterson II, who noted in his book "The Canadian Indian: A History Since 1500" (1972), that in Canada, British General Jeffrey Amherst waged biological warfare against the Beothuks of Newfoundland, by knowingly distributing blankets infested with smallpox. This was an act of genocide.

Exploitation, penetration, fragmentation and marginalization - all the forms of structural violence - are, however, more characteristic of the strategies that were used in the colonization of Aboriginal lands and peoples in Canada. Structural violence has been entrenched in Canadian government policy to be implemented by government agents as opposed to armed troops. Although less overt, structural violence results in as much or greater impoverishment or destruction of

the societies of the colonized people. The impact can be seen in the high infant mortality, short life expectancy, high teenage suicide, family violence and substance and alcohol abuse.

2.1 Colonization and Structural Violence: the Theories

Frideres (1988), drawing on previous works by Kennedy (1945) and Blauner (1969), developed a seven part theoretical macro-model of colonization which is consistent with Galtung's theory of structural violence. Frideres model "presents the Indian reserve as an internal colony that is exploited by the dominant group in Canada. Euro-Canadians are seen as the colonizing people while Natives are considered the colonized." (1988:366). Although Frideres' focus is on Indians on reserves, Inuit and Metis have each experienced all aspects of structural violence and colonialism; however, the colonization strategies and experience vary between groups. The differentiation of status and recognition of rights of Indians, Metis and Inuit, as well as the creation of reserves are products of colonialism and are a source of conflict as well.

Table 2.1 brings together and compares the theories of Frideres on colonialism, and Galtung's theory of structural

violence that was described earlier in this chapter. The following points relate to Table 2.1:

1. Usually this takes the form of forced-voluntary entry; acting on its own interests the colonizing group forces its way into an area. In Canada, both French and English settlement followed this pattern." (Frideres, 1988:366). In Galtung's model it is referred to as exploitation/penetration.
2. "In Canada's case, Euro-Canadian colonizers destroyed the Natives' political, economic, kinship and, in most cases, religious systems. The values and norms of Native people were either ignored or violated." (Frideres, 1988:367). Galtung characterized both this area and the third area in Frideres' model as penetration and fragmentation.
3. Once broken, the institutions of colonized people are replaced with the oppressor's imposed institutions that consistently devalue the colonized. These structures set the stage for control over the colonized to be maintained.

4. The concept of marginalization speaks to unequal power and voice. In the idea of centre/margin, or, as has been interpreted by L.C. McCann, "heartland/ hinterland", power is acquired and held through economic domination; control of market accessibility, control of political decision-making, and control of communication, by "a highly urbanized and concentrated population which participates in a well-integrated urban system", defined as the heartland.¹⁴ McCann also defines the heartland as "well advanced along the development path and possess the capacity for innovative change" (McMullin, 1992). The definition itself is biased towards the Western world's conceptualization of itself, particularly concepts of development and progress. A more accurate description of the centre or heartland is that they are comprised of populations who organize to achieve their ideas of development, which are founded on strategic exploitation

¹⁴Stan McMullin's lecture on Marginality in "Modern Concepts of Canada" course; Canadian Studies, U. of Carleton. (Sept. 17, 1992)

Table 2.1: Theories of Colonization

**Frideres Theory of Colonization compared with
Galtung's Theory of Structural Violence**

Frideres Theory	Galtung's Theory
1. Incursion of colonizing group into a geographical area.	Exploitation/ Penetration
2. Destruction of the "social and cultural structures of the indigenous group"; through Christianization, legislation outlawing practice and assimilation policies.	Penetration/ Fragmentation
3. Imposed rule through establishment of external political controls.	Penetration/ Fragmentation
4. Forced economic dependence. Structural barriers curtail economic development or economic growth.	Fragmentation/ Marginalization
5. Provision of "low-quality social services to the colonized people.	Fragmentation/ Marginalization
6. Entrenched, systemic racism, supported by the colonizers' belief that they are genetically superior to the colonized race.	Fragmentation/ Marginalization
7. In the colonization of people of colour, the establishment of a "colour line, where indicators such as skin pigmentation and body structure are established to become the basis for determining superiority and inferiority", effecting social barriers that prevent interaction between the colonizers and the colonized.	Fragmentation/ Marginalization

Sources: "Native Peoples in Canada: Contemporary Conflicts" by James S. Frideres, Chapter 11. (1988:366)

"The True Worlds: A Transnational Perspective" by Johan Galtung, Chapter 4. (1980:107)

of resources contained in hinterlands.¹⁵ Galtung describes this fourth area of colonization as fragmentation/ marginalization, which also applies to areas 5-7 in Frideres model.

5. Low-quality services for Aboriginal Peoples continues to be a critical issue, even where the provision of child welfare, education, health, housing, and other services have been taken over by Aboriginal institutions, as funding needed to fully develop these services continues to be insufficient to the task. Initiatives of Aboriginal Peoples to further their access to natural resources, such as water, fish, land, minerals, forests, and wildlife, which could be developed towards a level of economic self-sufficiency, are plagued by both government constraints and fierce competition from non-Aboriginal competitors (Ellias, 1991:42).

¹⁵Centres or heartland populations build their power base with resources exploited from hinterlands, creating a hierarchy where resources flow inward from the marginalized hinterlands, and control flows outward from the centre. Centres maintain the imbalance they create by limiting any development in the hinterlands or margin that is not prescribed by the centre. The margin's ideas and resources are forced to flow towards the centre where they are refined and reformulated to support the heartland in maintaining its dominant position (McMullin, 1992). The centre orchestrates and maintains the margin's dependency on goods and services refined from resources exploited from the margin.

6. The history of the colonized is also expropriated and distorted to reflect the myths of superiority of the colonizer. A more subtle, but equally destructive, appropriation of the colonized people's culture, is the romanticization of the pre-contact culture of the oppressed, by which the colonized are then judged. The colonized are implicitly held responsible for the degree of deterioration that has occurred their culture: in essence, this is simply a way of blaming the victim. The colonizer uses the forced assimilation of Aboriginal Peoples to justify further expropriation of what remains of the culture. Expropriation of indigenous peoples science and spiritual ways is taking place all over the Americas (Barriero, 1992b:20). This is one example of what is being termed re-colonization.
7. Aboriginal Peoples today continue to be directly impacted by colonization; by the biased societal attitudes, systemic and institutionalized racism and oppression, that are the legacy of the colonization process. The strategies of re-colonization today are used to maintain marginalization of Aboriginal Peoples through cultural appropriation and control. Re-colonization is the reaction of the centre to autonomy building initiatives

of the margin so that the status-quo of power imbalance does not change.

2.2 Marginalization and Oppression

Although the theory of centre/margin was primarily developed to describe a geographic phenomena, in contemporary times particularly in Western society a number of groups of people have been identified as marginalized: people of colour, women, visible and ethnic minorities¹⁶, the youth and the elderly and religious sects. Aboriginal Peoples are marginalized as people of colour and as colonized people.

All marginalized groups experience structural violence. Often, the level of structural violence they experience corresponds to the degree of distance from the centre that they have been forced to occupy. The further away from the centre, the greater the structural violence. In Canada, the power holders who create and maintain the centre are a group that have similar characteristics; these largely are white

¹⁶Aboriginal Peoples in Canada are at times referred to as "ethnic minorities". However, the term "ethnic" implies a racial or cultural group within a nation. Aboriginal Peoples are not ethnic minorities. They are separate nations, and are the indigenous population of what is now Canada. Indigenous people are "the descendants of the original inhabitants of a territory taken over through conquest or settlement by aliens (AgaKhan, 1987).

males.¹⁷ If the structure of marginalization in Canada was symbolized using a three-dimensional shape, it might look like a cone that was segmented into levels. Memmi (xiv:1967) described the "pyramid which is the basis of all colonial societies". Galtung also describes the vertical division of labour and "steep centre-periphery gradient" of marginalization (Galtung, 1980:127). Even though specific groups have been identified as marginalized in the whole of society, each marginalized group attains power in the hierarchy according to the relationship they have been able to establish with the primary power-holders.

Aboriginal Peoples position in Canada is very much on the margin, as colonized peoples. The losses experienced in economic self-sufficiency, cultural identity and "power-over oneself" (Galtung, 1980:58) through oppression, are the primary cause of the state of dependency that developed in Aboriginal societies through our history as colonized Peoples. The term "internalized oppression" has been identified as a dynamic created in colonized peoples who have been subjected

¹⁷Women are, as a whole, a marginalized group. However, white English-speaking middle-class Protestant women have more power than French women or elderly women. The power that women hold in Canadian society is largely in the hands of white women, and more of the power that women have is concentrated in the hands of an elite group of white women who have a stronger relationship with the main powerholders in society. Conversely, the most oppressed women in Canadian society are Aboriginal women.

to direct and/or structural violence through the colonization process." Internalized oppression is evidenced in a number of ways. In Aboriginal Peoples it has manifested itself in much the same ways as that of other oppressed, colonized groups.

Colonization demands increased dependency of the oppressed on the oppressor. Albert Memmi (1965) spoke of the "adherence of the colonized to colonization" arising after colonial occupation: "In order for the colonizer to be the complete master, it is not enough for him to be so in actual fact, but he must also believe in its legitimacy. In order for that legitimacy to be complete, it is not enough for the colonized to be a slave, he must also accept this role. ..The colonized is forced to accept being colonized." (Memmi, 1967:89). For Aboriginal Peoples, this dependency finds voice in segments of Aboriginal societies who fear and protest the dismantling of the Department of Indian Affairs and Northern Development, for example, or who dispute the competence of

"Albert Memmi, (1967) The Colonizer and the Colonized The Orion Press, USA. Memmi describe the manifestations of internalized colonization in South Africans.

their own Aboriginal leaders to manage the complex tasks of governing their own communities.¹⁹

Colonization creates a lack of self-worth in the colonized; an emotional acceptance and behavioral acting out of negative stereotypes; stereotypes created by the oppressor to justify their mistreatment of the colonized: "As (colonized) people lose their cohesion with their world, they also lose touch with themselves; as they are in disharmony with their world, so are they in disharmony with themselves. They may dislike their world and themselves and act accordingly."²⁰

Aboriginal Peoples, as have other colonized indigenous peoples, have experienced the establishment of a centre and margin within our Aboriginal societies, that mirrors that of the relationships, created by colonialism, between the colonized and colonizers. Endeavouring to emulate the

¹⁹This was a strong theme of the presentation by Grace Meconse to the Royal Commission on Aboriginal Peoples Hearings in Winnipeg, Manitoba, August, 1992. Ms. Meconse berated the Aboriginal leadership as untrustworthy, corrupt and oppressive. What she described has basis in reality; however, it is another symptom of oppression that must be addressed by Aboriginal Peoples, not used as justification for maintaining imperial dominance.

²⁰F. Pepper and S. Henry, "An Indian Perspective on Self-Esteem" in the Canadian Journal of Native Education pp. 145, reprinted in the RCAP National Round Table on Justice Issues, Vol. 3, Report 10 prepared by Professor Mary Ellen Turpel.

oppressor, the colonized create an "elite" within the oppressed, or as described by Galtung, a centre of the periphery that communicates with and relates to the "centre of the centre" (Galtung, 1988:122). Marginalization by the elite of segments of their own population is maintained in exchange for limited access to resources, and for the illusion of power, received from those at the top of the hierarchy. The acceptance by the colonized of the colonization myth that colour and gender determine worth is a factor in the divisions that are created within their population. Marginalization of the oppressed by the oppressed elites is often based on blood quantum and gender determinants.²¹ The self-worth of the elite of the oppressed becomes attached to their pseudo-acceptance by the centre.

Violence turned inwards, manifested in interpersonal and social violence, depression, deviant behaviour and suicide increase are the terrible inheritance of colonialism. High levels of alcohol and drug dependency in the oppressed are

²¹The description by Memmi (1967:xiv) of the "pyramid which is the basis of all colonial societies" is evident in Canada's Aboriginal Peoples. The Metis often believe, that by virtue of their white blood, they are "a notch above" full-blood Aboriginal people. Full-blood Aboriginal people who subscribe to the myth that full-bloodedness is equated with racial superiority, view the Metis as inferior. Both groups have adopted sexist attitudes and oppress their own women. Kathleen Jamieson described the history of sexist oppression of Aboriginal women in "Sex Discrimination and the Indian Act" in Ponting's book, "Arduous Journey".

well documented consequences of colonization as individuals and families try to cope with their powerlessness. Colonialism is the primary contributing cause of the breakdown of family and societal structures that has occurred in Aboriginal societies, resulting in extremely high levels of family violence and crisis levels of child neglect and abuse in many Aboriginal communities.²²

2.3 Self-Government and Decolonization

Self-government requires Aboriginal Peoples to achieve economic self-sufficiency, social stability, cultural revitalization, and reaffirmation of our identity as distinct peoples. Self-government involves confronting and overcoming the many destructive dynamics and oppressive conditions that we continue to suffer as colonized people. The challenge is to de-colonize, and to revitalize the values and cultural

²²Teressa Nahanee's report for the Royal Commission on Aboriginal Peoples National Round Table on Justice Issues (Ottawa, Nov. 25-27, 1992), "Dancing with a Gorilla: Aboriginal Women, Justice and the Charter" provides some statistics on suicide (2.6 x the National rate from 1981-85); sexual abuse (est. 80% of Aboriginal girls and 50% of boys in NWT by eight years of age); spousal abuse (80% of Micmac women, 75-90% of women in northern Ontario reserves). The Winnipeg Free Press, in "A Special Report: Indians--Strangers in Their Own Land" (October 14, 1988) gave a synopsis of these issues on Manitoba Reserves. Their reality is no different than that experienced in the majority of the 601 plus reserves in Canada.

practices which we as Aboriginal Peoples determine are the foundation of the process.

It is only in the last 20 years that Aboriginal Peoples in Canada have been regaining some of the authority and resources needed to be able to re-establish our own formal institutions for government, and for community management and development (Fleuras & Elliott, 1992:39):

The perception of aboriginal peoples as a 'problem' to be solved constitutes a central motif in the evolution of government aboriginal policy and administration. An initial period of co-operation and accommodation was followed by a long-standing commitment to eradicate the aboriginal problem through government intervention and controlled culture change (Miller, 1989). Strategies for attainment of this objective have varied, ranging from a commitment to *assimilation* by way of *segregation, wardship, and protection* between 1867 and 1945, through to the era of *integration and formal equality* encompassing the post-war era to 1973. A preference for *limited aboriginal autonomy* has been in place since 1973, based in part on federal responses to aboriginal demands for self-determination across a broad range of political and economic fronts.

Institution-building is not a new phenomena in Aboriginal societies, despite the appalling lack of inclusion in mainstream literature of the study and analysis of societal organization achieved by Aboriginal nations prior to colonization. When seeking to extend their control over new territories, colonizers have always justified the colonization of indigenous peoples by denying the existence of

sophisticated forms of social and political organization within those societies. Colonialism includes the systematic dismantling of the colonized peoples' institutions, in order to impose external control by institutions of the colonizers. Consequently, much of the documentation of the colonizers is focused on refuting that the indigenous peoples who occupied lands had any form of civilization or organization. Aboriginal Peoples of Canada share the experience of land theft, the dismantling of our societies, and denial of our inherent rights as peoples with indigenous peoples around the world.

Although the societal organization of Aboriginal Peoples was generally contained within the boundaries of established intra-tribal relationships, history shows that the development of relationships between Aboriginal nations through formal organization and nation building had already existed when the first Europeans arrived on our shores. Five Iroquoian nations - the Mohawk, Oneida, Onondaga, Seneca and Cayuga - founded a coalition based on the Iroquois Great Law of Peace they received from the Peacemaker (Elias, 1991). This coalition, called the League of the Iroquois, was formed to deal with issues that affected all of their people (Frideres, 1988:263). The League entrusted each participating Aboriginal nation with a responsibility for the maintenance of good relations between

them, through preservation of what became known as The Great Law of Peace.

Although European anthropologists and historians date the establishment of the Iroquois League at around 1540, the Iroquois maintain that the league was established prior to contact with Europeans. In the oral tradition of the Iroquois, or Haudenosaunee, is the preserved knowledge of the influence that the Great Law of Peace of the Iroquois had on the formation of the American republic. Iroquois Confederacy statesmen "informed prominent colonists, including some of the Founding Fathers, on Indian concepts of democracy as embodied in their Great Law of Peace." (Barreiro:1992:2).

The colonization strategy, formulated by Europeans to take Aboriginal homelands, was designed specifically to assault and fragment those Aboriginal cultural institutions that posed any degree of potential for organized resistance. However, Aboriginal Peoples continued to resist - the people continued to practice many of their traditional ways, often in secrecy. The philosophy and traditions of Aboriginal People suffered a great deal, but were not extinguished, as is commonly assumed by the ethnocentric history and images of mainstream society, who generally view Aboriginal culture as something of the past and now dead.

Institution building by Aboriginal Peoples has undergone dramatic changes, but organizations and institutions, created by Aboriginal Peoples to manage our communities, never ceased to exist. Frideres describes four main types of formal Aboriginal organizations in existence today: national lobbying organizations, radical²³ organizations, multi-ethnic associations and local organizations; all of whom contribute to Aboriginal nationalism, and provide Aboriginal membership with a sense of identity (Frideres, 1988:270-285). Each of these organizations evolved out of Aboriginal Peoples continued resistance to colonialism.

The institutions that Aboriginal Peoples have created to provide political advocacy, leadership and/or services to our people and communities are grudgingly developed according to the models of mainstream society. Aboriginal institutions, in order to be recognized as legitimate, and to gain financial support from federal and provincial governments, hierarchial or "chain of command" models of organization have to be used. For Aboriginal Peoples, government support means that the retained policy control and fiscal accountability is to the

²³The term "radical" could be viewed as biased. One of Oxford's dictionary meanings of "radical" is "holding extreme political views". The bias is that the term is used to distinguish political views that challenge the status-quo as abnormal.

Canadian government, not to the Aboriginal communities these institutions are designed to serve.

The imposed models of organization and structures that Aboriginal Peoples are forced to adopt are contradictory to forms of organization that would naturally evolve out of the cultures of Aboriginal societies. Our cultures had evolved a much more equitable and shared distribution of power in organization, and used more participatory processes of decision-making. This incompatibility between traditional Aboriginal and mainstream organization structures has created a great deal of difficulty for Aboriginal Peoples.

Each of our institutions, whether political, economic development, education, health or social services, has as their formal mission or mandate the provision of specific services to their Aboriginal membership. But they are also involved in a larger mission of contributing to a process of cultural revitalization, as part of our common goal of overcoming the destructive impact of colonialism. It is the goal of each of our institutions to contribute to defining and achieving self-government. To this end, this powerful motivational force drives our development. It is our desire to instill the values of our own cultures in the foundation of our institutions and development initiatives.

The challenge of re-instilling our cultural values and perspectives in our institutions is very complex. These traditional perspectives have been drastically undermined through imposed Christianity, and by Euro-Canadian education that negates our cultures and languages. Renewal implies change, and the change we are pursuing has often caused the emergence of conflicts or disputes. Our people struggle between apprehension that the changes will jeopardize that which we value: our security or prior development, and the desire to undertake new initiatives aimed at improving our lives and communities and strengthening our cultures.

2.4 CONCLUSION

In pursuing development and self-government today, Aboriginal Peoples in Canada continue to be constrained in many areas. Aboriginal Peoples' land base, critical for economic self-sufficiency and for autonomy, has been taken. Adequate compensation or revenue sharing mechanisms have yet to be negotiated for the stolen land and its resources. The government of Canada and provincial governments provide what barely qualifies as subsistence level financial support for Aboriginal Peoples, either as wards of the state under the Indian Act, or as impoverished communities that qualify for support under social service policies.

Financial resources that Aboriginal Peoples need to engage in development, to decreasing dependency, have never been adequate and are increasingly scarce. When financial support is gained by Aboriginal Peoples for a development initiative, the funding is, too often, replete with restrictive and controlling criteria that present barriers to achieving the goals of the initiative. Funding has also usually been directly tied to assimilation or integration policies. Basic service funding received by Aboriginal Peoples for health, housing, education and social services have chronically been below the per capita expenditures to provide these services to other residents of Canada.

Artificial categorization and oppressive legislation still limit Aboriginal Peoples' freedom to develop our communities according to our own cultural values and our own goals for development. Knowledge and skills needed by our people to respond to the existing socio-political and economic realities of our communities, in ways consistent with our own cultures, are still underdeveloped.

Aboriginal community circumstances and Aboriginal issues are often sensationalized in mainstream media, which creates ambivalence in public opinion by playing on stereotypical images, and generating tremendous stress for Aboriginal

leaders who are forced to defend their positions on development at every turn. Each of these constraints we face are sourced in a continued strategy of colonization of Aboriginal Peoples by Euro-Canadians.

Despite the dramatic events concerning Aboriginal Peoples/Canadian relations in the last five years²⁴, attitudes of mainstream Canadian society towards Aboriginal Peoples follow the tradition of their ancestors, whose world view provided no conceptualization of the validity of "other"²⁵. Justice Thomas Berger summarized the tenaciousness of this attitude of white society towards Aboriginal Peoples:

"In this century our whole inclination has been to try to assimilate them. ...by telling them, "Your people have no culture worth remembering. You will be taught about our past and our history." "With all of the analyses being done by others, the most common misconception that the average white man has

²⁴Aboriginal MLA Elijah Harper and the Chiefs of Manitoba's success in blocking the ratification of the Meech Lake Accord in 1990, and the armed stand-off between the Mohawk of Kanesatake and the Canadian Armed Forces precipitated by the refusal by the Province of Quebec to recognize the Mohawks' indigenous title to traditional land, for examples.

²⁵Stan McMullin made the point of the "heartland" power-holders having no conceptualization of "other" in a class lecture on the concept of marginalization (October 14, 1992)

about First Peoples is that ... we believe that they don't want to be Indians; that they would rather be white men, and that simply isn't true."²⁶.

This attitude is changing slowly, as a result of the determined pressure that Aboriginal Peoples maintain, through lobbying both in Canada and internationally. This much needed attitude change is not without tremendous resistance from mainstream society, which has replaced colonial subjugation practice with entrenched policies of re-colonization to maintain dominance of Aboriginal Peoples.

The theories on structural violence described by Johan Galtung is particularly poignant in describing the struggles of Aboriginal Peoples today. Galtung describes two meanings of marginalization, and connects the process of autonomy building to position on the margin (Galtung, 1980:77):

There are two meanings of "marginalization" - those that are exploited and those that are kept outside. ..To be kept on the margin may be better than to be exploited because one might more easily become autonomous; on the other hand, one does not have access to any of the resources of the centre, either. One is out not in.

Aboriginal Peoples have experienced marginalization both as exploited and as excluded. But as Galtung points out, the

²⁶B.C. Supreme Court Justice Thomas R. Berger, in MacLean's Magazine Special Report "A Canadian Tragedy", July 14, 1986 written by Ray Corelli.

excluded are in a stronger position to develop autonomy, as "power-over-oneself so as to be able to withstand what others might have of power-over-others ...through building self-respect, self-sufficiency and fearlessness" (Galtung, 1980:58):

No actor, individual or collective, is autonomous in a social vacuum; autonomy is meaningful only relative to a given social context. In this context, "self-respect" can be defined as "confidence in one's own ideas and ability to set one's own goals," "self-sufficiency" as "the possibility of pursuing them with one's own means," and "fearlessness" as "the possibility of persisting despite threats of destruction."²⁷

It is out of this perspective on the relationship of autonomy-building to the social context of Aboriginal Peoples that comes the strongest rationale for conflict resolution to be centred in the culture, and for the approach to be developed and practised by the Aboriginal disputants themselves. It is more important that we make our own mistakes, and to evaluate and correct them, than to look outside for approaches and solutions.

Galtung, in analyzing the struggle oppressed peoples around the world, describes what he defines as a non-violent

²⁷Galtung talks about autonomy as differing from personal growth in being a structural characteristic. "Autonomy is a relation, personal growth is a quality." Galtung, (1980) pp. 58-59.

strategy to successfully combat structural violence. This strategy can be identified in the initiatives that Aboriginal Peoples are taking towards decolonization and self-government. Galtung's outline of "five phases of a successful liberation fight"; stresses that each real revolution will have a pattern and priorities of its own, but the phases will still be recognizable. Each of these phases are linked (Galtung, 1980:140-149):

1. Consciousness formation.

Much work has been done by Aboriginal Peoples within our communities towards creating awareness of our history as colonized, and promoting cultural and political autonomy. Aboriginal communities are much more aware today of our common social and political realities. To achieve this, barriers such as geographic, cultural and socio-political isolation between Aboriginal groups have had to be surmounted. Contemporary technology and organization building have greatly assisted in improving the opportunities for communication between Aboriginal communities.

2. Organization building

In Galtung's words, "consciousness building is part of autonomy and organization building is solidarity." Arrowfax, an Aboriginal business in Winnipeg owned by Marion Ironquill

Meadmore, published a national directory in 1992 that lists thousands of Aboriginal governments, tribal councils, organizations, corporations and businesses across Canada. Networking between Aboriginal organizations is increasing. The 1990s has witnessed incidence of solidarity virtually unimaginable among Aboriginal people in prior decades, given the structural constraints that work to prevent development of Aboriginal unity in Canadian society.

3. Confrontation

Galtung theorizes that confrontation, as well as education and propaganda, are highly effective consciousness-raising strategies. The confrontation between the Mohawks and the state in Oka during the summer of 1990 was probably one of the most powerful consciousness-raising events in the current generation of Aboriginal Peoples. Galtung describes how, as a strategy, the issue chosen on which to confront should be:

..chosen as to make the dominant group overextend itself, ..pitting the weak man's power-over-himself against the strong man's power-over-others. ..When brutal power then clamps down on them, the true nature of the repressive structure is revealed for everybody to see. ..In the confrontation the dominant group is sooner or later lured into an exaggerated use of violence that will demoralize it. (Galtung, 1980:143).

It is doubtful that the stand-off at Oka was planned as such, but it clearly demonstrated where the lines are drawn. Oka and the stoning of the Aboriginal people in Chateauguay was

appalling to many Canadians, but more than any example of systemic racism or structural violence, shocked Aboriginal Peoples into awareness. It exposed the power structures, and "made clear exactly when and where structural violence is converted into direct violence for its own protection."

4. Fight against dominance

This phase is, according to Galtung, critical in terms of determining whether the process engaged in will result in true structural change or be subverted into "gradualist and incremental" cyclical change of people in the positions of power who do the same things as the previous position holders; essentially leaving the structural oppression intact. Aboriginal Peoples are painfully aware of how often this tactic has been used against them by federal and provincial governments; they have also had this experience with their own leadership who have learned to replicate oppression: the oppressed becoming the oppressor. Aboriginal communities are giving increasing attention to ways to effect healing, and to eliminate opportunities for their leadership to engage in corrupt and oppressive behaviour, through revitalization of non hierarchial culture-based forms of social and political organization.

5. Self-reliance

This phase encompasses what has been said earlier about autonomy-building. However, it is the motivation for all action towards decolonization. Aboriginal Peoples are pushing to achieve greater self-reliance in every area of socio-economic and political development.

The inter-group, intra-cultural dispute resolution model that this thesis proposes is a self-reliance initiative. In the next chapter, mainstream perspectives on conflict, and the approaches to conflict resolution that arise out of these perspectives, are examined critically in terms of how these relate to Aboriginal concerns. This examination is intended to aid the reader in understanding the issues, and the probable consequences of mainstream dispute resolution theory and approaches, in Aboriginal Peoples struggle to de-colonize.

Chapter Three

CONFLICT AND ALTERNATIVE DISPUTE RESOLUTION

The intent of this chapter is to situate Aboriginal dispute resolution in mainstream Alternative Dispute Resolution theory. Towards this end, theories of conflict and conflict resolution are explored, with a focus on harmony models and the human needs theory that underlies most harmony models. Issues are identified regarding the application of these theories and approaches to conflicts experienced by disputants from Aboriginal cultures.

3.1 Issues in Theory and Practice

The systematic study of conflict is a growing field. The body of research available has largely been accumulated since the 1950s (Schellenberg, 1982:4). Although significant development of conflict theory has been accomplished²⁸, theory on conflict resolution is seen to lag far behind practice:

In the field of conflict resolution no less than in medicine, the tension between art and science,

²⁸Although a number of theories on conflict exist, each is incorporated into the theoretical frameworks of what are particularly Western fields of study; political science, law, behavioral science, psychology, economics, mathematics, sociology or anthropology.

practice and theory, is a basic one. Sometimes theory suggests a new practice ..but just as often, it seems, practice continues despite inadequate theory, or no theory, or just plain wrong theory. (Avruch et al, 1991:3).

Theory on inter-group conflict resolution is not well-developed; it is fragmentary and multi-disciplinary, with minimal sharing of information towards building of a comprehensive body of research (Fisher, 1990:37).

The Western world has a long history of addressing conflict through the legal system, which is cumbersome in its formality, costly and inherently adversarial in its approach to conflict resolution (Folberg & Taylor, 1984:4). The development in the West of alternative dispute resolution practice as an option to litigation, particularly mediation approaches, is seen to have begun in the 1960s.²⁹ The dissatisfaction of American society with the formal system of justice, and the desire for alternatives in dealing with the rising incidence of conflicts that were being experienced, generated a number of organizations that provided dispute resolution services (Folberg & Taylor, 1984:5).

²⁹The 60s were, as stated by Folberg & Taylor, the decade of "the Vietnam war protests, civil rights struggles, student unrest, growing consumer awareness, gender role reexamination, and statutory creation of many new causes of action." (1984:4)

Avruch argues that the focus on conflict resolution practice without corresponding development in conflict resolution theory presents a particular problem. Most of the practice is situated in the Western world, and emerging theory on conflict resolution is founded on what Avruch defines as "folk models of personhood", that are derived from white American culture (Avruch et al, 1991:5).

The white American folk model of personhood, Avruch holds, views the individual as an existential isolate, highly individuated and autonomous actor.

Through dispute resolution practice in white dominated American society, this folk model has come to represent a standard, one that predicates what is acceptable behaviour for disputants engaged in conflict. It also comes to represent theory, or minimally, an "expert system" out of which prescriptions for dispute resolution emerge with no "self-reflective consideration of the prescription's cultural (class and ethnic) provenance." (Avruch et al, 1991:7).

Existing conflict resolution theories conform to one of two main streams of Western research: game theoretical research and human needs theories (Avruch et al, 1991:33).³⁰ Three theoretical models of conflict have been developed out of "abstract, deductive study" within these streams of Western research (Gulliver, 1979:36-38). Each relies heavily on the development of an advance strategy for behaviour in negotiations.

Game theory, or the analysis of conflicts of interests through the use of mathematical equation, is the first of these models. According to Gulliver, game theory has tended to ignore the impact of social conditioning, as well as other variables that impact on conflict resolution.

The second model, the perspective of economists, is "bargaining theory". In this model "argument and analysis remain hypothetical, abstract, and deductive". Gulliver holds that "bargaining theorists are concerned with attempts to

³⁰"While this excludes a whole history of conflict theory, namely, the Marxist and Weberian frameworks, they are not theories of conflict resolution and as such have not played any real role in the development of conflict resolution. ..The current state of conflict resolution theory and practice reflects the diverse backgrounds of those who have been drawn to it. ..game theory and human needs theory are at present quite flawed.: (Avruch et al, 1991:33).

produce hypotheses relating to determinate solutions of conflict."

The third model, "manipulative theory" "emphasize(s) the importance of players' expectations of one another and their manipulation of opponents' perceptions of possible outcomes and assessment of costs and risks, and even of basic objectives." (Gulliver, 1979:38).

Gulliver noted four features of conflicts that have generally been given little attention in these theories. (Gulliver, 1979: 50-56):

1. Rules, norms, values and beliefs. ..negotiations are assumed to occur in a cultural vacuum such that perceptions, learning, and choices are unaffected by cultural milieu and by the social status of the negotiators.
2. Power. ..Game and bargaining theories almost universally ignore the distribution of power or, what amounts to the same thing, they assume that, like skills and knowledge, power is equally distributed to the parties.
3. [Also neglected are] ..the influences, limitations, and the effective compulsions brought to bear on negotiators by persons who are not directly participant in the negotiations.
4. Virtually all the models have failed to take account of a characteristic that is almost universal in actual negotiations. This is that disputes and conflict concern multiple issues or items that are in some degree interconnected and are evaluated in terms of multiple attributes. ...Bargaining Theorists have generally limited themselves to something like a single, readily measurable, divisible item. ..Included in that

assumption has been the notion that evaluation is linear, transitive, and stable.

Avruch supports Schellenberg's analysis, and adds to it a critique of the weakness of human needs theory:

Human needs theory fares no better. Although this approach has been a part of social science for some time, .. it is John Burton who is most often associated with human needs theory of conflict resolution. Burton's theory has been criticized for its emphasis on genetic determinism and its subsequent failure to take culture and social institutions into consideration. Although .. he modifies his position somewhat by accepting the thesis of Robert Boyd and Peter Richerson (1986) that humans have a "dual inheritance system", one cultural and the other genetic. .. (Burton's theory) does not answer the question of where needs come from, or whether some are more important than others; nor does it resolve the dilemma of ascertaining just how much culture influences human needs, dual inheritance system notwithstanding. Finally, Burton (1997, 1990a) sees power as irrelevant, claiming that it has no role in problem solving or conflict resolution processes. Conflict resolution as envisioned by Burton is a purely analytical process. Power becomes a "non-variable" when the parties to a conflict, with the help of a facilitation team engage in analytical problem solving.

What emerges is that each of these theoretical models hold serious flaws, which must be corrected before they can contribute fully to a comprehensive conflict resolution theory. Without an over-arching theory on conflict resolution, development of practice must occur from a much broader range that now exists. At present, the field of conflict resolution is dependent upon the "idiosyncratic

expertise of the individual practitioners" (Avruch et al, 1990:34).

Avruch (1991:4), echoing Gullivers' concern, warns of the dangers of practice-driven dispute resolution: "where practice is situated there is theory derived; ..assumed universal practice dismisses situated differences." Folberg (1984:319) concurs with Avruch in arguing for the importance of "culturally legitimated paths of behaviour" (Avruch et al, 1991:107) in conflict resolution approaches. Avruch highlighted the singularly most important issue identified by Merry in the practice of mainstream conflict resolution (1991:9):

Merry has written - mainly to remind certain jurists, proponents of Alternative Dispute Resolution and inveterate behaviourists - that disputing "is cultural behaviour, informed by participants' moral views about how to fight, the meaning participants attach to going to court, social practices that indicate when and how to escalate disputes to a public forum, and participants' notions of rights and entitlements. Parties to a dispute operate within systems of meaning....The normative framework shapes the way people conceptualize problems, the ways they pursue them, and the kinds of solutions they look for" (Merry, 1987:2063).

Galtung, in speaking on peace research, which is largely the study of conflict at the international level, stresses that "the anatomy of an action strategy has to be.. located in

the interface between culture and structure." (Galtung, 32:1980).

3.2 Harmony Models of Conflict Resolution

Existing models for conflict resolution appear in two distinctly different forms: adversarial or conflict models, and conciliation or harmony models (see Appendix 1). Game, bargaining and manipulative theories have produced adversarial approaches and models of conflict resolution. The field of Alternative Dispute Resolution encompasses both harmony and adversarial models, with approaches ranging from conciliation (harmony) to adjudication (adversarial). The primary distinctions between the models are in the basic assumptions about conflict and conflict resolution, voluntary or involuntary participation, the degree of formality of the approach, the use of third-party intervention, the nature of the proceedings, prospective outcomes, and enforceability of agreements.³¹

Harmony models are receiving strong attention in the field of Alternative Dispute Resolution, as they are assumed

³¹All of these, except for basic assumptions of conflict and conflict resolution, are identified as characteristics of dispute resolution processes are used by Goldberg, Green and Sander (1985) as the basis for a comparison of approaches. The table they developed is included as appendix 1.

to be less coercive³² than conflict or adversarial models. The assumption that harmony models are less coercive or controlling because of adherence to consensus-building may be less than true. Nader points out (Nader, 1990:44):

The history of the exchange of a conflict model for a harmony model does not indicate that harmony ideology is benign; on the contrary harmony ideology of the 1970s and 1980s is a powerful form of direct and indirect control.

Nader sees the growth of concern for harmony in the United States in the 1970s and 1980s as a concerted "movement against the contentious, the movement to control the disenfranchised, and the loss of concern with rights" which resulted in the development of "a harmony model of law that was intolerant of conflict, its causes, and its expression." (Nader, 1990:52).

Thus, harmony models in themselves cannot be considered to be non-coercive. The importance of critical examination of mainstream harmony models, in terms of their use with minorities or Aboriginal Peoples is also raised by Nader's research. Harmony models are promoted as more conducive to the maintenance of autonomy through consensus-building. Nader

³²Shellenberg distinguishes between force and coercion (Schellenberg, 1982:226): "Coercion", though close to force in its connotations, is somewhat different in its locus of action. Force emphasized the agent of influence and the means of bringing its influence to bear; coercion emphasized the effect, the process of being impelled regardless of one's own will." Coercion can occur through simple obedience to authority, especially if the persons involved see no other choice as effectively available." (1982:229).

comments on how harmony models have been used by societies, to maintain autonomy, as well as against societies by oppressors, for the purpose of pacification in "colonial and missionizing contexts" (Nader, 1990:52):

Harmony may be used to suppress peoples by socializing them toward conformity in colonial contexts, or the idea of harmony may be used to resist external control.

The critique of harmony models holds special significance for indigenous peoples, as an assumption seems to exist that harmony models are consistent with indigenous values and societal structures, thus are more relevant, and culturally appropriate, to indigenous cultures. If harmony models are understood as inherently coercive, an analysis of the models, and of the intent and purposes of their use, would reveal whether the coercive aspect of the models is towards protection of autonomy of the users, or is towards the maintenance of external control over the users. For colonized peoples, the analysis must be cognizant of the danger of harmony ideology being used as a strategy of re-colonization.

3.3 Conflict Resolution Theories/Human Needs Theory

As stated earlier, existing conflict resolution theories conform to one of two main streams of Western research: game

theoretical research and human needs theories (Avruch et al, 1991:33). In the Human Needs stream, theories correspond to one of three perspectives: biological, social-psychological and sociological. The first two perspectives, biological and social-psychological, give rise to a focus in conflict resolution approaches, that conflict arises primarily out of perceived deprivation of what are determined to be fundamental human needs. Satisfiers are held to be primary, for the satisfaction of human needs. Much argument continues to exist on what constitutes fundamental human needs, and what are the necessary conditions or satisfiers for the gratification of needs (Burton et al, 1990).

Galtung's view is that consideration of basic human needs is an indispensable aspect of conflict resolution approaches. All development, including settlement or resolution of conflicts, is ultimately towards "the development of human beings." (Galtung, 1990:302). What is taken to be necessary for the development of human beings in many of the existing alternative dispute resolution approaches has been based upon models of human needs that arrange needs into a continuum or a hierarchy: Maslow's Hierarchy of Needs³³, for example.

³³Maslow's theory, or Hierarchy of Needs, working from the bottom level upwards, are (1) physiological maintenance, (2) safety and security, (3) love and belongingness, (4) self-esteem and (5) self-actualization (Burton et al, 1990:62).

However, the definition of human needs, and what constitutes basic human needs contain powerful, culture-bound concepts. Maslow's hierarchy of human needs can be seen, according to Galtung, as "a very precise sophisticated translation of Western culture into a theory of needs." (Galtung, 1990:323).⁴

As normative theory, charts that rank human needs are used in conflict resolution to assess the validity of disputants' levels of need. Western bias is towards giving priority to material human needs, while at the same time fostering a perception of scarcity. This guarantees the occurrence of conflict, "conflict that can serve to arrange human beings vertically and individually." (Galtung, 1990:311). Galtung argues:

The normative thesis may thus serve as a pretext for deliberate inattention to non-material needs, claiming that the "time is not yet ripe." Both individually and collectively, this may serve as a basis for indefinite postponement.

⁴In the Human Needs stream of existing conflict theory, low self-esteem is considered an important factor in how individuals perceive conflict, and in how they respond in a conflict situation (Fisher, 1990:64). Sandole indicates that the importance of group identity, over self-esteem, among "those who have been disenfranchised through a prior colonial relationship", is particularly acute, originating in the fear of group extinction. (Avruch et al, 1990:62). The interrelationship between de-colonization, cultural retention, group identity, and self-esteem present a challenge to the applicability of most existing human needs theory to colonized peoples.

Galtung poses the strongest argument against use of hierarchial constructs of human needs as a foundation for conflict resolution theory and practice (1990:321):

What could be better for reproduction of the marginalization of the masses of our societies than a hierarchy of needs, having at the bottom people whose major concern it should be to have material needs (physiological and safety needs in Maslow's parlance) well taken care of before they can or ought to (the ease with which one slides from descriptive to normative statements here is part of the mechanism) proceed to non-material needs? ..Elites will be the first in propagating the idea of "material needs first" under the guise of humanitarianism, thereby preserving the marginalization for generations still to come, given the magnitude of the job of "meeting the basic needs of those most in need" when it is done the way these elites suggest - managerially.

Inherent to the basic human needs approach, therefore, is the potential for colonialism and re-colonization to be structured into conflict resolution theory and practice.

3.4 Perspectives on Conflict and Conflict Resolution

Fisher defines conflict as "a social situation involving perceived incompatibilities in goals or values between two or more parties, attempts by the parties to control each other, and antagonistic feelings by the parties toward each other." (Fisher, 1990:6). Conflict, in this perspective, comes as a result of the breakdown of the potential for maintained harmonious relations between interdependent individuals or

groups. Human needs and interests for security, identity, participation and control over their own destiny are seen as the source of conflicts that occur between people or between groups (Fisher, 1990:5). Conflict is viewed as initiated when needs and interests of people are frustrated, resulting in tense competition.

In this view of conflict, there exists not only a belief that conflict arises out of differences in needs and/or interests, but that needs and/or interests are based on the potential or real availability, or the potential or real scarcity of resources to address the conflict - human or material, knowledge or information, and power.

Conflict implicitly assumes that disparity of needs and interests of people is accompanied by strong responses. Disputants in a conflict experience feelings such as anxiety and anger which are indicators that conflict is present. These feelings come out of a perspective that the unmet needs or interests are the result of deprivation of something, that is understood by disputants as within the frame of what is their rights. The frame of what is perceived as individual or human rights is culturally-influenced. Disparity exists in many forms in human conditions. It is the perception of an unfairness, of the occurrence of something unethical or

immoral, that provokes conflict. Ethic and moral standards arise out of the values held by people within their culture.

The existing approaches generally advocate that disputants or mediators of disputes use logic in their dispute strategy to surface the individual interests of the disputants, so that a process of problem-solving or solution finding can be engaged that will best satisfy these individual interests. These approaches assume delicate handling of the egos of the disputants involved is necessary, in order to bypass the emotional affect of the conflict that could trigger aggressive impulses and hostility which might lead to violence.

Avruch cautions that many of these approaches contain the firmly entrenched folk model of white middle-class American culture with its prescribed expectations of rational-linear thinking, calm and unemotional behaviour. I would add that they also include concepts of basic human nature and of logic that conform to Western thinking. Cultures each have their idea of what constitutes logic, and their own perspectives on egoism and acquisition. Each culture contains their own ethics and customs concerning emotional expression in conflict situations. Often, these are not congruent with the ideas of

logic, or with the ethics and customs that underlie the white American culture's concept of personhood.

An inter-group perspective on conflict is that conflict "is based upon the structure of society and the interests of different groups within that structure. Conflict, in this perspective, is a product of human groups struggling for position within the overall framework of society." (Schellenberg, 1982:10). This struggle is very familiar in the experience of indigenous peoples and minorities who have experienced oppression, as having lesser-power in conflicts, or in determining an approach to resolution that recognized their rights.

One negotiation approach that is particularly well known, and referred to in a number of different books on conflict resolution is Roger Fisher and William Ury's "Getting to Yes". Table 3.4a on page 66a and 66b makes a comparison of an Aboriginal cultural perspective on conflict and conflict resolution and Fisher and Ury's approach. Fisher and Ury addresses a number of important issues common to conflicts. The differences between their perspective and Aboriginal cultural perspectives is mainly held in the individualist orientation of their approach, as compared to a collectivist orientation in Aboriginal cultural perspectives.

Table 3.4a: Comparing Mainstream Society and Aboriginal Perspectives on Conflict Resolution

Individualist	Collectivist
"Getting to Yes"³⁵; Principled Negotiation on the Merits	Aboriginal Culture-based Negotiation based on Values and Ethics
Participants are problem-solvers.	Participants are whole persons, each with unique giftedness to bring to conflict resolution.
The goal is a wise outcome reached efficiently and amicably.	The goal is a wise outcome reached holistically, through reflection and attention to all aspects, human and spiritual.
Separate the people from the problem.	Respect relationships between participants and the ethic of non-interference. Understand and respond to the interconnectedness of humans and human problems.
Be soft on the people, hard on the problem.	Approach problem through roles and responsibilities of participants; maintain focus on determining a holistic solution through reason.
Proceed independent of trust.	Trust humans to be human. Create safe, appropriate contexts in which respectful interaction can take place.
Focus on interests, not positions	Focus on interconnected roles and responsibilities within an ongoing relationship as the primary structure in which individual autonomy is negotiated.
Avoid having a bottom line.	Establish common values as the centre, out of which agreements can be formed.

³⁵Roger Fisher and William Ury's "Getting to Yes: Negotiating Agreement Without Giving In". (1981).

Table 3.4b: continued;

Individualist	Collectivist
"Getting to Yes"³⁶ : Principled Negotiation on the Merits	Aboriginal Culture-based Negotiation based on Values and Ethics
Invent options for mutual gain. Develop multiple options to choose from; decide later.	Explore each aspect of the conflict, relate to experience, and pursue synthesis - the process or result of building up separate elements, especially ideas, into a connected whole.
Insist on using objective criteria.	Promote a holistic perspective, where mental, emotional, physical and spiritual aspects of humanity are given balanced consideration.
Try to reach a result based on standards independent of will.	Exercise goodwill, respectful of both individual and collective perspectives and needs in determining solutions.
Reason and be open to reason; yield to principle, not pressure.	Expand reason through dialogue and effective use of available resources. Relate reason to principles or fundamental truths.

³⁶Roger Fisher and William Ury's "Getting to Yes. Negotiating Agreement Without Giving In". (1981).

3.5 Communication and ADR Approaches: Cultural Implications

A number of alternative dispute resolution models are based on a step by step problem solving approach that is dependant on the use of what are commonly known as communication skills. Communication skills are taught in the social sciences; they are formulas for using the English language to build rapport and enhance verbal communication between people. They are taught in social work and counselling programs, and have attained broader acceptance in society through their incorporation in many human services, education and training, as well as in management and customer service training.

Alternative dispute resolution approaches generally all assume co-presence of disputants or their representatives, where communication for the purpose of resolving the conflict can occur. Folberg outlined a list of skills and techniques that are recommended for mediators, which include: trust and rapport building skills, interests and needs assessment skills, option inventory skills, techniques for dealing with anger, empowerment skills, refocusing and reframing skills, reality-testing skills, paraphrasing skills, negotiating skills, techniques of breaking deadlocks, pattern and stereotype-breaking skills, humour skills, goal setting

skills, strategic-planning skills, rewarding and affirmation techniques, techniques of balancing power, conflict-identifying and analysis skills (Folberg, 1984:240).

The skills identified by Folberg include a whole range of what are often classified as communication and counselling skills in the social sciences. The primary goals of the mediator in using these skills are to create an environment of safety, to increase dialogue between speakers, to demonstrate and establish empathy between disputants, to facilitate articulation of feelings and opinions clearly in a non-judgmental manner, to surface individual interests, clarify information, to facilitate articulation of the conflict issues to be workable, to help generate possible options, and to lead the disputants towards an agreement. A great deal of emphasis is placed on the skills of the mediator.

However, communication and counselling skills are basically verbal and non-verbal talk and interaction structuring techniques; their effectiveness is based on their congruence with the interaction norms of the culture of the people with whom the skills are being used.

Communication between disputants, towards the creation of a shared understanding, is difficult enough when the co-

present individuals are of the same culture and language. When they do not share the same culture and language, and communication is being facilitated by an intervenor or mediator, the intervenor's success is centred on the ability to facilitate increased understanding between the co-present individuals or groups. This is accomplished by offering a structured communication process that is congruent with the language(s) and culture(s) of the disputants. When, however, the structure of the communication is not congruent with the interactional systems of any or both of the disputants, successful mediation is much less assured.

Chick identifies how an even more serious problem than miscommunication can result, when the structured communication process used is that of a dominant people or culture, and is used with members of a dominated culture (Carbaugh et al, 1990 240). He noted that research carried out by O'Barr and Atkins (n.d.) on interactions between South American English and Zulu-English speakers, and by Lakoff (1979) on differences in the targeted behaviour of male and female subcultures in the United States, reflect the tendency for the dominated group to adopt deference strategies in their interactions (Carbaugh, et al, 1990:240):

The findings of O'Barr and Atkins (suggest that) ..the features of women's language identified by Lakoff (1975) correlated less with sex than with social status. ..Based on this evidence, they

suggest that the tendency for more women to speak what they call 'powerless language' is due, at least in part, to the fact that they tend to hold relatively powerless positions in society. Similarly, the tendency for men to use "powerful language" is related to the tendency for them to hold powerful positions. .. When the lowly status of a group persists over a long period of time, deferential behaviour associated with the less powerful participant in an asymmetrical politeness system can become a conventionalized, targeted communication style.

Chick (1990:242) notes that these deference strategies used by less powerful groups in their interaction with members of dominant groups appear to be survival strategies, as often the "ability to improve their socioeconomic positions depends vitally on successful communication with persons belonging to the dominant group" who "have the power to decide who is to get opportunities and a greater share of help, goods, and services a society has to offer".³⁷ Chick recognized how this kind of miscommunication between dominant and dominated groups, over time, contributes to the development and perpetuation of negative cultural stereotypes through misinterpretation of motives and under-evaluation of abilities.

³⁷Daniel Francis, comments that in the White version of Canadian history, Indians seemed to represent "a threat to the "national dream" of a transcontinental nation. Once the dream became a reality, Indians, no longer a threat, were characterized as a problem and marginalized on reserves. Non-Natives infantilized Indians, imagining them to be children incapable of taking on the responsibilities of the adult world and so condemned to a state of dependence." (Francis, 1992:222).

The potential exists that when working with colonized peoples such as Aboriginal Peoples, a conflict resolution technician from dominant society will experience the use by the Aboriginal disputants of a powerless style of language. This could trigger a misdiagnosis by the technician, that could result in the technician believing that a more directive approach is needed, which in return, could further influence the use by the disputant of deferential behaviour in their interaction with the technician.

To a degree, then, the attention mainstream society gives to the assumed need for Aboriginal people to develop stronger self-esteem, and greater assertiveness, may well be tied to a misunderstanding, by non-Aboriginal intervenors. They need to become familiar with the use of powerless language in Aboriginal/White interaction, which is triggered by the structural inequity of Aboriginal Peoples in relation to dominant society, which non-Aboriginal intervenors represent.

In conflict situations, communication tends to become incredibly vulnerable to breakdown. When the processes of a dispute resolution approach used to facilitate communication poorly matches the language and culture of any of the co-present disputants, further entrenchment of the conflict, rather than facilitation of its resolution can result. The

processes to effect communication need to be able to facilitate removal of barriers, not create them.

Alternative dispute resolution approaches based in the English language are also based on the implicit assumptions of communication in English. The structures, timing and processes contained in these ADR approach, for example, are generally designed to conform to the interactional system of the English language, which has its base in European cultural norms.

Cultural determinants of effective interaction are vitally important. The interactional protocol, or systems of language, develop out of the value base of the culture that uses the language. As the model that I am proposing is designed for use by Aboriginal groups, the model would be seriously flawed if it is unable to facilitate the development of an approach that is congruent with the interactional systems that arise out of the culture and language of the Aboriginal users. Chapter five looks at common ethics or rules of behaviour, and common interaction or talk behaviour, of Aboriginal people. The training approach for using the model, which is outlined in the sixth chapter, contains a process for Aboriginal users to identify these more

specifically, so that they can use the knowledge in designing their conflict resolution approach.

When speaking of interactional systems, it must be emphasized that language does not dictate learned interactional patterns. Culture shapes the language. For example, in Aboriginal communities where the use of English has become predominant, the interactional systems of the originating culture continue to be very powerful and influential (Carbaugh et al, 1990:260). English (or French) has been fit into the interactional system of the culture in which the people interact, altering the interactional patterns common to English to such a degree that miscommunication is still a serious concern in cross-cultural communication between English speaking Aboriginal people and non-Aboriginal people.

Interaction systems are founded on cultural values, and reflect ethics or norms of behaviour developed to support the values of the culture. The protocol of interaction is held in the relational and non-verbal aspects of interaction systems as well as in patterns of talk distribution. A comparison of Aboriginal discourse system norms to English discourse system norms is included in chapter five.

3.6 Parameters and Principles of Conflict Resolution that Work Across Cultures

The following parameters for defining what constitutes conflict resolution were developed by Burton. He recognized that many of these would be familiar to practitioners of Alternative Dispute Resolution, as well as to researchers engaged in the study of international conflict. (Burton, 1990:1500):

1. Complete, in that the issues in conflict disappear from the political agenda and/or cease to have any salience for the parties to the agreement.
2. Acceptable, generally, to all the parties to the dispute, not merely to one side, or to elite factions within the adversaries.
3. Self-supporting, in that there is no necessity for third-party sanctions (positive or negative) to maintain the provisions of the agreement in place.
4. Satisfactory to all the parties in the sense of being perceived as "fair" or "just" according to their value systems.
5. Uncompromising, in the sense that the terms are not characterized by the sacrifice of goals as part of a compromised, "half a loaf" solution.
6. Innovative, in that the solution establishes some new and positive relationship between the parties.
7. Uncoerced, in that the adversaries freely arrive at the solution themselves without any imposition by an authoritative (but perhaps non-legitimized) outside agency.

When these are considered in conjunction with principles from which to approach conflict resolution, a more

comprehensive framework emerges. Three principles, proposed by Schellenberg, appear to hold relevance across cultures:

Resolution through reason: .."Reason" ..may be held to mean a set of standards for thought and action which grow out of general human experience, reflectively considered. ..Our basic search is for a framework which goes beyond the short-term objectives of parties locked in conflict, a framework which, when applied to these parties, may help them see beyond their immediate case. ..Reason and justice cannot so simply be seen as servants of whoever holds political power. ..Power may be viewed ..as the total persuasive power residing in symbolic value systems as well as concrete political and economic systems. (Schellenberg, 1982:235).

The habit of truth: ..as "the habit of testing and correcting the concept by its consequences in experience".³⁸ ..By cultivating the habit of truth (through the patient accumulation of facts and their interpretation through rational debate among persons most fully informed), we cultivate as well a means for keeping our petty quarrels in proper perspective. (Schellenberg, 1982:254).

Effective peacemaking requires, above all, that a conflict be resolved in the context in which it occurs." ..An idealistic rhetoric of peacemaking counts for little unless it can be accompanied by a recognition of the real interests at stake and how these may be accommodated. (Schellenberg, 1982:258).

The control of conflict and its resolution is often assisted by a broadening of the identities of the parties. To the extent that they can transcend their identities as parties in conflict, the conflict becomes less acute. And when a broader perspective can be shared by the parties, a resolution of the conflict becomes much more likely.

³⁸Schellenberg, quoting Jacob Bronowski.

Each of these principles are contained in the Iroquois Great Law of Peace (Mohawk, 1992:34-9). The combination of parameters that define what constitutes conflict resolution, and principles on how to approach conflict resolution, present a strong set of guidelines that can be used as a basis for development of approaches. These are significant in the sense that they do not infringe on the rights of autonomy of the disputants, to resolve conflict from within their culture base, and to cultural-based legitimate approaches to conflict resolution.

3.7 Conclusion

Conflict resolution practice centred in the Western world, when based primarily on the presumptions of Western middle-class white society becomes essentially assimilative when applied, as is, to conflicts between people of other cultures. The lack of established theory on conflict resolution, as practice continues to develop, poses a serious problem for people of marginalized cultures who are increasingly challenged to conform to practice models of mainstream society in resolving intra-cultural or inter-cultural disputes.

Research which brings to the surface the cultural bias of mainstream models is still on the leading edge in the conflict resolution field, and much more is needed. Greater attention needs to be paid to the identification of the range of culturally-based concepts of human needs, and to what is integral to satisfaction of human needs, in conflict and approaches to resolution. This knowledge must be incorporated into the development of an over-arching conflict resolution theory, one that accommodates and respects cultural diversity and the impact of culture in conflicts.

For Aboriginal Peoples, although human needs satisfiers, of housing, health services, family services, employment, education, and economic development, for examples, are very important, they do not take precedence over what are fundamental human rights and inherent Aboriginal rights: for example, the right to protect our cultures and languages and to govern ourselves according to our cultural philosophies. One of the conclusive elements of self-governance is when a nation has internal structures and processes in place to maintain effective functioning as a nation, including the philosophy, organization, and practices to effect resolution of conflicts.

Chapter Four

TRADITIONAL VALUES COMMON TO ABORIGINAL CULTURES

The purpose of this chapter is to demonstrate that, despite vast diversity in geographical location, language, culture and social structure, Aboriginal Peoples share some values, which, although contained in the cultures of other peoples, are philosophically distinct to Aboriginal cultures. These values will be identified, and the perspective commonly held by Aboriginal people towards each value will be described.

4.1 The Historical Basis for Harmony between Aboriginal Nations

The geographically diverse regions of North America support many Aboriginal culture and nations. The philosophy of these nations are based on a spiritual understanding of the relationship of Aboriginal people to the land, the sustainer of all life. This understanding developed over thousands of years of living in harmony with the land. Aboriginal languages are capable of explicit and implicit articulation of this philosophy and a science of the cultures in which it developed.

Aboriginal nations indigenous to North America share many aspects of language, ways of life and culture. Although homogeneity does not exist between Aboriginal Peoples, and most likely never will, Aboriginal world views possess many similarities, which cannot be explained by comparing hunter-gatherer or agrarian lifestyles of the different nations as the basis of the commonality.

Unity, the sense of harmony or concord between groups, had been well-established between different Aboriginal nations prior to contact with Europeans. Formal relationships existed with neighbouring Aboriginal tribes. Trade protocol was reinforced by the development of kinship ties between nations, which presuppose shared cultural values concerning relationship and autonomy boundaries. Trade routes were well established throughout North America prior to contact with Europeans, so well that indigenous goods bartered and gifted from nation to nation travelled thousands of miles from the source of origin of the goods.³⁹

These trade routes facilitated more than just the exchange of goods. Aboriginal elders and historians retain

³⁹This information was shared with me in 1981 by Dr. Lee Simms of the Museum of Manitoba. Dr. Simms had evidence of artifacts that predate contact, found in central North America, that could only have originated on the west coast; for example, dentillion shells.

the knowledge of many songs and ceremonies that were shared between like cultures of Aboriginal nations. As well, linguists have developed an extensive body of research on the linguistic and cultural kinship ties of Aboriginal nations. These ties demonstrate that sharing of cultural practices was widespread before contact with Europeans, and before colonization. One of the greatest disruptions created by colonialism was the disruption of trade routes and exchange of culture and spiritual practices that was occurring between Aboriginal Peoples.

Europeans brought with them to the Americas a very different understanding of humankind's relationship with the each other, and with the physical and spiritual worlds, one that was oppositional to the understanding shared by Aboriginal Peoples. European approaches to human development emphasize mastery over other people and the natural world, supported by Christian beliefs of a right to dominion over the earth that extends from God. Christian belief has included, for hundreds of years, the idea of original sin, whereby humankind is born evil and only attain goodness through dedication to God and mastery over self and nature.

The belief held by most Aboriginal nations is that human beings are born innately good, and life on our Mother the

Earth is our opportunity to grow in goodness and spiritual wholeness on our journey towards the Creator. The Aboriginal teaching of the Red Road is about the path that we walk in life. The Red Road is symbolized in many ways: in ceremonies, in the construction of ceremonial lodges, and in sacred objects. The Red Road is travelled from the east, where life comes from, to the west, where we leave to go to our spiritual home with the Creator. If one walks the path alone, the trail is hard and treacherous. When we walk together, the trail widens and becomes easy to travel. In this belief, human development is based on striving to achieve greater spiritual development, through sharing, kindness and respect for others.

4.2 Aboriginal Cultural Imperatives

Despite misconceptions and divisions that have been incited and perpetuated by colonialism, Aboriginal cultures retain many values that come out of a fundamental belief in humankind as innately good, striving to achieve greater spiritual development through human activity:

The value systems of most Aboriginal societies hold in high esteem the interrelated principles of individual autonomy and freedom, consistent with the preservation of relationships and community harmony, respect for other human (and non-human) beings, reluctance to criticize or interfere with others, and avoidance of confrontation and adversarial positions. (Hamilton, Sinclair, 1991:36).

These value systems, termed "cultural imperatives" by Hamilton and Sinclair, are contained in the philosophies of Aboriginal Peoples. They provide the foundation for Aboriginal Peoples' strong commitment to the maintenance of balance in the relations among humankind, and between humankind and the natural and spiritual worlds. These values are directed towards the achievement of peace and harmony, and they exert a powerful influence on attitudes and approaches towards the resolution of social conflicts. Each of these values are critical, not only in terms of the orientation of the values regarding conflict, but in the influence each value has on the choices Aboriginal people believe are available and appropriate in conflict situations.

The fields of anthropology and sociology have conducted quite extensive study of the "cultural imperatives" of Aboriginal and other indigenous peoples, from widely different geographical locations, linguistic origins, and cultures. One Ojibway scholar, Jim Dumont, a recognized teacher in the Midewiwin Lodge of the Ojibway and a university professor, draws on his own experience of Aboriginal spiritual and cultural teachings, as well as on the work of anthropologists and other mainstream professionals, to develop a theory of shared or core "value categories" of Aboriginal Peoples.

Dumont compared research on the primary values of the Ojibway, Siouan, Western Apache, Inuit and Cheyenne, as nations who had maintained their values through successive relocations from their traditional homelands. Dumont worked from the "assumption that there is a degree to which certain key Native values can be 'universalized' to be representative of most Native cultures in North America, .. values that are sufficiently resistant to acculturation so as to persist over time and through various assimilative forces." (1992:3)⁴⁰

Nine different "value categories" are identified in Dumont's research that are contained in the Aboriginal cultures studied: (1) Vision/Wholeness; Spirit Centred, (2) Respect/harmony, (3) Kindness, (4) Honesty/integrity, (5) Sharing, (6) Strength, (7) Bravery/courage, (8) Wisdom, and (9) Respect/humility. Although these values are contained in many different cultures, the perspectives shared on these values, and how they are expressed, distinguish Aboriginal cultures from Western cultures in North America.

⁴⁰The sum works of these authors and scholars supports what many Aboriginal people know by our own experience; that we share similarities in value orientations with other Aboriginal Peoples, which are still strong in contemporary Aboriginal society. Dumont's work provides a clear description of the commonality in cultural perspectives that form the basis of how Aboriginal people interrelate.

The value category that Dumont defined as "vision/wholeness; spirit-centred" encapsulates the awareness and profound respect that Aboriginal people share for the sacredness of all of creation. That all of creation is spirit-centred is the truth that is fundamental in Aboriginal philosophy. The value of spirit-centredness is demonstrated often, in that each significant action or undertaking is preceded with an acknowledgment of the sacredness of life. Common ways to make this acknowledgement are by offerings of tobacco, prayers of acknowledgment and thanksgiving to the Creator and to all our relations: the sun and moon, the earth, the winds, the animals, the winged, the fish, the plants, all who contribute to the sustaining of life.

This value also reflects the philosophy of wholeness; that as human beings, our task is to strive to achieve wholeness in our mental, physical, spiritual and emotional self. Prayer and cleansing ceremonies are used to help create a perspective of "we" as opposed to the perspective of "I" or "God and me", so that one can more easily achieve a holistic understanding.

The relationship with and interdependence of humankind with all that is -- the land, nature, the spiritual forces and each other, is the basis for the values of respect and

harmony. Interaction is focused on maintaining balance between "all life and forces" (Dumont, 1992). Respect, as well as the other values, is demonstrated through consistent practice of what could be termed intentional behaviour; "careful consideration of all aspects of the new situation before acting." (Ross, 1992:36). Intentional behaviour begins with an assessment of the impact of each possible action on the maintenance of respect and harmony. Many of the teachings of Aboriginal people are symbolic constructs that demonstrate the importance of balance; the most commonly known might be the Four Directions Teaching or the Medicine Wheel. It is in these teachings that are held indigenous theory.

The value category or construct of kindness emphasizes the desire for peace, to build and protect the well-being of all, through expression of kindness in all interpersonal relations. Sweetgrass, a traditional medicine, represents to many Aboriginal Peoples the value of kindness. Sweetgrass is used, for example, as an aid in achieving clarity of thoughts and feelings, to enable us to feel and show kindness. As one of the grasses, it is perceived to be part of the hair of Mother Earth, who has demonstrated inestimable kindness in ensuring that humankind is provided with all that we need to sustain our physical life.

The freedom and the expectation of individuals to express the integrity of the self in all behaviour -- to be honest -- is encapsulated in the value category of honesty/integrity. It also demands that we respect the dignity and freedom of others through truthfulness. One cannot be honest by themselves; honesty is demonstrated in interaction with others.⁴¹

The understanding of the interrelatedness of all of creation supports the value category of sharing. The well-being of each entity in creation affects the well-being of the whole; generosity, cooperation and sharing contributes to strength in all of creation. Many of our ceremonies involve demonstration of this value; in give-aways, sundances, tobacco ceremonies, and feasts. Demonstration of this value goes beyond simply the sharing of material goods; the value also means the sharing of life and presence of self.

The value category of strength speaks to mastery of self, not of others; towards building strength of character and developing wisdom. Strength is shown in exercising patience and reflection before action or speech, restraint from intrusiveness or coerciveness, acceptance of hardship without

⁴¹This truth was shared by Peter O'Chiese, an Ojibway elder in a teaching he gave at a workshop at the Elders' Conference at Trent University (February 19-21, 1993).

complaint and avoidance of aggressive behaviour. The Aboriginal belief is that strength is attained by the development and exercising of power-over-oneself, not in power-over-others. The daughter of an elder, when confronted by a difficult situation in her life, was cautioned by her mother to use her imagination; to envision all that could possibly happen as a result of her own action or inaction. Only then would she be fully prepared to make a decision. Her advice exemplifies the manner in which Aboriginal people were taught to develop our own internal resources of strength, in order to fully meet the responsibilities of life.

Overcoming of base human impulses and self-discipline over emotions is highly valued. The value category of bravery and courage emphasizes the understanding of the harm, to ourselves and to others who depend on us, that can result if we succumb to our own sense of frailty, or to emotions such as fear, anger, jealousy, pain or hate. Many of the legends of Aboriginal Peoples, including many of the creation stories contain teachings of the value of courage. In the highly ritualized forms of warfare between Aboriginal nations, prior to the European introduction of killing machines, bravery was honoured by Aboriginal people, to the degree that facing great danger from other human beings without killing was considered

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one of the most respected demonstrations of bravery and courage.

The value category of wisdom contains the valuing of the contributions of knowledge by others. It is also valuing personal experience and the learning we derive from our own experience. Elders are highly respected for the understanding of life that they have been able to gain, through careful reflection on their experience of life and on the knowledge they received from their elders. The oral traditions of many of our cultures depend on our elders to transmit the history, legends and teachings that they received from their parents and grandparents to us and to our children. However, in sharing their knowledge, elders will often begin by saying, "this is how I understand what was told to me".

The value of wisdom does not include the belief that wisdom presumes authority. Wisdom is seldom respected if offered unasked, or if the offerer assumes that their knowledge establishes a right to interfere in the lives of others. In essence, wisdom is expected to be tempered with humility; only the Creator is all-knowing.

The value category of respect/humility, described by Dumont, is expressed through adherence to non-interference and

non-intrusiveness in the lives of others. It emphasizes how little we are able to understand of the complexity of the mental, physical, spiritual and emotional self of others, and/or how little we understand the power of other forces in creation. It supports the development of each individual's personal autonomy and giftedness according to their own inner resources and spiritual direction. As with the other values, respect/humility goes beyond the interpersonal level of communication and interaction, to give direction for interaction with our natural environment and with the spiritual world.

Our elders are actively promoting the revitalization of Aboriginal languages, as they believe that the English language, both spoken and written, is unable to communicate the full meaning of each of the values of our cultures, or the way that each of these values interrelate with the others. Human values do not operate in isolation of other values; an experience might bring attention to one value, but the responses are determined through a dynamic influence of the many values that the person holds and shares with others of their culture.

4.3 Acquisition of Values

As is true of all people, the values of Aboriginal Peoples are instilled or "inculcated in the individual person from birth and reinforced throughout individual and community life." (Dumont, 1993:24). The transmission of Aboriginal values to our children within the framework of community life are also marked with ceremonies of celebration in each stage of the Aboriginal child's life, beginning with birth, to introduce the child to new knowledge and new roles as they grow towards adulthood. Each ceremony is accompanied by the sharing of philosophical and spiritual knowledge, meant to prepare children to manage their new role and responsibilities as a member of Aboriginal society.

Although much disintegration of Aboriginal spiritual practices happened under the onslaught of Christianity as a part of colonialism, these ceremonies continue to be practised in many Aboriginal communities and are being revitalized. In some communities, the ceremonies, or aspects of them, have been incorporated into the way that Aboriginal Peoples practice Christianity.

For example, the construction of cradleboards for infants is such to provide each new human being with their first

lessons in these values. From birth to the time when they gain sufficient strength to loosen the wrappings, infants spend a significant amount of time laced into the cradleboard. A teaching of this method of childcare is that it conditions children from birth to observe and strengthen themselves first, before acting.

The cradleboards are designed so that the infants are turned outwards, allowing them to easily observe who and what is happening around them. This also facilitates the child's opportunity to establish familiarity with all of their family members, as opposed to only their primary caregiver. The wrapping of the infant is done in such a way that optimum development of the infant's bones and muscles is the result; the snug support of the wrapping promotes the infant's movements and encourages, in effect, isometric exercise that strengthens the child's muscles. The practice of wrapping babies usually continues until the child gains the strength to work their wrappings loose, signalling their readiness to begin learning to walk.

A Cree tradition is the walking-out ceremony for toddlers. It is another example of how Aboriginal children are provided with further lessons in the cultural values of their people. Ceremonies of this kind introduce the child to

their community, and to their roles as males and females. The ceremony is conducted when the child is able to walk on their own, unsupported. In the Cree walking-out ceremony, relatives and friends gather together for the ceremony and a feast of celebration.

Many Aboriginal Peoples cultures contained ceremonies that recognize the move from adolescence to adulthood, and that emphasize the relationship between humankind and other forces, both natural and spiritual. In Ojibway culture when a young woman first experiences menses, aunties and grandmothers gather to instruct the young woman on the role and responsibilities of women in creation, and in their community and family. Young Ojibway women often fast from berries for one year from the time that they first start their menses.

The young woman's fast is in order to contribute, in a spiritual way, to Mother Earth's capacity for renewal. The fasting is with the understanding that the power of procreation is of such strength at this time of a woman's life, that through abstaining from eating berries for one complete cycle of the earth's reproductiveness, the young woman can contribute to the regeneration of the earth and of the sacred foods that Mother Earth provides for the sustenance

of her children. At the end of the young woman's one year fast, a ceremony and prayers are held.⁴²

Again in Ojibway culture, young men are prepared through cleansing ceremonies, teachings, and prayers, to undergo a fast and vision quest which marks their transition to adulthood. The vision quest is how young Ojibway men seek spiritual direction and spiritual strength to enable them to fulfil the roles and responsibilities that they will be given as adults.

These practices and ceremonies are only a very few examples of how, in addition to cultural skills and knowledge gained through everyday living, Aboriginal cultural values are instilled from birth to death. The teachings provided in each ceremony contain symbolic representations of what Aboriginal Peoples know to be the fundamental truths of creation, and of

⁴²It is the spiritual understanding of the interconnectedness of humans and the earth that is missing from the environmental movement of today. Environmentalists are looking towards Aboriginal Peoples' perspective on the environment for direction on sustainable development, but are focusing primarily on the physical relationship between humankind and earth. Although Aboriginal Peoples practice sustainable use in our traditional way of interacting with the natural world, each practice is supported by spiritual teachings and practices that profoundly transcends the "reduce, reuse and recycle" axiom that is promoted today to address mainstream society's environmental concerns.

humankind's relationship with the Creator and all else in creation.

4.4 Conclusion

Although the retention of spiritual customs, or traditions of Aboriginal cultures, varies widely, the values of Aboriginal cultures are still strong, and are sustained in the perspectives that Aboriginal Peoples share towards life and living. Aboriginal Peoples are affirming cultural values, or imperatives, in how we approach each aspect of development of our communities - development in government institutions; land and resource management; education health and social services; and in economic activities. Our relationships, with the Creator, with the natural world, and with each other, continue as the most vital influences in the way we choose to live.

Chapter Five

ABORIGINAL CONFLICT RESOLUTION PRACTICE

The values of Aboriginal societies, described in the previous chapter, emphasize the preservation of peace, as an "attainable objective" (Mohawk, 1992:33). Peaceful relations were maintained through cultural institutions and practices that were essentially non-coercive. This chapter will examine the societal structures and cultural practices of Aboriginal societies, which served to facilitate the maintenance of peace and the resolution of conflicts.

The largest body of historical documentation, in this area of research, is on the Iroquois Great Law of Peace, and on the Algonquians in historical writings of Jesuit priests. Currently, research on customary law is being conducted by Aboriginal institutions, to provide a basis for changes within the mainstream justice system pertaining to the involvement of Aboriginal Peoples, and towards the development of Aboriginal Justice Systems. However, the focus of the research is primarily on lawmaking and justice issues, not on social conflict and traditional conflict resolution. As conflict as it occurs within Aboriginal organizations, is the main concern of this thesis, literature that includes research on the

societal structures, and cultural values and norms of Aboriginal Peoples is the most instructive.

Some research has been conducted on conflict resolution which takes place in the societies of other indigenous peoples. This research is also helpful, in the sense that it demonstrates the importance of culture in conflict resolution. It raises the same issue of cultural incongruence of mainstream approaches that Aboriginal Peoples in Canada encounter.

5.1 Aboriginal Societal Structures that Support Cultural Imperatives

In Aboriginal societies, harmony was maintained, and conflict was addressed in a harmonious manner, through the societal structures that were developed to support the culture's value imperatives.

Although each individual, male and female, in Aboriginal societies has always been responsible for behaving in accordance with the values of their culture, each different Aboriginal nation has evolved sophisticated kinship systems to effectively govern their communities. Many Aboriginal societies had evolved kinship systems based on clans, which

provide a structure that allows for specialization in terms of maintaining the health, well-being and balance of the society according to the cultural imperatives of the society.

In Aboriginal societies that governed their people through clan systems, each kinship group or "clan" fulfils specific roles in community life. These roles are based upon a spiritual understanding and worldview developed over thousands of years of maintaining healthy, functioning communities in challenging, complex physical environments. Today many of the clan systems are very weak as a result of the colonization process we have undergone; however, they do still exist and are being maintained and revitalized in many of our communities. Although traditional clan systems vary nation to nation, all clans have in common the sharing of the roles and responsibilities of different aspects of leadership or chieftainship, security/defence, food provisioning, health/healing, spiritual guidance, social development and learning/education.

Through an inter-dependence on the natural world for survival, Aboriginal Peoples developed a profound understanding of nature, and understood how "animal beings possessed and reflected character, the external manifestation of the elemental nature of the quality of the inner being."

(Johnston, 1976:53). Each clan inherited and strove to develop the particular giftedness in terms of character, knowledge and skills as symbolized by their clan's animal, such as hoof, fish or bird "dodem"⁴³. This giftedness was used towards fulfilment of each individual's responsibility to maintain balance and harmony in all of their relationships, in both the natural and spiritual worlds.

The structure of the clan systems served to maintain respectful relationships between autonomous individuals as expressed in the cultural imperatives of their nation. In incidence of conflict, clan members contributed to the resolution of the conflict according to the gift or responsibility held by their clan. Edward Benton Banai⁴⁴ described one clan system, that of the Ojibway, and the function of each of the seven clans in that system (Benton Banai, 1979). The structure of the Ojibway Clan System is demonstrated in Figure 5.1, following the description of the clans and the functions that each Ojibway clan served for the people.

⁴³"Dodem" is an Ojibway term, pronounced "doe-tay-em". The meaning of this term is very complex; it is used here in its most simple sense, to designate clan membership.

⁴⁴Eddie Benton-Banai, from La Courte Orielles reservation in Wisconsin is the Grand Chief of the Ojibway Three Fires Midewiwin Lodge. Benton-Banai is a fourth degree Midewiwin elder.

Table 5.1a: The Ojibway Clan System Functions

<u>Ojibway Clan</u>	<u>Function to Serve for the People</u>
Ah-ji-jawk (Crane)	Chieftainship
Mahng (Loon)	Chieftainship
Gi-goon (Fish)	Philosophers and Mediators
Ma-kwa (Bear)	Guardians and Healers
Wa-bi-zha-shi (Martin)	Warriors, Hunters and Providers
Wa-Wash-kesh-shi (Deer)	Reconcilers and Pursuers of Well-being
Ba-nais (Bird)	Spiritualists and Pursuers of Knowledge

Source: These Ojibway Clans and Traditional Clan Roles were described by James Dumont for the Royal Commission on Aboriginal Peoples, "Justice and Aboriginal People." (1992)

FIGURE 5.1b: The Ojibway Clan System Structure

Source: James Dumont, "Justice and Aboriginal People."
(1992) [paper]

Chieftainship, in Aboriginal clan systems, is not comparable to the positions of leadership that exist in hierarchial models of social organization or government. Traditional or hereditary chiefs are not representatives who make decisions on behalf of the people; chiefs exemplify the values of the society, and their leadership positions contain the responsibility of ensuring that a common will or consensus is developed through ceremony and discussion involving all of the clans, to maintain harmony and peace.

Each clan has relative clans. For example in the Ojibway Clan System, the Wolf and Lynx are relatives of the Martin clan, and the Turtle is the head of the fish clan. The chieftainship clans, as well as each other clan, choose who will be the clan chief. These chiefs are "clan spokesperson(s), ...chosen for (their) ability to communicate effectively with all of the clan and (their) dedication to the work of the clan as determined by the clan membership." (Dumont, 1992:41).

Through the clan system, conflicts can be effectively addressed in a manner that ensures that relationships are preserved and individual autonomy is respected. Dedication to consensus building results in decisions that everyone involved

in the conflict finds acceptable. It is from this traditional model of governance that our people are taking direction for better management of our own affairs as we move towards self-government.

A description of how the Ojibway Clan functions could be articulated as responsibilities in a conflict resolution is provided in Table 5.1c on page 103.

Table 5.1c: Clan System: Proposed Roles and Responsibilities of each Clan in Conflict Resolution

Ojibway Clan System	Traditional Clan Role	Proposed Clan Responsibility in the Conflict Resolution Model
Fish	Philosophers and Mediators	To teach the C.R. process. To mediate where needed.
Bear	Guardians and Healers	To ensure cleansing and healing ceremonies are conducted as needed.
Martin	Warriors, Hunters and Providers	To access resources needed for the C.R. process. To protect the C.R. process from undue influence from others.
Hoof	Reconcilers and Pursuers of well-being.	To provide encouragement and support for participants.
Bird	Spiritualists and Pursuers of Knowledge	To provide knowledge of traditions and philosophy of the culture, needed in the C.R. process.
Crane	Chieftainship	To provide leadership in preparation of the C.R. process and facilitation of the C.R. process. To co-facilitate consensus building.
Loon	Chieftainship	To co-facilitate. To suggest alternatives if the C.R. process becomes bogged down.

Source: The Ojibway Clans and Traditional Clan Roles were taken from the paper prepared by James Dumont for the Royal Commission on Aboriginal Peoples, "Justice and Aboriginal People." (1992)

5.2 Aboriginal Traditional Peacemaking

Throughout Aboriginal history, cultural practices were developed and shared between nations, that became highly instrumental in maintaining peace and in resolving conflicts, within and between nations. Earnest Benedict⁴⁵, a Mohawk elder, spoke of these practices in a workshop he conducted at the Trent University Elders' Conference (Peterborough, 1993). Benedict's workshop was "World Peace: Traditional Pathways".

In North America, the development and widespread knowledge of a common sign language enabled Aboriginal Peoples, from different linguistic groups, to communicate with many other Aboriginal nations. Benedict spoke of how sign language was used to simplify the process of trading, which was practised widely throughout America prior to the arrival of Europeans on our shores. Trade routes crisscrossed the Americas, and allowed Aboriginal travellers and traders to visit the territory of other indigenous nations. This exchange system also facilitated the interchange of knowledge and cultural practices.

⁴⁵Earnest Benedict is a Kanien ('Ken') a:ka (Mohawk) elder from the Akwesasne Mohawk Nation. He has been travelling and sharing his knowledge of the culture and traditions of the Mohawk with other Aboriginal people when requested for many, many years.

Benedict explained the importance that the peace pipe had in settling disputes between many Aboriginal nations and facilitating and maintaining peace. The peace pipe was a gift that had been given by the Creator to many different Aboriginal Peoples, and its use was continuously expanding as people shared this "pathway to peace" with others. Johnston (1982:160) explained that the significance of the pipe ceremony to participants is to "symbolize the end of conflict and the beginning of peace between them". Today, the pipe ceremony is regaining its former importance as a proper way to initiate resolution of conflicts and disputes among us.

The sweatlodge ceremony was shared between Aboriginal nations as another way to establish peace between groups in conflict. Benedict noted that this ceremony was not as widespread as the use of the pipe, but that at the time of colonization, it was already used extensively and was also growing in importance as an effective way to begin discussions of peace. The sweatlodge, as a purification and healing ceremony, provides people in conflict with the opportunity to effect the emotional and spiritual healing of pain generated by the conflict. It symbolizes a new beginning; cleansing of tension and negative feelings so that if further work needed, participants are prepared to focus on resolution of issues through co-operative, consensus-building interaction.

The Great Law of Peace, given by the Creator through a Huron-born prophet known as the Peacemaker, was adopted by five Iroquois nations. The Great Law was based on a clan system, and provided the basis for a coalition, designed to create and preserve peaceful relations between nations.

The Peacemaker proposed a "council ..to provide a forum in which violence would henceforth be replaced by thinking, and disputes would be settled with words." (Mohawk, 1992:39). Other Aboriginal clan systems contain the same ideology as contained in the Great Law of Peace. It is possible that the ideologies of peace of other Aboriginal nations were influenced by the Great Law through cultural exchange and inter-marriage.

Each of these traditional practices were, and still are, powerful influences in our communities. They are as viable and vital approaches for conflict resolution among Aboriginal Peoples, and arguably more relevant to Aboriginal Peoples than the mechanisms and processes than the practices in mainstream society. However, a great deal of work is still needed for us to be able to adapt these traditional approaches to work within the context of our institutions, which are now structured to conform the hierarchial models generally found in mainstream society.

5.3 Social Practices Supporting Harmony Maintenance

The cultures of Aboriginal Peoples each have well-established social practices, that are used for the maintenance of social harmony, and that are congruent with the values of their cultures. A number of these are known to be shared among Aboriginal cultures.

One of the most common of these social practices, in Aboriginal cultures, is story-telling.⁴⁶ In many of the stories, individuals are provided with examples of appropriate behaviour or cautioned of the potential consequences - spiritual, social and physical - of misbehaviour. Story telling is also a way to share knowledge or opinions without directly censuring anyone, or causing anyone to lose face. These stories are adapted by the teller to be persons and circumstance appropriate.

Another social practice is public censure through gossiping. Gossip had long been a very effective method of maintaining social control in Aboriginal societies. Gossip essentially was centred around potential or real breaches of

⁴⁶Every Aboriginal culture contains stories of traditional heroes. Nanabooshoo of the Ojibway, Wesakechak of the Cree, Coyote and Raven in the west and Glooscap in the east, for example are legendary teachers.

important societal values, such as the values of harmonious living, honouring kinship ties, honesty and personal integrity, in how people, families and events were discussed.⁴⁷ The ethic of non-interference prevented people from directly confronting others for what was deemed inappropriate behaviour. When misbehaviour, or potential value breach, became generally known, the individuals involved would be approached by relatives or respected community leaders, and informed of the talk in the community. They were told of the way that their reputation was being affected. This indirect way of confronting allowed individuals to be censured for misbehaviour without actually directly interfering with that person's rights of autonomy.

Conducted in a way that supports the fundamental shared values of Aboriginal cultures, gossip continues to be effective in maintaining harmony, and value-based social standards, in Aboriginal societies. However, colonialism has had a negative impact on this custom. Gossip, among Aboriginal people today, often contains the negative stereotypes of racism, and gossiping is being recognized as

⁴⁷Social reputation, in Aboriginal societies, is based on the image of an individual, or family, that is created through behaviour over their lifetime, and established through the characteristics that are attributed to the person or family through gossip.

one of the ways that internalized oppression is expressed, and reinforced, in Aboriginal relationships.

A third social practice is teasing and joking, generally directed towards gently reminding people not to let their ego get the best of them (Coser, 1956:63-4). Teasing and joking also provides for the release of tension, and affirmation of culturally-prescribed relationships. It is important to note, however, that most Aboriginal cultures contain very sophisticated kinship structures, which bear ethics that prescribe appropriate styles of interaction, between men and women, cross-cousins, adults and youth, elders and others. These ethics are implicit in how teasing and joking is conducted. As a result, teasing and joking provide further social guidelines on by whom, and how it is culturally appropriate to censure others. Ethics, or rules of behaviour, that are common across Aboriginal cultures, are discussed in the next section of this chapter.

In situations of potentially serious violation of the mores of the people, or where one's behaviour was truly miscreant, degrees of shunning or ostracization, up to complete and final banishment, is the known consequence. Today shunning and ostracization is still practised in Aboriginal societies. However, understanding of oppression has

contributed to Aboriginal peoples' recognition of internalized oppression as the terrible cause of many of the violations of cultural values that occur in our societies. As a result, more attention is being directed towards providing healing for the offenders, as well as for the offenders' families and victims, from within their own community.

Aboriginal values, rules of behaviour and social consequences of misbehaviour are expressed in prayers, legends, symbols and proverbs of Aboriginal Peoples as cultural teachings, which provide guidance, and exert a powerful influence on behaviour. In effect, they are directed to the preservation of harmony and balance of all life. However, the teachings also demonstrate an understanding that conflict is inevitable between people. The teachings exemplify the appropriate behavioral expression of these values to successfully address conflict in a manner that restores balance and harmony, without the oppression of any individual involved in the conflict. They also caution of the consequences. For example, an Ojibway maxim is "oondjenaa"⁴⁶, which can be loosely translated to English to mean "what you do comes back to you". This word encapsulates concepts of

⁴⁶This spelling is a phonetic representation. the word is pronounced somewhat differently in different Ojibway dialects.

power, of inter-connectedness, and of the circular pattern followed by intrinsic and devised forces in nature.

Even in situations where individuals in conflict behaved in ways that violated these values, the reaction of others to the behaviour was consistent with the values in that the principle of non-interference was adhered to, and retribution was not meted out by anyone from a "superior" position. The behaviour was recognized as out of balance, and the response was towards cleansing and healing, restoring each individual "to the community and to himself" (Ross, 1993:9). Ways to provide counselling and mediation by elders and leaders were built in to the structure and processes of the culture.

5.4 Ethics Central to Life in Aboriginal Societies

Dr. Clare Brant, a Mohawk and a psychologist is most well known for the research he completed on common ethics in Aboriginal cultures. These ethics are based on the Aboriginal understanding of the nature of power; " 'power' as essentially co-determinous with 'living'," or "the power to be alive and

make a difference in the world." (Darnell & Foster et al, 1988:44). The ethics are (Ross, 1992:11-40)⁴⁹:

The ethic of non-interference
 The ethic of anger must not be shown
 The notion that the time must be right
 The ethic respecting praise and gratitude
 The conservation-withdrawal ethic.

In the previous section, I noted the relationship between Aboriginal values and the ethics of non-interference and control of emotions, and their importance in conflict resolution. For Aboriginal people, the ethic of the time must be right is as critical a factor in engaging in conflict resolution. Resolution will not even be engaged in by Aboriginal people unless the time is perceived as right. The determination of what is the right time is also based in power-analysis, or the ensuring that the energies or forces that will be brought together are controllable. In mainstream

⁴⁹Ross provides a fairly good analysis of the influence of each of these ethics in conflicts between Ontario Ojibway Aboriginal people and the Canadian judicial system. One concern about Ross's analysis, however, is the strong connection that he makes between these ethics and the traditional hunter-gatherer lifestyle of Aboriginal Peoples. He seems to dwell to a large extent on what he perceives as the harshness of life experienced by Aboriginal Peoples in traditional times, and credit the ethics as "stemming from survival strategies in the bush." Many cultures which have a common history of subsistence lifestyles have not necessarily evolved the same philosophies. Ross's discomfort in discussing the relationship of cultural ethics to the spiritual beliefs of Aboriginal Peoples seems connected to his choice to attempt to present Aboriginal ethics as pragmatic, which conforms to Euro-Canadian thinking, not Aboriginal Peoples' thinking.

ADR, this might be equated with the principle of ensuring that safety is created for disputants involved in the conflict resolution process. However, the construct of safety in dispute resolution for Aboriginal people involves greater complexity in preparation and process than is even understood, much less do-able by non-Aboriginal technicians who are trained in mainstream ADR theory and practice.

Each Aboriginal culture contains ways to construct an environment to achieve the balancing of forces perceived as necessary to obtain participation in conflict resolution. The balancing of forces is a role function, often performed by elders and spiritual leaders. Through careful analysis of the dynamics of the situation, and the needs expressed by the people, the elder or leader can ascertain a time and place most conducive to harmonious interaction, and conduct the preparations that are needed.

This balanced-energy environment is perceived as dynamic, however, and subject to changes that might come from forces activated outside of the dispute resolution context and process. An intervening force would immediately result in suspension or even termination of the process, depending on the power-analysis of the relationship between the dispute resolution initiative and the intervening force. An example

is if an illness, accident or death occurs in the community while the dispute resolution is in progress.

An event of this type, or others, occurring outside of the resolution context would be considered to be connected, as nothing is viewed to happen in isolation. The value of interconnectedness would call for pause and re-examination of how power was being used, or what kind of power was being generated by the dispute resolution process, before any re-initiation of the process will occur. The ethic of conservation-withdrawal would be adhered to: "There will be little talking, few decisions, and virtually no commitments to particular courses of action until all the new variables have been carefully examined." (Ross, 1992: 37).

Before discussing the interactional systems of Aboriginal cultures, or at least, commonalities in interactional systems of different Aboriginal cultures, one final point on ethics and values. It may well be that the results of problem-solving conducted with Aboriginal people, using an ADR approach developed to conform to the concepts of personhood and the norms of mainstream culture, become undermined when the process and outcomes are 'gut-line checked' for cultural-legitimacy, by the Aboriginal participants. If the process does not facilitate it, proposed solutions to the conflict

must still be fitted into the context of their cultural beliefs, and support acceptable cultural behaviour.

5.5 Interactional Systems and Culture

Interactional systems are basically the patterns of talk exchange of a culture. Although comparisons or the differences between Aboriginal Peoples and people of mainstream Euro-Canadian or American cultures are found scattered through different fields of literature, the substance of these comparisons often ranges from the obscure to the stereotypical. In research on talk exchange systems completed by linguists, ethnologists and anthropologists, is found a more substantial base of research.⁵⁰

Each of the following examples, of interaction protocol common across Aboriginal cultures, are contained in published research. This research on the commonalities in Aboriginal discourse systems must be considered in determining an effective approach to conflict resolution between Aboriginal groups. A comparison of this research to the specific

⁵⁰Many of these Aboriginal interaction system components are described in contributions made by ethnologists, anthropologists and linguists in the book edited by Donal Carbaugh, "Cultural Communication and Intercultural Contact". Some is also contained in Regna Darnell and Michael K. Foster's research, "Native North American Interaction Patterns".

interaction norms of the disputants cultures, leading to adaptations in the structure and process of a conflict resolution approach, would facilitate the removal of communication barriers, often experienced when communication approaches and discourse systems do not match.

It is important to recognize that many Aboriginal people, who have participated in the mainstream education systems or work world, for example, have integrated the Canadian interactional system, and are able to accommodate and adjust to the different discourse exchange norms. However, when Aboriginal people interact with each other, Aboriginal language and culture based norms of interaction generally tend to become re-emphasized. The more culture specific the context in which interaction occurs, i.e. place, language and purpose, the more prominence will be given to the culture's talk exchange norms, and the values and ethics that these support.⁵¹ The same applies to mainstream culture - the more specific the context in which the talk exchange takes place is to mainstream Canadian culture, the more prominence will be given to the English interaction system supporting mainstream values and norms of behaviour.

⁵¹For Aboriginal Peoples, the issue of ways to facilitate our goals for cultural revitalization is implicit, then, in the choice of context and approach that we use to address conflicts that occur between us.

Carbaugh (1990) and Darnell and Foster (1988), compiled the research of a number of contributors, primarily ethnographers and linguists, on Aboriginal and English interactional systems. The following Tables 5.5a, 5.5b and 5.5c provide a comparison of some of the common variables, of Aboriginal language and culture based interaction system norms, and English language and culture based interactional system norms, described by these contributors.

Table 5.5a:**Talk about Talk: Aboriginal versus English Talk Norms**

Aboriginal Language and Culture-Based Interaction System Norms	English Language and Culture-Based Interaction System Norms
1. Opening of talk continuation of prior talk exchange. Formality in re-introduction of topics not required.	1. Opening of talk incorporates prior exchange through semi-formal re-introduction of topics.
2. Talk exchange system structured to for first speaker to give second speaker opportunity to introduce topic.	2. Talk exchange system structured for first speaker to request and be given permission to be first to introduce topic.
3. Less direct body alignment between speaker and listener(s).	3. More direct body alignment between speaker and listener(s).
4. Peripheral eye contact use greater than direct eye contact: direct eye contact rhythm with speech differs from English norms.	4. Direct eye contact used to establish interaction cues of attention, comprehension, agreement, in rhythm with speech.
5. Absence of requirement of immediate response implicit in the indirectness of talk structure. Non-interference ethic dictates caution in structure of talk to avoid implying expectations.	5. Immediate response expectation implicit in talk structure, both in listener feedback to speaker, and in direction of speech when listener(s) takes their talk turn.

Sources for Table 5.1, 5.2 and 5.3:

1. Donal Carbaugh, editor, (1990) "Cultural Communication and Intercultural Contact".
2. Darnell, Regna and Michael K. Foster (1982) "Native North American Interaction Patterns."

Table 5.5b:**Talk about Talk, continued;**

Aboriginal Language and Culture-Based Interaction System Norms	English Language and Culture-Based Interaction System Norms
6. Talk sequencing allows for variation in monologue/ dialogue exchange without interruption. Equal speaking time less an issue than allowing each speaker time they need to develop an idea.	6. Talk sequencing give precedence to first speaker to engage in monologue when initiating topic. Balance of talk exchange then reverts to generally result in equal time for each speaker.
7. Longer pausing system (about 1 1/2 seconds average). Pausing used to distinguish background from foreground information, or to allow time for speaker to organize information being presented. Pauses more frequent.	7. Pausing system shorter (about 1 second). Talk usually structured by tone, intonation and stress on words to indicate markers between content/ideas of talk. Pausing of more than one second used to indicate speaker has finished his/her talk turn.
8. Conceptual organization and presentation of ideas organized into fours. Memory and cognitive processing geared to organization of ideas into four parts.	8. Conceptual organization and presentation of ideas organized into threes. Memory and cognitive processing geared to organization of ideas into three parts.
9. No formal closure; open-ended cessation of talk.	9. Formal closure expected, however brief.

Table 5.5c:**Talk about Talk, continued;**

Aboriginal Language and Culture-Based Interaction System Norms	English Language and Culture-Based Interaction System Norms
10. Implicit or indirectness in requests or in references to others.	10. Directness or specificity in requests and references to others.
11. Ongoing relationship between speakers and listeners given primacy.	11. Role and status of speakers and listeners given primacy.
12. Teasing, joking in talk used to emphasize role relationship.	12. Teasing, joking in talk used to establish informality in talk event.
13. Talk valued for maintenance of social relationships over expression of individuality.	13. Talk valued for expression of individuality over maintenance of social relationships.
14. Co-presence in talk establishes membership in talk event. Joiners to a group attune themselves to rhythm of what is already going on, by their presence and by listening, before participating.	14. Introductions establish membership in talk event. Joiners to a group are introduced by group member, or introduce themselves to legitimize participation.

Certain elements of discourse systems, which are implicit in the structure of talk, are less distinguishable as explicit differences between Aboriginal and English styles of talk. For example, every interaction system contains norms regarding the use of silence as well as talk. Culturally determined use of silence is implicit, in the comparative lists, in examples

1, 7, 8, 9, and 14. Different perspectives on time are implicit in 6, 7, and 9. Although some of the example comparisons indicate the influence of roles and relationships in 2, 6, 10, 11, and 13, the influence of perspectives on power are less discernable by analysis of interaction system components. However, perspectives on power, and the power balance between participants, influence interaction in very significant ways. For example, examples 1, 2, 3, 4, 6, 10, 12, and 14, in Aboriginal interaction system norms, are subject to changes in specific protocol when one or more of the participants are elders.

5.6 Conclusion

All of the information so far discussed, on colonization and decolonization, mainstream alternative dispute resolution theory and practice, traditional values and conflict resolution practice, as well as on interactional systems are contextual concerns, which are important to consider in determining a conflict resolution approach to address inter-group conflicts between Aboriginal people. In the following chapter, these contextual concerns are presupposed in the description of issues that impact on conflict, and conflict resolution, in contemporary Aboriginal organizations.

Chapter Six
A CULTURE-LEGITIMATED INTER-GROUP CONFLICT RESOLUTION MODEL
FOR ABORIGINAL INSTITUTIONS

The purpose of this section is to propose a training model for Aboriginal intra-organization and inter-group conflict resolution: which incorporates action research to build a culturally-legitimized approach to conflict resolution based on the clan system; which is conducted in an experiential training event; and builds on the participants knowledge and experience of conflict.

6.1 Articulating the Issues

In my experience in delivering management training to managers in First Nations organizations, the managers have consistently identified the need for conflict and dispute resolution approaches that can be used in the context of their community's culture. Over time, I have heard the Aboriginal managers and staff of Aboriginal organizations repeatedly give examples of conflicts that they experience, and of the issues that exist in their organizations and communities that present barriers to the effective resolution of conflicts. However, when mainstream approaches to conflict resolution are included in the training, the managers often comment that, although the

approach is interesting, they don't think it would work in their work setting or community. Lederach comments on his own experience of mainstream approaches not being perceived as workable by Guatemalans (Lederach, 1992:1), for much the same reasons given by the Aboriginal managers. To attempt to apply the approach in their organization or community, the managers explain, would leave them open to accusations of bringing in White ways.

The issues that underlie conflict in Aboriginal organizations, and which the training and the model must be cognizant of, cannot be easily summarized; however, the following issues seem to be most often indicated:

Issue 1: Imposed Organisational Structures.

Aboriginal organizations are hierarchial structures, in conformity with the vertically aligned structure of mainstream society. The hierarchial structure creates barriers for Aboriginal people who prefer a collectivist orientation⁵² to work and problem solving.

⁵²Chapman, McCaskill & Newhouse, 1992:11)

Issue 2: Organizations and Mandates are Based on Western Values and Norms.

Aboriginal institutions have been mandated, by the people they serve to pursue self-government, which includes de-colonization and cultural revitalization objectives. However, they are still primarily funded to administer devolved services to Aboriginal communities; they are not resourced to self-govern. As a result, resources to engage in restructuring, towards a culturally-legitimated organizational structure and mandate, are very scarce.

Issue 3: Lack of Availability of Culturally-Congruent Conflict Resolution Resources.

Aboriginal organizations are under-resourced in both traditional and mainstream approaches to conflict resolution, and approaches that are congruent with Aboriginal culture are very scarce. Mainstream approaches that might serve Aboriginal organizations generally require the importation of an external consultant to facilitate the conflict resolution process. This can be problematic. The de-colonization goals of Aboriginal people are frustrated when the only choices available are found outside the culture, and which are based on different values.

Issue 4: Accountability and Legitimacy: the Real or Assumed Threat from Internal Elites.

The colonization dynamic, which creates an elite of the oppressed who are the real and assumed threat, function as the intermediaries between the colonial agents and the oppressed. Whether the threat is real or assumed, it results in the loss of trust between Aboriginal organizational leadership and staff. This is probably the most sensitive of the four issues identified. The previous three issues are responsible for the creation of conflicts, but the conflicts are framed as in-group - Aboriginal people, versus out-group - mainstream society that marginalizes and oppresses Aboriginal Peoples. The real threat is that elites do still have an unreasonable level of power in many of our institutions. Even where this is no longer an issue, Aboriginal people, as a result of internalized oppression, often expect and/or exert subtle pressure on the leadership to be authoritarian.

6.2 The ADR Model: Establishing the Objectives

The need, then, is for an inter-group conflict or dispute resolution model for use in Aboriginal organizations which meets the following objectives:

1. To provide the basis for development of a culturally-legitimized conflict resolution approach, that can be incorporated into existing hierarchial structures of Aboriginal organizations, but that is consistent with the collectivist orientation of Aboriginal cultures.
2. To support the groups involved to approach resolution through the expression of their own cultural behaviour norms - norms that arise out of cultural values, in a manner that is practical given resource limitations.
3. To include a training component that can be facilitated by personnel from within the organization, or by others in the community that are skilled in experiential education, and is focused on the creation, through action research, of a conflict resolution approach based on the model.
4. To place the locus of leadership and control of the process within the collective influence of the participants in the dispute resolution process.

6.3 The Clan Based Model

Conflict resolution, from an Aboriginal cultural perspective, is peacemaking or healing. Peacemaking is seen as the application of human intelligence, in a manner that reflects kindness, strength, honesty and vision, towards restoring balance and harmony in relationships. In Aboriginal societies that are based on a clan system, each clan held specific roles and responsibilities towards the maintenance of peace.

The concepts of peace and peace-making are reflected in many ways in Aboriginal cultural teachings. One of the most commonly understood is the Medicine Wheel. The Medicine Wheel can be conceptualized, as are many other Aboriginal teachings, as containing seven degrees of complexity. Each degree is represented by one cardinal point: north, east, south, west, sky, earth and centre. In a concept of conflict resolution, each of the representations in Tables 5.1 to 5.7 of the Medicine Wheel could be considered a level of complexity, which in combination, form a holistic theory, as proposed in Table 5.8, that can be applied to development of a culturally-legitimized conflict resolution approach.

In order to pursue peacemaking and conflict resolution between groups using the clan system, all of the disputants need to prepare themselves by organizing into clans. Each clan is responsible for carrying out a specific role and tasks in the conflict resolution process. The experiential learning inherent in the model suggests a clan system that can be used by the disputants if their culture was not based on a clan system, or if they feel they have insufficient knowledge of their culture's clan system. Guidelines for the development of a clan system, one that is based on the values, ethics and interaction norms of the users, as well as the roles and responsibilities in the conflict resolution process, are included in the training guide section of this chapter. The model supports the inclusion of an elder/advisor or council of elders, as well as a council of clan representatives.

Once the initial training is complete and the Clans are organized, and Council(s) if they are determined by participants to be appropriate, the conflict would be brought into the Clan forum for resolution. Resolution by the Clans proceeds in four phases, as outlined in the Medicine Wheel, in Table 6.8. Each direction, or doorway, of the Medicine Wheel provides guidance to participants for one phase of the conflict resolution process, which is conducted in meetings of the lodge contained in that doorway of the Medicine Wheel.

The human aspects, of Mental, Physical, Emotional and Spiritual health and balance, both for individuals and for groups involved in the conflict, are considered in working to achieve the tasks of each phase of the resolution process.

FIGURE 6.3a: Medicine Wheel Concepts

Sources: Medicine Wheel concepts are contained in many Aboriginal cultures.

Representations are found of each of these degrees of complexity of the Medicine Wheel in a number of sources. Those I consulted in developing these tables were contained in papers by Dumont (1992) and Chapman et al, (1992).

FIGURE 6.3b: Medicine Wheel Concepts

Sources: Medicine Wheel concepts are contained in many Aboriginal cultures. Representations are found of each of these degrees of complexity of the Medicine Wheel in a number of sources. Those I consulted in developing these tables were contained in papers by Dumont (1992) and Chapman et al, (1992).

FIGURE 6.3c: Medicine Wheel Model for Conflict Resolution

Talking Lodge

The Talking Lodge is placed in the Eastern Doorway of the Medicine Wheel, as the cycles of life are perceived to begin in the east. The Individual perspective, situated in the Eastern Doorway, reminds participants that resolution can only be achieved if individuals take responsibility to raise the conflict as an issue. The value of Sharing gives direction to share how each person is being impacted by the conflict. Sharing of resources, of cultural teachings, or philosophy, towards resolution, is also a part of this value. The gift of vision is needed in this phase to gain a broader understanding of the conflict, and to help clarify what the participants desire to achieve. The sacred medicine tobacco represents the prayers that are offered to the Creator for guidance, and the commitment of participants to engage in peacemaking.

All of the Clans participate in the Talking Lodge. However, they meet first as individual clans, and discuss the conflict from the perspective of their Clan role before meeting with all the other Clans. This meeting would also be considered a Talking Lodge. Each Clan determines how, and by who, their perspective will be shared in the meeting with all the Clans. Generally the Clan Council representative would do

this, but Clans may decide that it is more appropriate for another Clan member to also speak.

The goal of the Talking Lodge is to achieve a common understanding, among all the Clans, of the multiple issues and interests involved in the conflict.

Planning Lodge

The Planning Lodge is placed in the Southern Doorway of the Medicine Wheel. The perspective of Family encourages participants to affirm their kinship, as people who depend on each other, yet must recognize and respect personal autonomy. The Value of Strength gives direction to exercising patience and reflection before action or speech, restraint from intrusiveness or coerciveness, and avoidance of aggressive behaviour. The Aboriginal belief is that strength is attained by the development and exercising of power-over-oneself not in power-over-others. The gift of knowledge encourages participants to recognize that all that they need to resolve the conflict and restore balance in their relations is contained within their collective resources. This lodge is represented by the sacred medicine cedar, to signify that preparations to continue in the conflict resolution process will be planned with clear minds.

The Planning Lodge is attended by Clan representatives, who can be viewed as a Council of Clan Representatives. In the Planning Lodge, the goals are: (1) to plan based on what is known about the conflict, and about the issues and concerns of the disputants, as expressed in the Talking Lodge; (2) to set the parameters and fundamental principles for the conflict resolution process; (3) to plan the approach; when, what, how, who, where, according to the principles and values of their culture; and (4) to plan ways to ensure that participants needs will be addressed effectively and appropriately in the Teaching and Healing phases of the process.

Teaching Lodge

The Teaching Lodge is placed in the Western Doorway of the Medicine Wheel. The perspective of Clan is situated with the gift of reason, and the value of kindness. The value of kindness emphasizes the desire for peace, to build and protect the well-being of all, through expression of kindness in all interpersonal relations. The gift of reason is to be used for clear thinking unaffected by emotions. The place of reason in the same doorway as the human aspect of emotion is not insignificant. The emotional aspect of being is understood and supported by kindness and reason. Sweetgrass, as the

sacred medicine that teaches kindness, is the medicine representing this lodge.

The Teaching Lodge is attended by all the Clans, and the process is facilitated by the leaders of the Chieftainship Clans. The more focused perspective gained from the Talking and Planning Lodge is shared towards building the framework out of which resolution can be approached. Knowledge determined in the Planning Lodge as important for all to consider is shared. Possible options are presented. Planned activities to effect balancing of forces, and restoring of kindness in relations, needed to support continuation of the conflict resolution process, are carried out.

Healing Lodge

The Healing Lodge is placed in the North Doorway of the Medicine Wheel. The Nation perspective helps remind participants as they approach resolution that working together, towards a resolution that upholds the values of their culture contributes to maintenance of a strong nation. The value of Honesty gives direction to behave with integrity. It also demands that the dignity and freedom of others is respected through truthfulness. One cannot be honest by themselves; honesty is demonstrated in interaction with

others. The gift of Action encourages participants to enter into agreements that will resolve the conflict and restore harmonious relations. Sage, as a cleansing and healing sacred medicine, represents this lodge. Conflict resolution is healing work.

The Healing Lodge is conducted in a meeting of all Clans, with each Clan participating according to their role and responsibility. The goal of this lodge is to reach agreements on resolution of the conflict. Options presented in the Teaching Lodge are considered and evaluated to determine what is the most reasonable agreement. Discussion continues in the Healing Lodge until agreement is reached. Agreement parameters are detailed, and solidified through culturally-legitimated processes. Activities to affirm the restoration of balance, and to reaffirm harmonious relations, are conducted.

6.4 Training Guide

The following training is based on the assumption that a facilitator, who is knowledgeable about Aboriginal philosophy, and skilled in the use of experiential education theory and methodology⁵³ or other compatible training approaches, works with the staff of an Aboriginal organization or institution to develop an inter-group conflict resolution approach, based on the model and on the training framework of the clan system. The most appropriate choice of facilitator would be one that is also a member of the culture of the participants, as an implicit focus of the training and of the model is self-reliance. Information on experiential education is provided in Appendix Two. The following description of the training is content-focused, for use by the facilitator. Training process, time frames, and separation of activities into training sessions would be dependant on a number of factors specific to the context in which this training strategy will be applied (for example, organization and participants needs, location, and time elements). These decisions would be made by the users of the training.

⁵³John Paul Lederach describes the principles of experiential education in "Beyond Prescription: New Lenses for Conflict Resolution Training across Cultures." Lederach, however, calls the approach he outlines an "elicitive training approach".

A) Overall Training Goal:

To develop, with Aboriginal intra-organization groups, a culturally appropriate approach to inter-group conflict resolution that:

1. is based on a traditional Aboriginal clan system;
2. is created through an experiential training event;
3. incorporates action research to build a culturally-congruent conflict resolution approach based on the clan system model; and
4. builds on the participants knowledge of their culture and on their experience and knowledge of conflict in development of the approach.

Training Objectives and Activities**Training Session One: Talking Lodge**

1. Prepare the materials needed for the training.

Activities:

- a. These include preparing visual material and handouts, organizing presentations of the training model and theory, as well as securing the training facility and developing the training process.

2. Initiate the Inter-Group Conflict Resolution Workshop in a manner appropriate to the culture of participants.

Activities:

- a. Determine how the training sessions will be opened, and by whom. If possible, arrange for a community elder to open with a traditional prayer. However, if the group is clearly divided in terms of traditional and Christian beliefs, check to make sure that the opening prayer ceremony is respectful of the beliefs or part of the norm of both groups.
 - b. Introduce other participants; i.e. elders, if applicable.
-
3. Establish the formal relationship between all participants.
- a. Discuss the issues and needs that led to consideration of using the training and the clan system based model for conflict resolution.
 - b. With the participants, establish roles, clarify purpose of work and ways of working. These are decisions that are made in consideration of the facilitator decisions, based on the participants' and the facilitator's needs.

4. Introduce experiential model of training as the methodology that will be used to accomplish the objectives of following sessions. Energizers to help participants maintain energy, and other group processes to provide the participants with a group experience to facilitate analysis, would be appropriate. Popular education techniques of drawing, drama and sculpting, for example, fit well with experiential education processes. The use of small groups, who complete their analysis and share it within the whole group towards building of a shared understanding and agreement, is both consistent with experiential education, and with the clan-based model.

Training Session Two: Planning Lodge

1. Facilitate action research⁴ towards development of an inter-group conflict resolution approach based on the clan system, and on the culture of the participants. As the participants engage in each of the following activities, their conclusions need to be noted as direction for how to resolve conflict in a culturally

⁴As noted in the introduction, the term action research is used to denote participant's analysis, in the training sessions, of their culture.

legitimated manner. The participants will later incorporate their research into their Clan System based conflict resolution model.

Activities:

- a. Share the overall objective and provide a detailed overview of the Clan Based Model.
- b. Explore the values, ethics and interactional system common to Aboriginal cultures described in this thesis. Facilitate discussion towards identifying and developing a description of the values, ethics and interactional system of the participants culture, and particularly of the participants.
- c. Build a definition of conflict and of conflict resolution that is based on the cultural philosophy, knowledge and experience of participants.
- d. Discuss traditional perspectives on conflict and approaches to conflict resolution (Chapters 4 and 5 of this thesis), and how these perspectives are important to the approach being developed by participants.
- e. Explore participants knowledge of conflict in their workplace: how it operates, how it is handled ineffectively and effectively. Facilitate

participants in exploring how this knowledge will influence the development of their approach.

- f. Share relevant knowledge of conflict and Alternative Dispute Resolution approaches of mainstream society, and focus on the fundamental parameters and perspectives important in effecting conflict resolution, which are contained in this thesis.⁵⁵ Facilitate exploration of how this knowledge will influence their approach.

2. Introduce the second focus of the action research, which is the formation of a clan system, as the structure that will be used for the conflict resolution process.

Activities:

- a. If the participants' culture is structured on a clan system, and the participants feel they have enough knowledge of their traditional system, explore the structure and roles of each clan. Relate these to the roles and responsibilities described in the Clan System.
- b. If not all of the roles indicated in the model are included in the traditional clan system of the participants, conduct a working session to explore

⁵⁵The parameters and principles referred to here are contained in the conclusion of Chapter 3 of this thesis.

how each role or the responsibilities of the role could be accommodated by a clan.

- c. Facilitate participants in analyzing each of the clan roles and responsibilities, and defining how these would be accomplished according to the specificity of their cultural values and norms.
- d. The participants need to determine what is the most acceptable way to indicate clan membership. The following principles need to be accommodated in the manner the participants choose to proceed: (1) All participants, or all disputants in each group involved in a conflict, need to be accorded status in one of the clans. (2) Each clan needs to have equitable representation. (3) clan representation is not determined by position or interest that disputants hold in the conflict. (4) The best formation can be attained if clans are comprised of individuals who are recognized as having the characteristics, abilities, or perspectives that match their clan role and responsibilities.

Training Session Three: Teaching Lodge

1. The objective of this session is for the participants to incorporate their research on their cultural values and

norms, into the Clan System inter-group conflict resolution model. As well, in this session the participants form their approach, and test its workability by simulating conflict resolution using the approach they have developed. The simulation will be followed by further analysis and revision of their approach.

Activities:

- a. Present the model in more detail, with focus on the integrated Medicine Wheel (Table 6.7, page 128) and on the Talking Lodge, Planning Lodge, Teaching Lodge and Healing Lodge structure contained in the model. Discuss the model in the large group.
- b. Facilitate a planning session for participants to determine how they will incorporate their research into the Clan System model.
- c. Direct participants to identify realistic examples of inter-group conflict from their own experience that can be simulated in the training.
- d. Discuss and select one through group consensus. As this example will be used to practice application of their approach in the next session, the group needs to discuss the conflict, the issues involved, the positions and interests of the disputants and determine who will play what roles in the conflict. Most, if not all, of the participants will thus

have two roles: the role they are playing in the simulated conflict resolution, and their clan role.

- e. Some clan members who do not have leadership responsibilities might be selected to have an observer role, in the interest of completing the analyzing the process following the simulation.

Training Session Four: Healing Lodge

1. Participants work through the process of addressing the conflict using the approach they designed, analyzing how well it worked, and making appropriate revisions to their conflict resolution approach.

Activities:

- a. Engage the simulation of the conflict resolution using the participants' design.
- b. Facilitate debriefing, or discussion, of the participants' experience: what worked, why; what didn't work; why. To be consistent with the model, encourage participants to talk about the impact of the experience of simulating conflict and conflict resolution.

- c. Direct the participants to re-examine their approach, identify where changes are needed, and make appropriate changes.
 - d. Facilitate the participants to identify any other issues that might impact on the use of the approach they developed in their work setting, and problem solve to find ways to address these issues. If the participants are not able to determine solutions to address issues, these need to be recorded as limitations of the use of the approach, and as areas where further research is needed.
2. Initiate the closing of the training, as determined by the participants.

6.5 Relating the Clan Based Model to Mainstream ADR Approaches

The Clan-Based Model incorporates aspects of the following mainstream models of Alternative Dispute Resolution:

Negotiation

The model can be viewed to be congruent with principles that guide mainstream ADR negotiation practice. Tables 3.4a & 3.4b (pp.66a & b) compare the perspectives on negotiation developed

by Fisher and Ury to an Aboriginal perspective. This comparison shows the main difference is that Fisher and Ury take an individualist perspective, and Aboriginal Peoples tend towards a collectivist perspective.

Mediation

The role of mediator is flexible within the Clan-based Model. The primary mediation role is held by the Chieftainship Clans, who may be called upon to mediate in their facilitation of each stage of the conflict resolution process. Specialized mediation of issues within the conflict resolution process is handled:

1. By the clan which holds the role and responsibility related to the nature of the issue to be mediated.
2. By an elders or a selected representative determined by the clans as the most appropriate individual to mediate a particular issue in the conflict resolution process.

Conciliation

Conciliation is built into the roles of the clans. Each clan is responsible for a specific aspect of conciliation, as noted in Table 6.5a.

Table 6.5a: Clan Responsibility in Conciliation

<u>Clan</u>	<u>Conciliation Role</u>
Crane	Consensus-building, leadership.
Loon	Ensuring completeness of information needed to facilitate peacemaking, offering options and alternatives for consideration if the CR process bogs down.
Fish	Facilitating the development of the larger vision, or super-ordinate goals in mainstream ADR terminology.
Bear	Conducting healing processes towards restoring individual and collective harmony.
Martin	Boundary maintenance, internal to CR process, and between disputants and outside interested parties.
Hoof	Supportive action for disputants, supportive follow-up.
Bird	Coaching and assistance for disputants to attend to the CR process, use of spiritual means to prepare and maintain a safe environment conducive to peacemaking.

As well, elders, or if determined by the clans, an Elders Council can intervene in stages of the conflict resolution process to effect conciliation.

In a sense, the whole clan-based model can be viewed as the basis for a conciliation approach. However, the model does not prescribe a specific approach; the specifics of how conflict resolution is effected is determined through action research by prospective users. Opportunities exists for users to incorporate aspects of conciliation, negotiation, mediation or even arbitration or adjudication into the culturally-legitimized approach training participants develop. Whether they take action depends on whether they determine and agree on what is needed to effect resolution. For example, arbitration by an elder, or a council of elders, might well be the preferred way to approach resolution for a specific conflict. However, the users would first identify how arbitration would be conducted within their cultural framework, and incorporate an arbitration process into their approach.

6.6 Conclusion

In this chapter, I focused on describing a training framework, out of which culturally-legitimized approaches to resolving inter-group conflict in Aboriginal organizations can be developed. I believe that the outline of objectives and activities for the clan-based model, and for the training process provide a sufficient guide for users to be able to build on the model.

The background research, contained in this thesis, is intended as supportive information, to affirm the value and the need for Aboriginal Peoples to conduct specific research to develop their own culture-based model for conflict resolution. In this manner, the conflict resolution approach that participants develop will be considerate of the nature of the conflicts that they experience, the culture of the participants, and the context in which these conflicts must be resolved.

Chapter Seven

EPILOGUE

It is my belief, made stronger by the process that I went through in conducting research for this thesis, that the best way for Aboriginal Peoples to develop approaches for resolving conflicts that we experience between us is, first, to look towards our cultural philosophies - the values, ethics, norms and practices, that have sustained our people since the Creator first put us on this island. This forms the cultural perspective which we assess and decide what else is needed, and out of which we examine the approaches, knowledge, structures, and technologies of other cultures for resources to aid us in our development initiatives. We can thus do so with some assurance that we are not jeopardizing the fundamental source of our own identity as Aboriginal Peoples.

One concern that I did not discuss in this thesis is the importance of language in cultural retention. Indigenous languages carry and communicate the world view of our cultures, they cannot be lost without also losing the perspectives that give our cultures vitality. The societal standards, institutions and social interaction norms of a society are created to be congruent with the language, and the world view contained in the language, of that society. For

Aboriginal People, protection and revitalization of language is intricately connected to revitalization and protection of the standards, institutions and social interaction norms. It is my hope that this thesis will contribute to the strengthening of these, by providing a model and a process towards re-establishing a culturally legitimate way of approaching conflict resolution, and a context that supports and encourages the strengthening of Aboriginal languages.

Megwetch for listening, and my prayers go with you.

APPENDIX ONE: page 1.2

MAINSTREAM ALTERNATIVE DISPUTE RESOLUTION APPROACHES

"Primary" Dispute Resolution Processes				
CHARACTERISTICS	Adjudication	Arbitration*	Mediation	Negotiation
<i>Voluntary/Involuntary</i>	Involuntary	Voluntary	Voluntary	Voluntary
<i>Binding/Nonbinding</i>	Binding, subject to appeal	Binding, subject to review on limited grounds	If agreement, enforceable as contract	If agreement, enforceable as contract
<i>Third Party</i>	Imposed, third-party neutral decisionmaker, generally with no specialized expertise in dispute subject	Party-selected third-party decisionmaker, usually with specialized subject expertise	Party-selected outside facilitator, usually with specialized subject expertise	No third-party facilitator
<i>Degree of Formality</i>	Formalized and highly structured by predetermined, rigid rules	Procedurally less formal; procedural rules and substantive law may be set by parties	Usually informal, unstructured	Usually informal, unstructured
<i>Nature of Proceeding</i>	Opportunity for each party to present proofs and arguments	Opportunity for each party to present proofs and arguments	Unbounded presentation of evidence, arguments and interests	Unbounded presentation of evidence, arguments and interests
<i>Outcome</i>	Principled decision, supported by reasoned opinion	Sometimes principled decision supported by reasoned opinion; sometimes compromise without opinion	Mutually acceptable agreement sought	Mutually acceptable agreement sought
<i>Private/Public</i>	Public	Private, unless judicial review sought	Private	Private

* Court-annexed arbitration is involuntary, nonbinding and public.

"Hybrid" Dispute Resolution Processes

CHARACTERISTICS	Private Judging	Neutral Expert Fact-Finding	Mini-Trial	Ombudsman	Summary Jury Trial
<i>Voluntary/Involuntary</i>	Voluntary	Voluntary or involuntary under FRE 706	Voluntary	Voluntary	Involuntary
<i>Binding/Nonbinding</i>	Binding, subject to appeal	Nonbinding but results may be admissible	If agreement, enforceable as contract	Nonbinding	Nonbinding
<i>Third Party</i>	Party-selected third-party decisionmaker, may have to be former judge or lawyer	Third-party neutral with specialized subject matter expertise; may be selected by the parties or the court	Party-selected neutral advisor sometimes with specialized subject expertise	Third-party selected by institution	Mock jury impaneled by court
<i>Degree of Formality</i>	Statutory procedure but highly flexible as to timing, place and procedures	Informal	Less formal than adjudication; procedural rules may be set by parties	Informal	Procedural rules fixed; less formal than adjudication
<i>Nature of Proceeding</i>	Opportunity for each party to present proofs and arguments	Investigatory	Opportunity and responsibility to present summary proofs and arguments	Investigatory	Opportunity for each side to present summary proofs and arguments
<i>Outcome</i>	Principled decision, sometimes supported by findings of fact and conclusions of law	Report or testimony	Mutually acceptable agreement sought	Report	Advisory verdict
<i>Private/Public</i>	Private, unless judicial enforcement sought	Private, unless disclosed in court	Private	Private	Usually public

“Hands-on” or “Head-trip”. How Do You Learn Best?

Susan L. Colantuono

The general session leader has just described the differences among several styles of communication (e.g., passive, aggressive, assertive). You aren't sure you understand the differences, so you ask him or her to enact some situations that illustrate the differences. (CE)

For two days you've quietly watched several people enter into and successfully or unsuccessfully deal with conflicts. Today you share with the group the differences you've noticed between successful and unsuccessful attempts at conflict resolution. (RO)

After a day and a half of feeling detached and skeptical about the T-Group[®] process and general session activities, you find yourself interested in a theory presentation and engage the facilitator in a discussion of the theory's merits and shortcomings. (AC)

You've realized that you're harder to get to know than Lee, who is more self-disclosing, so you decide to

try volunteering more information about yourself. (AE)

If you recognize yourself and/or others in these scenarios, you may have already caught on to the fact that people respond differently to the varying experiences that are part of a learning process.

As a participant in a Human Interaction Lab, you have entered into a learning experiences. You have the opportunity to learn about yourself, the impact of your behavior on others and theirs on you, about how groups develop and function, how to communicate more effectively, and so forth. To benefit from this opportunity, you must be willing to explore and expand the ideas, beliefs, and rules upon which you structure your world and base your behavior. Your willingness to do this is your entry to the learning process.

David Kolb describes the learning process as a four-step cycle: (1) You have a *concrete experience* about

* Training Group

APPENDIX TWO: page 2.2

EXPERIENTIAL LEARNING CYCLE

which (2) you *reflect* and make *observations* from which (3) you form *abstract concepts* and generalizations that lead to (4) *hypothesis* for which you structure *tests* (i.e., experiments) that lead to new experiences.¹

In order to learn a new behavior, whether it is how to build a solar collector or how to negotiate for what you want, you must pass through all four steps in the cycle. For example, if you know in theory (AC) how to resolve conflict, you have not learned for application unless you have devised tests for the theory (AE), carried out those tests (CE), and assessed the degree to which the experience confirmed the theory (RO).

While it is necessary to proceed through all four steps in order to learn, individuals exhibit a preferred point of entry into the cycle and differing amounts of time spent on each step. You have developed a preferred entry point and time allocation that will differ from those of others because your learning needs and life experiences differ. This preferred learning pattern will manifest itself whenever you enter a new situation or seek to learn a new task or behavior.

Consider, for example, the challenge of learning how to behave in/utilize the T-Group experience. You may find yourself wanting to jump right in and participate actively from the start, seeking feedback, offering feedback, sharing information about yourself. If so, chances are that your learning style is based on a preference for concrete experience (CE).

Or you may be someone who prefers observation and reflection (RO) as the key entry point in the learning process. If so, your behavior is likely to be more quiet and attentive to others' actions. You might also find yourself to be a frequent writer in a learning journal.²

If you lean heavily on abstract conceptualization

(AC), you may find yourself voraciously reading this book, talking with people about what they know about T Groups, enjoying the theory sessions; and you might even have done research or talked to people prior to your lab in order to understand what to expect.

If you find yourself structuring situations in which you can experiment with new behavior or volunteering to try activities in general sessions, you probably favor the active experimentation step (AE) in the learning process.

Which of these descriptions seems closest to your behavior in this workshop?

In thinking about your preferred learning pattern:

- What one or two steps do you prefer over others?
- What steps do you allocate little time/energy to? Resist doing?
- What are the benefits and problems associated with your learning pattern?

One of the consequences of your learning pattern is that you will respond differently to the varying structures and sessions of this workshop. Like the people in the introductory scenarios, you may find yourself feeling bored or excited, confused or clear, resistant or engaged, depending on the learning situation in which you find yourself. While this may be a frustration for you, it also represents one of the strengths of the Human Interaction Laboratory. Unlike conventional classroom learning, the lab provides—through T Groups, theory sessions, general session activities, journal time, and free time—opportunities for you and others to proceed through learning cycles in your own ways. The lab is a veritable smorgasbord of learning opportunities. Sample freely! (And don't worry if some "dishes" don't suit your taste.) □

¹See also Porter, "The Learning Journal: Some Mechanics."—Eds.

²See James-Neill, "The Learning Journal."—Eds.

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