

OCAP & STEWARDSHIP

A DISCUSSION PAPER FOR THE
FIRST NATIONS STATISTICAL INSTITUTE



APRIL 21, 2002



TABLE OF CONTENTS

- I. INTRODUCTION
- II. LOGIC OF DISCUSSION & LOGIC OF OCAP AND STEWARDSHIP
- III. SOURCES
- IV. WHY A FIRST NATIONS STATISTICAL INSTITUTE?
 - A. THE IMPETUS
 - B. WHAT IS FNSI MEANT TO PROVIDE?
- V. WHAT IS MISSING FROM THE CURRENT SYSTEM OF KNOWLEDGE PRODUCTION?
 - A. THE EMERGENCE OF OCAP FOR FIRST NATION PEOPLES
 - B. HOW OCAP OPERATES – DOMINANT AND MARGINAL/COLONIZED CULTURES
 - C. OCAP IN KNOWLEDGE PRODUCTION
 - D. CONSEQUENCES FOR FIRST NATION CULTURES
- VI. STEWARDSHIP – THE STATISTICS CANADA MODEL
 - A. THE REQUIREMENTS OF STEWARDSHIP - OPERATIONAL PROTOCOLS
 - (i) OWNERSHIP
 - (ii) ACCESS
 - (iii) CONTROL
 - (iv) POSSESSION
- VII. OCAP AND STEWARDSHIP: A FIRST NATION'S MODEL
 - A. NAHO
 - (i) OWNERSHIP
 - (ii) ACCESS
 - (iii) CONTROL
 - (iv) POSSESSION
 - B. THE KEY DIFFERENCES IN THE STEWARDSHIP MODELS
- VIII. CONCLUSION
- IX. REFERENCES
- X. APPENDICES



FOREWORD

I must admit I felt dis-ease taking on this project. I am profoundly aware that I do not have experience as an Aboriginal person. I am not even a scholar of Aboriginal cultures. Instead, I am a philosopher of science. Despite my best intentions, there may be instances in which I make Eurocentric assumptions about Aboriginal peoples. These blunders are due to ignorance, not to maliciousness. Please accept my apologies now. And of course, feel free to correct my misperceptions.

Jennifer Espey, PhD



STEWARDSHIP AND OCAP

A DISCUSSION PAPER

FOR THE FIRST NATIONS STATISTICAL INSTITUTE

I. INTRODUCTION

The creation of the First Nations Statistical Institute (FNSI) has become entangled in a larger debate about the power inherent in the production of knowledge. Research seeks to produce knowledge about who ‘we’ are; who counts as ‘we’; who ‘they’ are; what matters to us; how we are doing; how our lives are organized; how to understand the natural world and how we are related to one another and to our environments. How each of these questions is defined is culturally and historically specific.

Observations can outlast theories and fit into competing theories of society and of the world.¹ Our observations cannot prove nor disprove our theories. Instead, our theories direct what we choose to observe and the sense we make of that observation. Each culture is uniquely suited to produce knowledge of some aspects of our selves, our society and our environments even as each culture is uniquely suited to foster ignorance of other aspects of our selves, our society and our environments. Knowledge cannot be divorced from the culture that creates it. Nor is our culture immune from the affects of our knowledge.

Knowledge and culture are co-constructive. This statement may be obvious but it bears stating as we enter a discussion of the creation of a First Nations Statistical Institute. What does it mean to have ownership, control, access and possession (OCAP) of our knowledge?² Can we have ownership, control, access and possession of our culture without it? What does the emergence of this term, OCAP, signify?

¹ See for instance, Kuhn, Thomas S. (1962). 1970. *The Structure of Scientific Revolutions*, 2d ed. Chicago: University of Chicago Press. See also Harding, Sandra (1998) *Is Science Multi-cultural? Postcolonialisms, Feminisms and Epistemologies*, Bloomington: Indiana University Press.

² Throughout this paper, use of the term ‘statistics’ will be precise. It will not stand as shorthand for research more generally. Statistics is a term used to describe population measurements. Statistical analysis is one tool among many to help us make sense of population data. Most research does not produce data that are amenable to statistical analysis. There are many types of statistical analysis that assume different characteristics in the data and that are useful for understanding different questions of the data. The philosophy of science discusses the production of knowledge. All research is intended to further our understandings of our selves, our societies and our natural world within a particular cultural paradigm. Population statistics, and the analyses thereof, is simply one tool to assist us in this broader quest. And while statistics can be useful in making sense of data created by a variety of epistemologies, it is also important to note that the sophistication of the method and of the analysis does not necessarily produce better (more valid, reliable and relevant) knowledge. Statistics is, at base, a knife and fork. It cannot not evaluate the legitimacy nor the epistemological validity of the knowledge – it simply gets it (the food or data) to your mouth.



The First Nation peoples feel that ownership and control of community knowledge is a critical operating principal of the newly proposed FNSI; however, departments within the Government of Canada would prefer the FNSI adopt a stewardship model as exemplified by Statistics Canada. This difference in positions has created discord between departments within the government of Canada and the First Nation peoples. Yet, while reaction has been strong, it has been unclear what distinguishes these concepts. In fact, are these concepts even comparable? Does one necessarily preclude the other? This paper was commissioned to explore the concepts of stewardship as exemplified by Statistics Canada and OCAP as defined by the First Nation. What might the differences be, if any, between these concepts in terms of FNSI's relationship to the knowledge it produces and to the community it will serve?

II. LOGIC OF DISCUSSION

This paper is organized to discuss the operational differences, if any, between stewardship and OCAP. To do so, I first explore why OCAP has become a critical principal to the First Nation peoples, why FNSI has been proposed and what stewardship means as the term has been used. I define OCAP vis a vis what and whom and I define stewardship vis a vis what and whom. Entertaining these terms means, in turn, that I must explore the different considerations of a dominant culture and of a marginalized culture regarding the production of knowledge. It is this difference in historical relations to the production of knowledge that gives birth to a notion such as OCAP.³

It is important to note this is NOT a paper on privacy and access to information regimes. Instead, this paper focuses on exploring the tensions that underly the discussion around OCAP and stewardship. These are the tensions that arise when a society redistributes the power to produce knowledge. The creation of FNSI represents the effort to create the public and institutional space for the creation of Aboriginal knowledge(s) by Aboriginal peoples. Part of the difficulty in the resolution of the OCAP

³ When I use the term 'production of knowledge' in this context, I mean more fully the production of knowledge that is considered legitimate for governance purposes.



and stewardship issue is the awareness among all participants that a lot is at stake in decisions about operational issues. Seemingly mechanical issues such as who creates, interprets and uses the data involves issues of power, transparency, credibility, relevancy, and legitimacy. These mechanical issues are also central to an organization's ability to fulfill its mandate.

As a consequence, I start the discussion with the wherefores and whys of the creation of FNSI. Why is a First Nations Statistical Institute necessary? What are the proposed objectives of such an institution? The types of knowledge FNSI is meant to produce and the relationships it is meant to build help us to identify what operational powers and responsibilities are required in order to accomplish these objectives.

The next part of the discussion explores problems in the current system of knowledge production that FNSI is meant to address. That FNSI has been proposed at all indicates a general agreement that the current system of knowledge production is not working for the First Nation peoples. I spend a little time looking at how culture and knowledge are co-constructive.⁴ When OCAP is seen as a relationship between a community/culture to its community/cultural knowledge, we can understand that it operates, unseen and assumed, for the dominant culture – the Government of Canada, its institutions and other dominant social institutions. I also examine how ownership and control fundamentally operate through the research process, and how the Government of Canada's OCAP of the creation of First Nation's knowledge has had detrimental consequences for First Nation cultures.

This discussion helps us to understand why First Nation peoples feel that OCAP of community knowledge is critical. The emergence of the OCAP principal is a political response to colonialism and the role of knowledge production in reproducing colonial relations. Finally, I discuss how intercultural validity and reliability checks produce more complete understandings. This has key implications for the OCAP of already existing First Nation data. If we are serious about OCAP, this section asks why shouldn't FNSI become the repository for already existing First Nation data? Why shouldn't knowledge already produced *about* First Nation peoples be subject to an intercultural validity check *by* the First Nation peoples?

The discussion then considers the operational differences, if any, between stewardship and ownership, control, access and possession. I will argue that OCAP and stewardship are not at odds. Instead, these terms define different relationships. OCAP is a term to describe the relationship of a community/culture to its community/cultural knowledge. OCAP is the cultural control of knowledge production. Stewardship assumes OCAP. Stewardship is a term to describe the relationship of an institution such as Statistics Canada or FNSI to the community it represents and the knowledge it has produced of them. An institution may act as a steward in the production of knowledge for the community.

⁴The familiar notion that data, information and knowledge are discrete entities is problematic. Data do not exist absolutely. Instead, data are created through measurement based on a theory that hypothesizes that certain information is useful for producing particular knowledge.



Stewardship must be defined relative to the culture for whom it is ‘stewarding’. As a consequence, there may be differences in how stewardship is operationalized. Cultural differences such as in orientations to the individual and the collective as well as historical relations to the production of knowledge will underly differences in the requirements of a steward.

What does stewardship look like as exemplified by Statistics Canada? Stewardship is not a particular definition in the Statistics Act. Instead, it is the term used to describe Statistics Canada’s role. What is the steward’s obligation to the community from which it takes knowledge? What requirements define the stewardship role in terms of ownership, access, control and possession of the data?

Next, the discussion explores how the First Nation peoples define OCAP and stewardship. OCAP is a term used to describe the relationship of First Nation peoples to their knowledge. I will argue that OCAP can only be realized by having the resources to produce knowledge, the institutional basis to legitimize it and the power to make it heard in the public domain. OCAP then can be said to set the stage for the creation of First Nation research institutions such as FNSI and the National Aboriginal Health Organization (NAHO).

NAHO is a working model of stewardship for First Nation communities. NAHO is acting as a steward of the First Nation and Inuit portion of the Regional Longitudinal Health Survey. OCAP of the First Nation and Inuit research component is what distinguishes this relationship from the past relationship of Aboriginal peoples to knowledge production. What does stewardship look like in this model? How is it similar to, and different from, the Statistics Canada model of stewardship re ownership, access, possession and control of the data? How does a different cultural emphasis on the collective rather than individual and the sensitivities of a marginal culture to protect the collective figure into this?

Finally, I have attached as Appendices the comments received on this paper. All comments were appreciated. Some comments were accepted and incorporated. When I did not agree with a critique, and it is a substantive critique rather than stylistic, I have discussed why I considered but rejected the advice. All comments helped to make this a better paper. This paper is situated within the on-going discussion. It is one part of the discourse. I think that including the critiques of this paper is important as these comments are also part of the discussion.



As always when stepping into one of these discussions, I felt as if I were wading through a morass - of information, emotions, diverse and strongly held perspectives, and cross cutting claims - that was not indecipherable, but was daunting. I thank all for their patience, time and giving of thoughts and experiences. Through researching and writing this paper, I have come to the conclusion that FNSI is a *product* of the demand by the First Nation peoples for ownership, control, access and possession of their community knowledge. This demand has evolved through time with commensurate political actions such as boycotting the Census, developing community research codes, and establishing research protocols for conducting national research such as NAHO's RHS.

OCAP does *not* preclude FNSI from creating a stewardship relationship with First Nation communities for the knowledge it creates. Stewardship is a term that assumes ownership – assumes the knowledge is our own. We are stewards of a community or public good. This assumes that we are part of that community. For an institution to act as a steward requires that we trust that the institution is *of* us. Do the First Nation peoples believe that Statistics Canada and/or DIAND act as stewards of their community knowledge for them? If not, then the notion of OCAP lays the foundation for a FNSI that could act as a steward of First Nation's information for the First Nation peoples.

I strongly believe that, if FNSI is structured appropriately, it could be a tool to further the First Nation peoples' ownership, control, access and possession of their community knowledge. It may be an institutional mechanism through which the First Nation peoples can make their cultural knowledge more visible and accessible to themselves. To the extent that First Nation communities allow the Institute to share access to the knowledge it creates, the Institute can play a strong advocacy role for the First Nation culture(s) vis a vis the rest of Canada. Without institutional power and resources, colonized populations can do little but resist domination and attempt to protect the collectivity from systematic degradation. This Institute may be an opportunity to move beyond resistance to domination to the creation of a proactive defining force in First Nation communities and in the First Nation's relationship to the rest of Canada.

Throughout the paper, I will make assumptions about where we have already reached agreement in this discourse. Not to do so would require a treatise, and perhaps a redundant examination of issues that have already been decided. I will, however, attempt to acknowledge each assumption as we move along so that readers have the chance to opt out of discrete points (or the implications thereof) in the discussion. This paper is not designed to resolve all the issues regarding stewardship and OCAP. Instead, this discussion is meant to more fully explore why OCAP has become a critical principal to the First Nation peoples; how OCAP and stewardship are related, and to perhaps make a little more visible the historical and political differences evident in which term we use to describe *our own* relationship to the production of knowledge.

III. SOURCES

I used several disparate types of information for this discussion. First, this paper relies on the vibrant discourse about the philosophy of science that has challenged all social and natural scientists in the last five decades to examine the cultural context of our work. This includes how our culture shapes our work and



how our work shapes our culture. The discourse on the philosophy of science has become richer as it has expanded to grapple with non-Western modes of knowledge production and has been forced to examine the differences, if any, between Science in the West and the systematic knowledge production of non-Western cultures. Questions about the role of science in cultural projects, such as colonization and decolonization, and whether or how science can be used for democratic and multicultural purposes is increasingly a focal point of discourses on the role of knowledge in our local, national and global communities. I find this literature helpful in providing perspective on why this discussion around stewardship and OCAP has become difficult, in challenging the divide between “indigenous/traditional knowledge” and Science, and in underscoring how the production of social knowledge has shaped the past and will shape the future of the First Nation peoples.

A second source of information upon which I relied was the Aboriginal community. Through writings of Aboriginal peoples, the Draft Business Plan for the FNSI, attendance at the 2002 Conference of the National Aboriginal Health Organization and discussions with a small group of Aboriginal peoples involved in knowledge development, I sought to understand the perspective(s) of the First Nation peoples toward the development of FNSI. This was not exhaustive. Instead these discussions were intended to explore the issues at stake in the discussion around OCAP and stewardship.

I want to thank the First Nation peoples who shared with me their perspective of this issue. This sharing was critical as my own particularity does not include living the experience of an Aboriginal person. Instead, my cultural and social particularity includes being a mother and a white, straight, educated, female. My training and research interest undoubtedly play a role in my approach to this issue. My background is a Doctorate of Philosophy with concentrations in Philosophy and Methodology/Statistics. My research interest has been in how to use alternative, and/or standpoint, epistemologies⁵ to produce more complete, relevant, inclusive and accurate accounts of our society. I do not, nor cannot, attempt to write from the perspective of an Aboriginal person. Instead, I have sought to use the literature on the philosophy of science and the literature that addresses the role of knowledge production in maintaining relations of dominance and subordination to

⁵ Epistemology is a theory of knowledge. It answers questions about who can be a knower, what tests beliefs must pass in order to be considered knowledge, and what kinds of things can be known. (*See Harding*) One of the central critiques of modern social science is that it has not considered women, people of colour, people of non-European cultures, etc as sources of knowledge for the creation of research theories. The methodology we choose is a theory and analysis of how research does or should proceed including how the theory is applied within disciplines to measure phenomenon. The method we choose is a technique for gathering information. Although choices made in any one area have implications for what is possible in the other areas, it is important to keep these separate because we are able to vary, or change, each. Most importantly, we make pre-research decisions about each and should illuminate those decisions. The study of epistemology and methodology is based on the recognition that the production of knowledge is a cultural and iterative process. Information we distinguish as knowledge differs from information we consider beliefs because of pre-existing choices about who can be a knower and which methods raise information to the state of knowledge. *Please see, Feminism & Methodology* (1987) ed. Sandra Harding, Indiana University Press: Bloomington and Indianapolis. For use in public consultations, please see also Espey, J (1998) *A National Conversation*. Prepared for the Canadian Biotechnology Advisory Committee.



help us make sense of the current discussion.

A third source of information upon which I relied was Government of Canada documents such as papers on Statistics Canada operating procedures, the Final Report of the Royal Commission on Aboriginal People, as well as a variety of government documents that illustrate current attempts to produce knowledge about Canadians generally, and about Aboriginal peoples specifically.

Finally, I want to thank the Government of Canada personnel who assisted me in this work. Representatives of Statistics Canada and DIAND were instrumental in my understanding of this issue. Both groups gave willingly of their thoughts and time. I especially want to thank DIAND for inviting me to participate in a working session where these issues were discussed openly.

IV. WHY A FIRST NATIONS STATISTICAL INSTITUTE?

A. THE IMPETUS

During a multi-year study, the Royal Commission on Aboriginal People (RCAP) conducted an extensive examination of the state of Canada's Aboriginal peoples that resulted in a five-volume report. The Commission was challenged "to investigate social and cultural issues and to then propose solutions to problems that compromise the quality of life of Aboriginal peoples."⁶ A principle finding of the Commission was that colonialism had significantly devastated the health of Aboriginal peoples and that the road back to health would require re-establishing the power, legitimacy and resources for Aboriginal self-government. In Volume 3, Chapter 1, the Commission notes:

This broader perspective has shown us that we are living with the painful legacy of displacement and assimilation policies that have undermined the foundations of Aboriginal societies. With the problems seen in this light, the solution is redistribution of power and resources so that Aboriginal people can pursue their social, and economic goals and regain their health and equilibrium through means they choose freely.⁷

One aspect of redistributing power to Aboriginal peoples is to re-distribute the institutional power of knowledge production. Largely as a result of the discussions that followed the release of the RCAP Report, the creation of a First Nations Statistical Institute was proposed to assist First Nation governments in their move toward sovereignty. As I will discuss later in this paper, claiming the knowledge high ground is a critical element in colonization. The 'other' is made, first, inferior and then, invisible. One method of doing this is through the production of particular knowledge. The re-claiming and strengthening of a culture

⁶ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 1, pp. 1. Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch1s1tos4.asp>

⁷ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 1, pp. 2. Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch1s1tos4.asp>



requires the ability to make it visible. Research and statistics can be a tool for making social phenomenon, and social understandings, visible. The continued use of this cultural understanding in knowledge production is critical for the reproduction of the culture. In this sense, reclaiming the institutional power to produce knowledge of First Nation peoples by First Nation peoples is a cultural project.

A second aspect of establishing the institutional power to produce knowledge within First Nation communities is as a tool for effective self-governance. The condition of First Nation communities testifies to the inability of Eurocentric research to produce policy knowledge that is effective in improving the health of Aboriginal peoples. Despite using methods that maximize internal validity, when the paradigm guiding the research is not culturally appropriate, the knowledge it produces will be useless at best, and more often, hazardous. The redistribution of policy development and delivery to First Nation communities will require the ability of First Nation governments to carry out culturally appropriate knowledge production. First Nation self-governance will require administrative databases for the provision of social and economic services as well as the capacity to undertake research that will assist in policy planning. The RCAP notes the importance of creating the institutional infrastructure to allow for effective governance:

Current social problems are in large part a legacy of historical policies of displacement and assimilation, and their resolution lies in recognizing the authority of Aboriginal people to chart their own future within the Canadian federation. Specific policies we recommend assume that this framework of authority will be put in place and that lands and resources will be redistributed to make self-government workable. Institutions to serve social needs will be established by Aboriginal governments and will reflect the cultural priorities of the population being served. Distinct Aboriginal institutions will play an important role in demonstrating how traditional wisdom can be applied to contemporary problems.⁸

B. WHAT IS FNSI MEANT TO PROVIDE?

The advent of FNSI has not been an overnight phenomenon: it is but one step in a long process. The creation of FNSI has been a multi-partner effort with the participation of Statistics Canada, DIAND, Health Canada and the Assembly of First Nations. The stated objectives of FNSI as of the March 28, 2002 Draft Business Framework are to:

1. Provide statistical information and analysis of the fiscal, economic and social conditions of First Nations as a basis for the development, operation and evaluation of First Nation policies and programs, for decision-making and for the

⁸ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 1, page 6. Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch1s1tos4.asp>



general benefit of First Nation citizens and all stakeholders;

2. Promote the quality, coherence, and comparability of First Nation's statistics through collaboration with First Nations/Treaty/Tribal Councils, federal departments and agencies, the provinces and territories, in accordance with internationally recognized standards and practices;

3. Build statistical capacity within First Nations government structures to facilitate and enhance the ability for communities and organizations to:

- develop frameworks and policy for standardized and customized information-gathering approaches and data bases
- facilitate training of nation and community personnel in the use of statistical information in operations
- enhance a First Nation's public service sector with human resources skills in statistics, demography and economic analysis so that statistical data bases can be used to the fullest
- support statistical management in a new fiscal arrangement
- support the transfer, revenue options and accountability provisions in an improved First Nation fiscal relationship
- support the data needs of the other three fiscal institutions that will be created under the First Nations Fiscal Institutions Act; The First Nations Financial Management Board; The First Nations Financial Authority, and The First Nations Tax Commission.⁹

⁹ First Nations Statistical Institute: Draft Business Plan Framework (March 28, 2002) Prepared for Assembly of First Nations Fiscal Relations Secretariat. P. 6



The specifics of FNSI are still under discussion. A variety of operating structures and practices have been proposed. Legislation is being contemplated similar to the Statistics Act that provides Statistics Canada its authority.

The objectives of the Business Plan charge the FNSI with several roles. For the purposes of this discussion, primary among them are: the use of research and statistics for policy and planning purposes, the coordination of First Nation's research in a central organization, building research and statistical capacity within the First Nation's community; establishing relationships with national and international statistical agencies, support for First Nation's fiscal management and evidence accountability for fiscal transfers from other governments.

The FNSI is also charged with responding to several potential users such as the collection and analysis of administrative data for other First Nation institutions, collection and analysis of data for Government of Canada departments, research carried out for First Nation communities, and research initiated by FNSI itself.¹⁰

V. WHAT IS MISSING FROM THE CURRENT SYSTEM OF KNOWLEDGE PRODUCTION?

I think it safe to assume that the proposition of FNSI indicates that the discourse has moved to the point that we acknowledge that there are problems in the current system of knowledge production. What problems in the current system of knowledge production is FNSI meant to address?

As I discussed briefly in the introduction, OCAP is best thought of as a term to describe the relationship between a community/culture and its knowledge. Stewardship is best thought of as a term to describe the relationship of an institution to its community and to the data it creates. An institution may be a steward of knowledge for the community. But OCAP demands that the institution produce knowledge reflective of the community for the community's benefit. The primary problem with the current production of knowledge is that the Government of Canada (and non-Aboriginal academic and corporate institutions) have had ownership, control, access and possession of First Nation's knowledge.

¹⁰ From a methodologist's point of view, the same research can fulfill several of these functions. For instance, carrying out research for policy development and planning may begin with one community's effort to explore an issue – this research could then be used, with permission, to inform the research or the policies of other communities. To the extent that this knowledge is helpful or has resonance in this new community we have taken a step toward reliability of the approach within the First Nation. Although this knowledge is a community's property, it may be shared, with permission, to inform Government of Canada departments on requirements for monies and services. And at a later time (a time-series follow up) for evidencing accountability for services and monies transferred. Finally, this research may help to begin to establish FNSI's institutional knowledge base and can lead to follow-up or expansion studies that the Institute undertakes on behalf of the larger First Nation community.



Although First Nation peoples have always produced knowledge of their communities and culture, the Government of Canada has not used this knowledge in its governance of Aboriginal peoples. And despite the negotiation of treaties, it is the Indian Act, created by the Government of Canada, which has structured the lives and health of First Nation peoples.

The Government of Canada has also created the research and statistics used to inform the policies carried out under the auspices of the Indian Act. Government of Canada institutions such as Statistics Canada, Health Canada and DIAND, have had a virtual monopoly on producing knowledge about, but not of, First Nation peoples for governance purposes. This research has assumed the governance goals of the Government of Canada and then situated the First Nation peoples within it. The production of knowledge has assumed, but not explicitly recognized, a colonization model.¹¹ What typifies a colonization model of knowledge production is the dominance of a particular worldview in determining the research. It is the assumption that a model based on a Eurocentric understanding of society and of the natural world can adequately or accurately understand Aboriginal peoples. This position privileges a particular worldview and then situates new populations within it.

Importantly, neither these institutions, nor the knowledge they produce about First Nation's peoples, are divorced from the culture that supports and constrains them.¹² The culture both generates the research

¹¹ There is a large body of literature that concerns itself with the “decolonization” process. Science as the institutional production of knowledge in the West is an integral part of that discussion. The ability to define the natural and social worlds and the relationships within them is a fundamental cultural power. Science has been subject to racist and colonialist tendencies. See for instance, *The “Racial” Economy of Science: Toward A Democratic Future*. Edited by Sandra Harding (1993) Indiana University Press.; Harding, S (1998) *Is Science Multicultural?: Postcolonialisms, Feminisms, and Epistemologies*, Indiana University Press. Increasingly, however, the divide between Science in the West and indigenous knowledge is under attack. See for instance, Agrawal, Arun (1995) “Dismantling the Divide Between Indigenous and Scientific Knowledge”, *Development and Change* Vol. 26, pp. 413-439. This literature is especially important for First Nation peoples’ researchers in order to avoid the notion that science is fundamentally different than the systematic production of knowledge in which First Nation communities have always engaged. Maintaining this dichotomy privileges science at the expense of ‘traditional’ First Nation methodologies such as oral traditions. Narratives (Meta and otherwise) are narratives in any culture – the difference between Science and First Nation knowledge production is the methods that are chosen to test and disseminate knowledge. Neither traditional Western nor Aboriginal methodologies can prove nor disprove the narrative. Both can, however, test the resonance of the narrative with the population.

¹² Statistics Canada recommended some changes in the language that I use to describe what they do. For instance, Statistics Canada recommended that they be called a steward of *information*, and not a steward of *knowledge*. Similarly, Statistics Canada described its authority to “collect and protect data”. I have chosen not to use this language. A central method by which we distance the cultural and historical particularity of the researcher from her/his research is by using language that implies neutrality. This language helps to reproduce the notion that the knowledge or particular information that we create of the world or of society is separate from a cultural and social context. For instance, I could say that Statistics Canada is a steward of *particular* information. This makes clear that there is a pre-research decision to produce some information and not to produce other types of information. Similarly, I do not subscribe to the notion that data are gathered or collected. This implies that data exist out there for us to simply pick up and put in our baskets. Instead, data are *created* through measurement. In turn, our measurement – the theory that guides it and creates the instruments and methods – is culturally and historically determined. Statistics Canada can be said to create data, not to collect it. Statistics



questions and uses the research results to further cultural aims. The production of particular information within a particular theory for purposes of describing a particular problematic must assume a particular *political* theory and structure. Without this assumed social and political theory, there would be no genesis for the data, or sense to make of the data once we created it. The research theory including the problematic, the measurement and the proposed explanations are essentially political.

Knowledge cannot NOT be political. While Statistics Canada may be non- partisan, it cannot be non-political. The normative framework that guides both the research priorities and the way research is structured in terms of units of analysis, phenomenon or activities deemed worthy of measurement, language used to describe or classify this phenomenon, and hypothesized relationships is inherently political. The creation of data rests on a cultural and political bedrock. It cannot be otherwise. In his 1995 Morris Hansen Lecture, the Chief Statistician of Canada states:

As a result of his rank, the Chief Statistician participates in regular (weekly) meetings of deputy ministers which (sic) provide him (sic) an on-going appreciation of the evolving plans and priorities of government. Membership in the club of senior officials gives the Chief Statistician both personal and official access to the highest levels of decision making which is invaluable in acquiring a full appreciation of evolving major issues and which in turn improves Statistics Canada's ability to maintain the relevance of its product line. It also provides opportunities to demonstrate the relevance of statistical information directly at the highest level of public service decision making.¹³

Statistics Canada is informed by the Government of Canada and informs Government of Canada policy. This is not wrong; it is, however, political. Knowledge creation is a cultural activity. And knowledge creation can be, to a greater or lesser extent, inclusive of alternative perspectives.

Canada can also be said to choose not to create certain data. Which data we choose to create depends on the question we are trying to answer, and the theory in which that question is situated. See *Appendix B* for a full list of Statistics Canada's comments.

¹³ Fellegi, Ivan (1995) "Characteristics of an Effective Statistical System", Morris Hansen Lecture, Washington Statistical Society, pp. 5



A. THE EMERGENCE OF OCAP FOR FIRST NATION PEOPLES

OCAP has emerged as a 'rallying point' as First Nation communities have asked "Who has the 'right' to produce knowledge about whom and for what ends?"¹⁴ Does the Government of Canada – or one of its agencies – have a legitimate basis for creating data about First Nation peoples? The obligation for citizens to respond to the Census, for instance, rests on the implicit social contract between a citizen and her/his government.¹⁵ It is clearly in dispute whether such a social contract exists between the Government of Canada and First Nation peoples. In this light, the refusal of some communities in the First Nation to participate in the census can be seen as a political move to resist domination. As the Chief Statistician of Canada notes, the viability of Statistics Canada rests, in part, on legitimacy:

By legitimacy I mean a social judgment that the activity of the statistical system is in the interest of the country, that it indeed serves an essential purpose.¹⁶

The social judgment will vary by groups and by research activities. First Nation peoples have a particular standpoint from which to deem the activities illegitimate. In a presentation at the 2002 NAHO Conference, Brian Schnarch of NAHO listed many reasons that First Nation peoples have developed a deep distrust of researchers. Examples include that:

- most Aboriginal research is paid for and carried out by Non-Aboriginals from government, universities and industries;
- governments gather data on Aboriginal people without their consent;
- governments and researchers analyse, interpret and report data without consent, review or input from Aboriginal peoples;
- researchers choose subjects of a personal interest rather than of interest to Aboriginal peoples;
- individuals and communities feel pressured or fear a loss of services if they don't participate;
- researchers do not explain their studies in a manner that ensures the participants are giving fully informed consent;
- information made available by research has been distorted, appropriated and commodified;
- researchers have recklessly sensationalized problems among Aboriginal people, without regard for impact on communities or their social and political interests; and

¹⁴ In a Presentation at the 2002 NAHO Conference, Brian Schnarch discusses OCAP as a political movement. He provides guidelines on how First Nation and Inuit communities can increase their OCAP of community knowledge.

¹⁵ For a discussion of this basis of western liberal democracies, please see Barker, E (ed.) (1947) *Social Contract: Locke, Hume, Rousseau*, Oxford University Press: London.

¹⁶ Fellegi, Ivan (1995) "Characteristics of an Effective Statistical System", Morris Hansen Lecture, Washington Statistical Society, pp. 7



- research results are not returned to the community or they are returned in a form or language that is inappropriate.¹⁷

These are indications that a community does not have OCAP of its community knowledge. The corollary is that others have OCAP of the First Nation's community knowledge(s). The production of knowledge has been responsive to (designed and answerable to) non-Aboriginal cultural values and priorities.

Even if the Government of Canada has a weak claim to Aboriginal knowledge in the realm of political theory, at an operational level, the Government of Canada will claim a 'right' to know based on the contractual obligations in fiscal transfers. The transfer of monies for services requires information. If we assume that First Nation peoples and Canada will continue to have an intimate relationship, the question becomes how can we create a system of knowledge production that does not fall prey to the weaknesses of the historical system? This leads us to consider how knowledge about First Nation peoples has been created. How has the Government of Canada maintained OCAP of public knowledge of First Nation communities? Answering this question, also helps us to identify what is necessary for the First Nation to regain OCAP of its community knowledge(s).

B. HOW OCAP OPERATES: DOMINANT & MARGINALIZED/COLONIZED CULTURES

Under a section entitled, "Confronting a Painful Legacy", the RCAP says:

In Volume 1 we described the process by which Aboriginal peoples were systematically dispossessed of their lands and livelihood, their cultures and languages, and their social and political institutions. We showed how this was done through government policies based on the false assumptions that Aboriginal ways of life were at a primitive level of evolutionary development, and that the high point of human development was to be achieved by adopting the culture of European colonists. We argued that these ethnocentric and demeaning attitudes linger in policies that purport to work on behalf of Aboriginal people while actually withholding from them the power to work out their own destiny.¹⁸

If we assume that researchers are not maliciously or even intentionally seeking to continue the colonization of Aboriginal peoples, how does the production of knowledge sustain colonial relations?

There is a stream of literature within sociology and political science that researches the dynamics between

¹⁷ Schnarch, Brian (2002) *Ownership, Control and Access (OCA): Self-determination Applied to Aboriginal Research*. Presentation at the 2002 NAHO Conference, Ottawa: Canada

¹⁸ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 1, pp. 2. Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch1s1tos4.asp>



dominant and marginal groups within a society. To understand these relations, researchers study the ‘transcripts’ of each group. Transcripts are accounts of society – its relations, values, modes of operation, and goals. In all societies, there is a public transcript – an account of society that legitimizes social relations including the continued dominance of the elite and subordination of others. The production of knowledge, or particular information, also produces a particular account of society that feeds into the public transcript. When knowledge production is dominated by the dominant group in society, it plays a key role in maintaining the status quo of social relations including the continued dominance of one group and the continued subordination of another(s).¹⁹ Scott says:

The public transcript is, to put it crudely, the self-portrait of dominant elites as they would have themselves seen. Given the usual power of dominant elites to compel performances from others, the discourse of the public transcript is a decidedly lopsided discussion. While it is unlikely to be merely a skein of lies and misrepresentations, it is, on the other hand, a highly partisan and partial narrative. It is designed to be impressive, to affirm and naturalize the power of dominant elites, and to conceal or euphemize the dirty linen of their rule.²⁰

The public transcript is the story that we tell publicly of our society, what matters, who matters and how we are related. The public transcript will also serve to provide reasons why some groups have the resources and power to make their particular perspective on society visible while others do not. To the extent that participation in the production of knowledge is unequal, research will continue to reinforce the dominant and particular perspective of society and of the natural world. Reinforcing this account of society, in turn, ensures the reproduction of the experience that generated the account - including the experience of others who do not have the power to make their perspective visible (through research for instance). The public transcript defines for us who and what matters, why it matters, who can participate in telling us what matters, etc. The public transcript sets the terms of public discussion. This account of society seeks to preserve a particular social experience that requires particular social relations. In this instance, the primacy of European values, goals, modes of living, and relating, and the inferiority of Aboriginal values, goals, modes of living and relating.

Through knowledge production, public transcripts are self-reproducing. In the face of a dominant transcript, marginalized (and in this case colonized) groups will keep their accounts of society hidden. In democratic societies, one of the most interesting areas of research is in how to open the public space for the introduction of hidden transcripts – those accounts of society that are created by, and shared among, marginalized groups. Hidden transcripts are hidden because they are either dangerous to introduce (because they provide alternative accounts of social relations and social justifications that would challenge the existing

¹⁹ For a full discussion see Scott, James (1990) *Domination and the Arts of Resistance: Hidden Transcripts*. Yale University Press: New Haven and London.

²⁰ Ibid, page 18.



distribution of natural and social resources) or because they are barred de facto from entering the public discourse based on the terms of the public transcript (for instance, that data are objective and independent of the social experience/location of the person who has created the research). One of the most effective methods of maintaining the public transcript and silencing alternative perspectives is the prescription of who can participate in public discourse (or in knowledge production), what types of knowledge claims count, what values are acceptable to introduce, and what ideals are appropriate.

Hidden transcripts are the result of unequal power relations in the public sphere. The existence of hidden transcripts is an indicator of marginalization. The ‘gap’ or difference between the public transcript and hidden transcripts indicate the extent of domination. Yet hidden transcripts represent theoretical and empirical standpoints²¹ on society and the natural world that help to provide richer and more complete accounts of society. Research – a process by which we create knowledge – is an essential method for making alternative transcripts visible. Institutions – as sanctioned public spaces – may play a key role in making alternative transcripts heard in the public discourse.

First Nation peoples have a unique standpoint borne of a culture that developed independently of European culture with its own narratives. Yet, First Nation standpoints will also include accounts of society that developed as a result of colonial rule. How do the two intersect or help to construct one another in this twenty first century? It is important to identify those narratives (for instance,

²¹ A standpoint epistemology is a particular type of epistemology. Standpoint epistemologies reject the notion that the research and its results are separate from the researcher. The researcher’s cultural and social location in society will play a role in determining the theory adopted. Standpoint epistemologies date back to Hegel’s discourse on the master-slave dialectic (See Hegel, *Phenomenology of Spirit*, translation by A.V. Miller) where each has a different experience of the social and natural world based on their location in society. Standpoint epistemologies were later picked up by Marx (See for instance, *Das Kapital*) and feminist theorists such as Hartsock and Flax. It is important to note that standpoint epistemologies do not necessarily reject the methods used by internalist epistemologists – the techniques used for gathering data – instead standpoint epistemologies argue that different groups (based on social location or culture) should be included as sources of knowledge in the development of the pre-research theory. Standpoint epistemologies do claim that to the extent that theories of knowledge generation (epistemologies) do not recognize alternative standpoints, the knowledge they produce will be partial and perverse. Standpoint epistemologies are also more likely to rely on narratives – discursive practices that are localized and operate through the community rather than meta (or grand) narratives that operate centrally.



encapsulated in oral traditions that have changed over time and been checked for truth value with each succeeding generation) that distinguish First Nation cultures and to also identify those narratives or accounts that are a product of colonial rule.²² Both must be made visible.

The public transcript is a tricky business. One of its greatest strengths is that it reproduces itself through research (knowledge production) by controlling 1) who is allowed to participate; 2) what can be or is worth knowing; and 3) why we would want to know. What is critical for the way that knowledge has been produced about the First Nation peoples is that unless a researcher recognizes the existence of alternative transcripts, researching standpoint populations within the public transcript will not uncover the hidden transcripts but only situate the marginalized in the public transcript.

Dominance of the institutions that produce knowledge by Euro-Canadians ensures their continued OCAP of social knowledge including Aboriginal knowledge.

C. OCAP IN KNOWLEDGE PRODUCTION

How does OCAP operate in the research process? Not only does our culture (or the culture of the researchers) construct our production of particular knowledge, our research results inform our notions of social relations and our formulations of policy. When the knowledge we produce is only reflective of a particular social experience, our policies will only serve to reproduce that experience. Research and statistics make visible a perspective. The repeated use of certain concepts, measures, activities, and associations reinforces the dominance of that perspective. The public transcript cannot reproduce itself.

The public transcript reproduces itself in a number of ways. Most simply in what is considered a relevant

²² Narratives are discursive practices of a people. Narrative, as a form of creating and transmitting knowledge, is different than Science (as we think of it based on the internalist epistemology) in a number of ways. According to Lyotard (see Jean Francois Lyotard (1989) *The Postmodern Condition: A Report on Knowledge*. University of Minnesota Press: Minneapolis), the form of narrative has the following elements: 1) it represents customary knowledge (traditional cultural knowledge); 2) it is open to language games (ie. the interaction of the 'teller' and the audience to changing the narrative); 3) it explicitly recounts in the telling the basis of the speakers 'right' to tell the story; 4) it acts as a method of forming the community bond – ie. each has a role in the interaction – the listener, and the teller who implicitly (or explicitly at times) it identified as once having been a listener; and 5), while the narrative (such as nursery rhymes) may refer to the past and in fact seek to remember it – it is a current interaction that makes the story contemporary. Narratives are seen as a form of determining the truth value of knowledge in a contemporary and local way. Metanarratives, on the other hand, are described as those stories that are totalizing – that eschew local narratives that operate between givers and receivers as dynamic components of the community, and appeal to a grand design that is not reliant on active participation. Science, as we have known it, is said to appeal to a metanarrative. Metanarratives appeal to a grand narrative such as the dialectic of Spirit, the unanimity of the rational mind, the quest for economic development, and are used as a philosophy of history and to legitimate knowledge. So history is seen as the unveiling or actualization of spirit and knowledge is produced and legitimized within this metanarrative. This then raises legitimation issues for the metanarrative itself (the notion that history is about the unveiling of the spirit or economic growth or unanimity of rational minds) Modernity, enlightenment through reason, rests on a metanarrative. Postmodern theory, on the other hand, takes a critical stance to all metanarratives and prefers narrative forms of knowledge production and legitimation.



category for measurement or response within that category. A little more complexly research will assume a set of policy rules that constrain a phenomenon. A little more complexly still, research will reproduce a particular perspective because it defines the context or situation of a phenomenon. The perspective of a phenomenon includes a range of potential differences that structure the measurement process – such as what is seen to be a problem, who the relevant subjects or actors are in the problem, what the point of the activity or exercise is, and the language, and its associated meanings, used to describe the phenomenon, person or group. I use quantitative research to illustrate how the public transcript guides our research, because we often assume that quantitative means ‘objective’. Instead, quantitative results are simply large numbers of observations of a particular narrative.

(I) LEAVING OFF PART OF THE UNIVERSE

Most often we measure new populations within an existing paradigm. For instance, as we decided that Aboriginal peoples were of interest to us – either as subjects to be controlled (and therefore ‘tracked’), isolated, assimilated or ‘developed’ – we add them into the existing paradigm. We begin to measure them – to count them as part of our sample, but we do not change what we measure.

An example would be to say that we know that the favorite foods of Canadians (the universal, classless, raceless, cultureless, genderless person) are steak, Cheetos and apples. So we start to measure Aboriginal peoples, and we say “What is your favorite food? Apple, Steak or Cheetos? Well, Cree wanted to say “pahkwesikan” or for the English/French interviewers “Bannock” and Ojibwa wanted to say Fish²³, but these choices were not part of our allowable domain or range of responses. We hadn’t considered them as possibilities. So Aboriginal peoples say “Apples” – and we say that our results indicate that the favorite food of Aboriginal peoples are apples. We think we have an answer, and we do.

However, our research results have internal validity but no external validity. We have a response that supports the existing paradigm, but we aren’t any closer to understanding Aboriginal peoples. So we have missed the cultural understanding, and we have missed the ability to produce a fuller knowledge of food. We preclude the introduction of these new food options from gaining public visibility –from becoming a public choice for other people who may want to explore new culinary terrain. But we now are shipping tons of apples to First Nation communities, and we can’t figure out why they aren’t being eaten.

²³ I need the Ojibwa word for “Fish” please.



(II) CONSTRAINING THE SOCIAL MEANING AND POLICY RULES

Now, let's ratchet this up a bit to show more insidious policy implications. We also know that people eat in order to get calories into their bodies for working. As a consequence people desire high calorie foods to be eaten quickly and with little distraction so they can get back to business. So our eating rules in society are designed to meet this goal. We allocate significant research dollars to the creation of high calorie steaks, apples and Cheetos. We have now added high calorie Fish and Bannock (we have eschewed the use of the term 'pahkwesikan' because it would require too much social disruption to adopt Cree as an official language) to our allowed range because there was a First Nation advisory body, but the rules of our eating – to maximize the goal of quick, efficient consumption - means that mealtimes are 15 minutes at school and at work, a cone of silence descends on each of us to get to the business of consuming our calories, and we do not create dinner tables but only individual dinner desks.

If we had thought that another culture might have different notions of why and what it means to eat, or if we thought that another culture's notions had a right to constructing our public space, we might have found out that most Aboriginal communities see mealtime not as the quick and efficient consumption of energy but as a time for re-connecting with the family and community, and for recognizing the spirit and the gifts of the Creator. As a consequence, if our eating rules were based on Aboriginal perspectives our mealtimes should extend to two hours, we would create large round dinner tables, have a variety of medium to low calorie foods, and would require the necessary items of spiritual worship. Imagine how that would impact on workplaces and schools? What would happen to McDonalds?

(III) DEFINING THE PROBLEM AND THE SUBJECT OF THE PROBLEM

Let me give one more example of how who does the research impacts on the information that is collected and the policy response to that information. Research also defines the problem and the subject of the problem. For instance, when we choose to measure the number of single mothers on welfare, we have made visible something – the problem here is people on welfare, the subject of our problem – are single mothers. The policy response to this research is to figure out how to get single mothers off welfare. In fact, many provinces are reducing the length of time a mother can stay home with her newborn and still receive social assistance.

What if this phenomenon was made visible from a different perspective? In fact, there are several different ways this phenomenon could become visible that would lead to different policy responses. For instance, we could measure how many men think that parenting is optional rather than compulsory. The problem we make visible then for policy responses are orientations to parenthood



and the subject of the problem becomes men. Our policies then focus on how to increase the connection men feel to, or importance that men place on, parenting. Instead of enacting policies that move women raising children off welfare, we could enact policies that foster men's commitment to all aspects of parenting.

Or, we could simply change our language to indicate a change in perspective. For instance, we could call social assistance – social income and then we are not measuring a problem but a phenomena – how many people (male or female) are receiving social income for the work of raising children? At the recent NAHO conference, Madeleine Dion Stout discussed the difference implicit in the terms “senior” or “elder”. We could measure the number of elders in a community to indicate the resource of wisdom that we have available or we can measure the number of seniors in the community to indicate the potential drain on health and social resources. Or in terms of time use, we could count the number of hours a person spends with an elder each week, or hunting for food, or using the internet for education, or planting a garden. We could choose to make new activities visible. When we report on them, they gain value.

The bottom line is that the creation of particular statistic makes a certain understanding of phenomenon visible. Neither statistics nor data exist absolutely. Instead, they are a creation of a particular theory. To the extent that this perspective is adopted by others or repeatedly used, the perspective continues to be supported by ‘data’. In other words, if we want to measure single mothers on welfare – we can always measure them. If, however, we used a different perspective and wanted to measure men's orientation to parenthood – again we can always measure this to find support for the concept.

D. THE CONSEQUENCES FOR FIRST NATION PEOPLES

Has the way we have produced knowledge about First Nation peoples been helpful or harmful to First Nation peoples? If we used three questions to guide the value of the knowledge we produce, they might be:

1. Has this knowledge strengthened the culture(s) internally?
2. Is this information effective for policy development and program delivery?
3. Has this knowledge created a constructive or destructive relationship between First Nation peoples and the rest of Canada?

I would argue that OCAP requires the resources to produce knowledge, the institutional basis to legitimize it and the power to make it visible. First Nation peoples have not had OCAP of their community knowledge, the dominant European culture has. Not recognizing that OCAP works through the research process means that the current system of knowledge production has had detrimental consequences for First Nation peoples.²⁴ It has made their cultures publicly invisible, it has provided poor information for policy and

²⁴ Statistics Canada commented that “control of the research process does not reside with SC” Instead, they argue that they “produce data and people are free to use it in a manner that suits their research project.” See *Appendix B* for the comments. I would argue that the production of certain data is the most fundamental way to control the research process.



program development and it has maintained relations of domination and subordination between European Canadians and First Nation peoples.

(I) FIRST NATION PEOPLES AS POOR APPROXIMATIONS OF EUROPEANS

Earlier I said that knowledge production has been used first to make First Nation cultures inferior to European culture and then to make First Nation cultures invisible. When knowledge is produced about First Nation peoples from the perspective(s) of non-Aboriginal peoples, they are defined based on someone else's standard. First Nation peoples will always remain Europeans + or – some discrete (bizarre) characteristic. When research simply adds in a new culture to an existing paradigm (with minor changes in the range), the production of this particular knowledge will simply make the culture inferior and then invisible.

It is what happens when they allow you to play the game, but aren't willing to change the rules of the game based on your preferences. And when you play by someone else's rules, you will seldom do as well in the game as those for whom the rules seem natural (ie cultural). Nor is it a game that you particularly want to play, much less win. Yet policies will continue to be formulated in order to reproduce this game with an effort to make you a competitive player. And if it is the only game that provides the means for material and social well being (if you do well), you have no choice but to try to play. Within this model, First Nation peoples will always be, not different than, but less than.

Imagine if the research paradigms we use to produce the statistics that measure the health and well-being of Canadians were based on First Nation epistemologies – notions of who and what matters, proper social relations, proper relationship to the natural world and spiritual worship. If all of our research resources were plunged into Aboriginal organizations – so the only institutional base for knowledge production was Aboriginal what would happen to non-Aboriginal culture? Could we sustain it? Could we value it? Could we even find it after a while? Publicly? Or only privately?

(II) WRONG UNDERSTANDING

A second consequence is that the knowledge we produce simply isn't useful for policy development and program delivery. Public policies are only effective if they can intervene in the daily life practices of people. Research must be situated in the community – in the life practices of those people we are seeking to understand.

In large measure, the dominance of, and reliance on, Eurocentric understandings of society and the natural world have been maintained based on a commitment to an internalist epistemology. An internalist

I also disagree that Statistics Canada simply produces particular information or datasets. Instead, Statistics also analyses and interprets the information and produces many products in report format that are available as subscription series.



epistemology claims that it is the use of scientific methods that ensures the validity or ‘truth’ of the result.²⁵ The particular cultural and social location of the person designing, observing, analyzing and writing the research remains invisible and purportedly irrelevant. In fact, while scientific methods (which themselves are so varied among disciplines as to be impossible to define) may work to improve the internal validity of the results by following a systematic method that allows for replication, it cannot guarantee or address the external validity of results – the extent to which the results of the research approximates some useful understanding of the social world. Research may be scientific without being externally valid.

Traditionally, we are taught that science relies on intersubjective reliability. We check our observations with one another. When we share a similar social location (based on class, race, gender, ability) and/or a similar culture, the intersubjective reliability test is relatively weak because it does not provide any external or standpoint evaluation. Increasingly, scholars within the ‘development field’ are arguing for, not simply multiple standpoints within a culture (such as those based on gender or class), but also inter-cultural reliability and validity tests – the extent to which research results generated within a Eurocentric paradigm – are appropriate or useful for non-European cultures.

This call for extending the ‘peer’ group is intended to avoid relativist epistemological quagmires– where all forms of knowing are relative and therefore none are better than others. Instead, many philosophers of science are arguing for a stronger objectivity. This stronger objectivity requires that epistemologies be *held accountable* for the range, accuracy and partiality of the results they generate.²⁶ For instance, an epistemology that produces research results that foster a systematic ignorance of certain types of knowledge (say how colonial domination has resulted in the unequal distribution of natural resources and the benefits that accrue from the exploitation of them) can be said to be a less objective epistemology than one that leads to systematically more knowledge about these relationships. To the extent that our theories and resulting observations and analysis can pass standpoints of marginalized or colonized groups we are creating a more complete, less partial, understanding of social and natural phenomenon. Researchers and their work are not simply defined by what they choose to ask and explore but also by what they choose not to ask and not to explore.

In fact, after five decades of ‘development’ efforts, international organizations such as the WHO and the UN have recognized that natural and social knowledge is not ‘exportable’. International agencies are now relying more heavily on what is termed Indigenous knowledge (although the distinction between indigenous knowledge and science is still one of institutional power rather than the validity of the method(s)) - using the knowledge of indigenous peoples to inform research and policy practices.²⁷

²⁵ For a fuller discussion, see Sandra Harding (1998) *Is Science Multi-Cultural: Postcolonialisms, Feminisms, and Epistemologies*. Indiana University Press: Bloomington and Indianapolis.

²⁶ Harding, S (1998) *Is Science Multi-Cultural: Postcolonialisms, Feminisms, and Epistemologies*. Indiana University Press: Bloomington and Indianapolis

²⁷ See for instance, Sillitoe, Paul (1998) “The Development of Indigenous Knowledge”, *Current Anthropology* Volume 39, Number 2. See also the critiques of the article especially Brouwer, Jan (1998) “On Indigenous Knowledge Development”, 904- 275 Slater Street, Ottawa, Ontario K1P 5H9



If we agree that knowledge and culture are co-constructive (with some external limits of what is out there ie. gravity is gravity no matter what we name it or how we explain it or fit it into our world understanding). We must also accept that cultural belief systems make each culture uniquely situated to build systematic knowledge and to foster systematic ignorance. As a consequence, intercultural validity checks are crucial for an improved objectivity. Then, if we are serious about the First Nation's reclaiming the OCAP of their community knowledge(s), existing First Nation data must be subject to intercultural validity and reliability checks by the First Nation peoples. If we don't engage in this, we are keeping and using data /knowledge that we know are compromised – are partial. To the extent that the data was created based on a paradigm that ignores the role of colonization on First Nation peoples (ie doesn't measure and evaluate the associations between elements of colonization and status of First Nation communities), the data could be said to be perverse.

FNSI could serve as a mechanism through which First Nation peoples can examine the validity of what we think we know about them. This moves this knowledge to being of the First Nation peoples rather than about them.

Ivan Fellegi notes that:

Credibility plays a basic role in determining the value to users of the special commodity called statistical information. . . The credibility could be challenged at any time on two primary grounds: because the statistics are based on inappropriate methodology, or because the office is suspected of political biases. Because statistical agencies must make daily choices involving program priorities, questionnaire design, release texts, and these choices are unavoidably value laden. It is all the more crucial that they should strive to make such choices demonstrably free of political biases.”²⁸

In the most basic use of the term politics – cultural biases are political biases. They reflect and will reproduce a particular picture of who and what matters. When part of the cultural narrative is the justification for colonization of ‘inferior’ cultures, the daily choices in research become even more salient. OCAP – the very introduction of the term -is the creation of a colonized culture. A culture that has maintained a hidden account of their selves and their world but that has not been provided the public and institutionally recognized space to produce knowledge of themselves for them selves and for others. It is the

Ibid. for a discussion of recognizing the epistemological vantage points of European/North American researchers, indigenous peoples and the relationship between the knowledge.

²⁸ Fellegi, Ivan (1995) “Characteristics of an Effective Statistical System”, Morris Hansen Lecture, Washington Statistical Society, pp. 7



request for something that is lacking. It is not an issue for the dominant culture because we already have it.

VI. OCAP & STEWARDSHIP: THE STATISTICS CANADA MODEL

The gathering of information and its subsequent use are inherently political. In the past, Aboriginal people have not been consulted about what information should be collected, who should gather that information, who should maintain it, and who should have access to it. The information gathered may or may not have been relevant to the question, priorities and concerns of Aboriginal peoples. Because data gathering has frequently been imposed by outside authorities, it has met with resistance in many quarters.²⁹

I have argued that OCAP requires the resources to create knowledge, the institutional power to legitimize it and the public visibility to make it part of the public discourse. The Government of Canada, through Statistics Canada and other agencies, has these three components of OCAP. Yet, OCAP for the dominant culture goes unnoticed. Instead, when we discuss Statistics Canada, we focus on describing the relationship of the statistical institution to the community for whom, and of which, it is producing knowledge. We use the term stewardship to describe Statistics Canada's role. Stewardship is a term that must be situated. Stewards of what? For whom? Statistics Canada is a steward of knowledge for Canadians.³⁰

²⁹ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 5 pp. 4 Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch5s8.2tos9.3asp>

³⁰ As discussed in an earlier footnote, see page 12, attached as *Appendix B* are comments received from Statistics Canada. Many of these comments were very useful and much appreciated. Specifically, on this point, Statistics Canada commented that it is not a 'steward of knowledge' but is, instead, a 'steward of information'. I have chosen not to adopt this language. I do think it is appropriate to say that Statistics Canada is a steward of 'particular information'. I have chosen then to use the term particular information to ensure that we remember that information is particular to and created by a culture.



A. THE REQUIREMENTS OF STEWARDSHIP

What are the particular operational characteristics that make Statistics Canada a steward of knowledge for society? Using the notion of ownership, control, access and possession helps to clarify how different operational protocols such as access, publication, data storage and control of the research process play a role in ensuring OCAP for the community, not for Statistics Canada.

It would be odd to get to this point in the discussion and suddenly privilege stewardship – what it means and how it looks – as a-cultural. Stewardship is not a universal principle that transcends social and cultural relevance. As such, the operational requirements of stewardship – its rights and responsibilities – must be defined by the community that the institution is serving. What may be stewardship for one culture – European – may not serve the stewardship requirements of another culture. Statistics Canada’s example of stewardship of particular information is not the Platonic ideal. Instead, it is a culturally and politically negotiated set of practices. The particular model of stewardship exhibited by Statistics Canada illustrates what is required of stewardship for Euro-Canadians.³¹

(I) OWNERSHIP

Technically, the Government of Canada owns all data produced by Statistics Canada, however, through the social contract, the Canadian public can be said to ‘own’ the information that Statistics Canada creates. It is then a public or community good so to speak. Statistics Canada does not conduct research that can be ‘owned’ by a private company, individual, community or any other organization. Instead, ownership rests with all of the Canadian public and stewardship of the information for the public rests with Statistics Canada.

(II) ACCESS

Ownership, as the community’s right to know, is key for participation in the production of this knowledge. Statistics Canada has a *requirement to publish results*. Why is this important?

Publication of results means the information becomes visible. We can argue with it, seek to refute it, try to influence the categories, and request clarifications, and/or justifications. Certainly the research is culturally constructed; however, publishing the results ensures the ability for the culture to examine it. This visibility is crucial for public discourse – for being able to examine our knowledge, or even claim that it isn’t ‘ours’. If the information were produced but kept from the public domain, I could not argue with or act to affect the information that may inform policies that will structure my life.

Specifically, Statistics Canada provides access to data and access to data reports. All reports published by Statistics Canada are available to any one (although some require a fee). Access to data is dependent on the data (to guarantee confidentiality of the individual and for sheer capacity to use the information – for instance

³¹ With an increasingly multi-cultural population, many of the governance notions that we have taken for granted including what stewardship means and should look like are likely to come under discussion among non-Aboriginal peoples as well.



a representative proportionate sample of the Census population such as CANSIM). Access is not dependent on the identity of the person or the proposed use of the information.

Access and confidentiality are constructed in a particular way based on culture. There is no recognition within Statistics Canada's governing legislation nor procedures and protocols that the confidentiality of a collectivity may need to be protected. The individual is the primary unit of analysis and assumed to have the right to privacy. Guarantees of confidentiality, backed up with penalties and prosecution, testify to the importance of the individual's right to confidentiality. This focus on the individual rather than the collectivity is a product both of the liberal European culture and of the privileged assumptions of a dominant group. Primarily, European culture rests on the notion that the individual is paramount especially in terms of identity. We are Hobbes 'mushroom' man (we spring up all on our own overnight). However, other cultures, perhaps Aboriginal cultures, view the collective as the primary unit and the determinant of individual identity and worth. As a consequence, the collective is often the unit of analysis and individuals may be identified by their role within the community.³²

Certainly, a part of the reason for Statistics Canada's guarantee of confidentiality is not simply some sense of right of the individual to privacy but also to protect the individual from deleterious consequences from the use/misuse of the information.³³ The only instance in which we would think the collective also doesn't need this protection is if we are part of the dominant group. When your collective affiliation works for you, individual differences seem the only ones that matter. i.e. race isn't an issue for me, and in fact, I often forget that I have one, because I am the 'right' one. However I have found myself on the wrong side of the gender divide a time or two, and so I notice the affect of gender in my life.

Certain collectivities within Canada are systematically privileged or handicapped. Clearly, individuals within the First Nation are systematically discriminated against by virtue of their group membership. To the extent that the culture is de-valued, individuals within it also lose value. The culture has lost privacy due to extensive research activities and has experienced persecution by the dominant culture enabled, in part, through the use of information. For a marginal and/or colonized person seeking to protect the collective is a reasonable response. In fact, based on social experience, ignorance of the power of collective identities would be impossible.

(III) CONTROL

Control of the research process resides with Statistics Canada.³⁴ Specifically, Statistics Canada chooses an epistemology – that defines the problematic and the theory in which the problematic is embedded, creates the research instruments and sampling frames, and creates the data. This is my primary reason for refusing to adopt the language of 'gathering or collecting data'. Data are not out there existing absolutely. Instead, we

³² Statistics Canada does not understand its role to ensure confidentiality as stemming from the protection of privacy. See *Appendix B*.

³³ Which, in a culture that assume self-interest, is probably the basis of the 'right' itself.

³⁴ Statistics Canada does not see itself as controlling the research process, but instead as "producing data and people are free to use it in a manner that suits their research project." Please see *Appendix B*.



(every single one of us) are situated in a social experience. What emerges as problematic from one experience, may not be problematic to another experience. What emerges as an important area of study for Statistics Canada or government policymakers, may not be an important area of study for First Nations. Who emerges as a legitimate knower in the problematic is a pre-research choice. What categories emerge as related to the problematic will differ based on social location and/or culture. Although analysis of the data is undertaken by Statistics Canada and also by outside institutions, the ability to control the epistemology and the creation of the data is central to defining the universe available for analysis or interpretation. If bannock isn't measured, we cannot create it in the data. If persons with extraordinary care needs are defined as persons with health and activity limitations and therefore measured by disability (what is wrong with them) rather than by care needs (what they require of us), we are stuck with these definitions and descriptions of this population, and when we participate in this research, or replicate it, we are strengthening the use of these categories. We cannot discuss persons with extraordinary care needs then and provide quantitative measures of those care needs or even of that population. Instead, we can only analyze and interpret the data that Statistics Canada created.

Control over the research process means that Statistics Canada can make the process inclusive or exclusive – it is an administrative decision. There are no requirements to adopt an inclusive research process. Currently, there is significant elite involvement in the form of advisory committees of business, academics, scientists, NGOs and governments.³⁵

Statistics Canada does *not* attempt to control how the data are used.

(iv) POSSESSION

Possession (and protection) of the data remains with Statistics Canada. This is seen as part of Statistics Canada's responsibility to the respondent – to continue the protection of privacy. Selected batches of data are released to the public and can therefore be said to be in the possession of anyone who requests (and/or purchases) it. However, this released data has been cleaned and checked to ensure that confidentiality of the individual is guaranteed.

VII. OCAP AND STEWARDSHIP: A FIRST NATION'S MODEL

I have suggested that OCAP describes the relationship of a community to its knowledge. By definition, the dominant culture (whatever it is at any one point in time) has the resources, institutional base and public power to have OCAP of their knowledge production. Thus OCAP is not an issue for a dominant culture. For marginalized or colonized populations such as the First Nation peoples of Canada, OCAP of community knowledge is a critical issue for self-determination.

Mutual respect between Aboriginal and non-Aboriginal people in Canada can be

³⁵ Fellegi, Ivan (1995) "Characteristics of an Effective Statistical System", Morris Hansen Lecture, Washington Statistical Society, pp. 14



achieved only with knowledge of one another, However, the opportunities for Aboriginal people to contribute to authentic knowledge – by representing themselves in their own languages, with reference to their own symbols, in their own literature, radio, movies and television –have been, and continue to be, severely restricted.³⁶

As most of this paper has discussed, for the First Nation peoples to gain OCAP of their cultural knowledge requires the resources to produce knowledge, the institutional basis to legitimize it, and the power to make it visible in the public domain. In the discussion between the Government of Canada and the First Nation peoples, OCAP has come to be seen as conflicting with stewardship. However, as I have argued, OCAP precedes stewardship. OCAP for the First Nation means that Statistics Canada, as it is presently structured and peopled, *cannot* act as a steward for the First Nation peoples of First Nation’s knowledge. It does *not* mean, however, that FNSI cannot act as a steward of First Nation’s knowledge for the First Nation peoples.

FNSI is one means of creating OCAP vis a vis First Nation knowledge. What would be required of FNSI to fulfill the stewardship role?

A. THE NAHO MODEL

The role of the National Aboriginal Health Organization (NAHO) in the Regional Longitudinal Health Survey provides one example of how OCAP and stewardship can look in operation. The National Aboriginal Health Organization has entered into an agreement with the Indian and Inuit Health Programs Unit of the Medical Services Branch to act as stewards of the Aboriginal sample/participation in the Regional Longitudinal Health Survey.

NAHO appointed a National Steering Committee to head the First Nation and Inuit RHS. The Steering Committee is composed of representatives from the First Nation and Inuit organizations of each participating region of the RHS. As a first order of business, the National Steering Committee developed a Code of Research Ethics to guide the research process. The code of ethics specifies process values to engage the community in the creation and control the research.

As Gail McDonald noted in her presentation of NAHO’s role in the Regional Health Survey, “For the RHS, the Code was as much about *Process* as it was about *Ethics*.” (Emphasis in original)³⁷

³⁶ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 1, pp. 5. Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch1s1tos4.asp>

³⁷ McDonald, Gail (2002) *First Nation and Inuit Regional Longitudinal Health Survey: Code of Research Ethics – The Process, Principles and Relationships*. Presented at the 2002 NAHO Conference, Ottawa: Canada.



The First Nation/Inuit Research Policy Statement:

It is acknowledged and respected that the right of self determination of the First Nations and Inuit peoples includes the jurisdiction to make decisions about research in their communities. Research should facilitate the First Nations and Inuit communities in learning more about the health and well being of their peoples, taking control and management of their health information and assist in the promotion of healthy lifestyles, practices and effective program planning.³⁸

Through the development of a Code of Research Ethics, a set of guidelines for the research process, a set of obligations of researchers to the First Nation and Inuit peoples, and protocols for accessing and publishing the data, NAHO has described a particular stewardship model.

(I) OWNERSHIP

In the NAHO RHS model, as in the Statistics Canada model, ownership of the data belongs to the community. However, in the instance of Statistics Canada, the community is Canada. Ownership in the Statistics Canada model notices no distinctions within the Canadian population. In the NAHO model, ownership of the data belongs to the many communities who participated and the data must be returned as grouped results to each community (from whence it came). The national core sample is kept by a First Nation organization (*see possession*).

Just as in the Statistics Canada model of Stewardship, the critical element of the stewardship role for NAHO is giving results back to the community. There is a requirement to report first to the National Steering Committee that has representatives of each participating community, and then to report to the communities themselves.

All research results, analysis and interpretations for the National Core Data must first be reported to the National Steering Committee to ensure accuracy and avoid misunderstanding. This same process must be respected in each region as it pertains to the regional data where the communities and the regional advisory committees would first be reported to.³⁹

(II) CONTROL

The guiding principles specify a focus on engaging the community in all aspects of the research:

³⁸ Ibid

³⁹ First Nation and Inuit Regional Health Survey Project: Code of Research Ethics. (1997) p. 3



“The communities must be involved as full partners in all aspects of the research. Feedback, input, participation in analysis, interpretation and communications should always characterize the research relationship.”⁴⁰

And

“strengths, culture, language and traditional norms of the communities must be respected and utilized wherever possible.”⁴¹

The strength of this process is that First Nation and Inuit peoples control the conceptual design and the research process. There can be no more powerful way to ensure ownership and control. Even if First Nation and Inuit communities decided to allow access to the data, they have already shaped, fundamentally, what can possibly be said or interpreted. When Statistics Canada fails to measure the incidence of bannock as a favorite food, nobody can create that category in the data they access or in the reports they write.

If the First Nation peoples give the world a rug woven of blue and pink and gray, the world can unravel it and reweave it but it will still have to be blue, pink and gray. Those are First Nation concepts, language, goals, values and relationships. The world cannot make it green and yellow and red. That has been the problem with the existing system of knowledge production – who got to pick the concepts and relationships – but it is the power in owning the research process.

⁴⁰ McDonald, Gail (2002) *First Nation and Inuit Regional Longitudinal Health Survey: Code of Research Ethics – The Process, Principles and Relationships*. Presented at the 2002 NAHO Conference, Ottawa: Canada.

⁴¹ Ibid



(III) ACCESS

The Guiding Principles of the NSC include protocols for accessing data and publishing reports. Decisions about who can access data and data reports rest with the community and with the National Steering Committee.

For the purposes of releasing reports based on the data, the NSC developed the following protocols:

All resulting draft reports or publications will be reviewed by the National Steering Committee

Best efforts will be made to reach consensus regarding the interpretation of results prior to any publication. In the event that a reasonable measure of consensus cannot be reached, no publication will be released.

Regional processes will be respected in their participation in the analysis and interpretation of the national reports prior to publication and release.⁴²

Access to the data was further defined in a June 1998 addendum:

Only investigators approved by the Regional Steering Committees (and/or the regional representative to the National Steering Committee) or the National Steering Committee (and/or the National Coordinator) shall have access to the national core dataset.

For purposes of analyzing national results, only Investigators responsible for writing chapters of the Final Report shall have permission to access these datasets for a period of six months subsequent to submission of the Final Report. After six months, other Investigators may apply to the appropriate Regional authority for permission to access these datasets. Regional authorities will be responsible for setting appropriate review protocols to ensure a First Nation or Inuit perspective is represented.

For the purposes of providing comparative data to regional analyses, any Investigator approved by Regional authorities shall have permission to analyse these datasets.⁴³

⁴² First Nation and Inuit Regional Health Survey Project: Code of Research Ethics. (1997) p. 6

An alternative for ensuring that alternative views are represented in the publication is to allow a 'we say, we say' format. See Brian Schnarch's presentation as cited.

⁴³ First Nation and Inuit Regional Health Survey Project: Code of Research Ethics. An addendum for National Steering Committee Review, June 1998.



This protocol gives the First Nation and Inuit communities control over whom, beside community representatives (on the Steering Committee), may access their knowledge. Each community, here, is controlling its own knowledge. Statistics Canada exerts no such control for the Canadian public or its constituent communities.

The National Steering Committee has also developed a set of guidelines that outlines the obligations of the National Steering Committee members, Co-Principle Investigator's Group and Academic Researchers. Permission to conduct research or access the data requires that the researcher respect principles that ensure OCAP, such as:

1. To involve the First Nation and Inuit community in active participation in this process and promote the knowledge that this is a First Nation and Inuit owned research process;
2. To ensure the design, implementation, analysis, interpretation, reporting, publication and distribution of the research are culturally relevant and in compliance with the standards of competent research;
3. To undertake research that will contribute something of value to the First Nation and Inuit peoples nationally and in the regions in which the research is being conducted;⁴⁴

(IV) POSSESSION

Data are returned to the community as grouped results. The National core data are currently held by the Chiefs of Ontario office until a First Nation and/or Inuit Organization is authorized to assume responsibility for all First Nation and/or Inuit health information. The raw data are heavily protected to guard confidentiality of respondents and of communities.

B. THE KEY DIFFERENCES IN THE STEWARDSHIP MODELS

There are many elements that distinguish the two stewardship models.

The NAHO model recognizes communities within the First Nation and Inuit as distinct and as having the jurisdiction to make decisions regarding their community knowledge. Statistics Canada does not recognize towns, cities, provinces, or any other community grouping as having a distinct right to control the knowledge that is produced of them.

⁴⁴ Ibid. p.4 There are actually nine obligations.



The NAHO model also proscribes process guidelines to maximize community control of the research process including the need to use the community as an epistemological vantage point. While Statistics Canada also has explicit research process protocols, there is a less of an emphasis on maximizing community control of the research process (or even recognition that non-elite participation in pre-research design is critical) than there is on maximizing the scientific validity of the results (the internalist epistemology).

The NAHO model specifies that communities have the right to control whether knowledge about them – either in data or report format – can be shared. Post-research results (in the form of reporting on the data) are taken back to the community for verification.

In essence, the stewardship model exemplified by NAHO seeks to maximize community OCAP of its knowledge and of the uses of that knowledge.



VIII. CONCLUSION

The Commission believes that the inherent right of Aboriginal self-government is recognized and affirmed in section 35(1) of the Constitution Act, 1982 as a protected Aboriginal and treaty right and is now entrenched in the Constitution.

Constitutional recognition of the inherent right of self-government introduced a new dynamic into the relationship between Aboriginal and non-Aboriginal people. It will, however, take time for both sides to recognize the full implications of partnership. Building institutions to translate the concept of partnership into reality will be a lengthy and demanding process.⁴⁵

This discussion has attempted to untangle the undergrowth of the discussion surrounding OCAP and stewardship. The undergrowth is, in large part, the result of a historically unequal relationship between First Nation peoples and the Government of Canada to the production of knowledge. Clearing out the undergrowth requires that we firmly knowledge production (and research as one component of it) and stewardship in their cultural context. Ownership, control, access and possession of community knowledge is a desire among First Nation peoples. The reclaiming of OCAP from the Government of Canada and other non-Aboriginal institutions will be a process. FNSI may be a step in that process.

The condition of First Nation communities testifies that knowledge of the First Nation peoples must be grounded in the experience of the First Nation peoples. Nowhere is this knowledge more essential to well being than in governance. Fellegi notes in his Morris Hansen Lecture that the right kind of statistical system “is characterized by its ability to illuminate issues, not just monitor them; by its ability to evolve in response to needs; indeed, by its great ability to be aware of priority information needs and by its capability to set priorities.”⁴⁶

Nothing First Nations are demanding differ from what Statistics Canada already has – the role of steward of knowledge for the community. FNSI, like NAHO, may serve as one of the most important steps in First Nations gaining OCAP over their community knowledge.

There are critical differences, however, in how First Nations and Statistics Canada operationalize stewardship. As NAHO and Statistics Canada are stewards of knowledge for different populations – the

⁴⁵ Royal Commission on Aboriginal People (1997) Volume 3 – Gathering Strength: Chapter 1, pp. 3. Accessed through <http://www.indigenous.ca/v3/Vol3Ch1s1tos4.asp>

⁴⁶ Fellegi, Ivan (1995) “Characteristics of an Effective Statistical System”, Morris Hansen Lecture, Washington Statistical Society pp. 2



First Nations and Inuit, and non-Aboriginal Canadians (respectively), there is no reason to assume there wouldn't be. Stewardship is a cultural construction. While Euro-Canadians privilege the individual, Aboriginal peoples may privilege the collective. While Euro-Canadians have a history of dominating and therefore controlling knowledge production, Aboriginal peoples have a history of being dominated and controlled by knowledge produced from a Eurocentric perspective. It is critical that the First Nations Statistical Institute stay true to its constituency – First Nation peoples. FNSI must negotiate with the collective for whom it is meant to act as a steward in order to be a legitimate steward. If not, it will be a no more legitimate steward for First Nation knowledge than is Statistics Canada.

I believe there are four key considerations for the creation of FNSI all of which will impact on OCAP and stewardship. I rank them in order of importance:

1. develop legitimacy and credibility within the First Nation so FNSI can become a research voice for the First Nation communities,
2. ensure that FNSI is accountable to, and acts in the interest of, First Nation communities,
3. create a positive, rather than an other-defined or reactive, First Nation voice(s)/stories through research and statistics, and
4. create constructive partnerships with other governing institutions.

FNSI cannot succeed without the confidence and trust of First Nation communities. To participate in research means to share of one's self. Without First Nation peoples' willingness to share their lives and knowledge, FNSI is defeated. Colonized peoples are particularly sensitive to misuses of individual and collective knowledge with good reason. There is, in fact, no reasonable basis for the First Nation peoples to want to share their knowledge with more powerful non-Aboriginal institutions. While I personally believe that the power of owning the research process – making your perspective visible and valuable – goes a long way to protecting the community even with universal access, this must be a choice of the communities. If FNSI's operations are not responsive to the communities' needs, credibility and trust will suffer.

The second consideration is related to the first. In order for FNSI to have legitimacy in the First Nation requires that FNSI act as a steward of First Nation knowledge for the First Nation peoples. It is not good enough simply to adopt the Statistics Canada model of stewardship. This model has been negotiated in another culture. What is required for FNSI to be a steward for First Nation peoples will require negotiating with the First Nation peoples.

The third most critical element is that FNSI produce knowledge of the First Nation peoples from the perspective of the First Nation peoples. Use First Nation peoples to produce First Nation knowledge. Use First Nation traditional methods for the creation and dissemination of knowledge - such as the oral traditions. To the extent that you adopt quantitative and statistical methods for producing knowledge - use your own epistemologies to inform the research.



FNSI must not act as a mini Statistics Canada by adopting the paradigms, units of analysis, and associations of Statistics Canada research and then applying it to the First Nation peoples. It will require working doubly hard not to simply adopt western paradigms for social research but to consciously seek out community knowledge for the creation of new research paradigms. Most importantly, First Nation peoples should be careful not to confuse the sophistication of western research methods with the truth-value or validity of the research results. Statistical analyses are useful for many things: they are useless for many things as well. The Institute has the opportunity to produce knowledge from the perspective of the First Nation peoples including traditional cultural knowledge and the affects of colonization on the well being of First Nation communities. This is an opportunity to share through research (and statistics when appropriate) the First Nation's experience and the First Nation's vision of the future.

Finally, I think the last consideration is to build constructive relationships with institutions that require knowledge of First Nation peoples. I put this consideration last because we can become preoccupied with meeting other people's legitimacy standards. This is yet another way to ensure the reproduction of the public transcript – to continue colonial relations. It is critical that FNSI develop its own base in the First Nation and seek to produce its own knowledge with its own methods. It is entirely possible to develop indicators that allow you to quantify these perspectives (say based on oral tradition) to test the generalizability among First Nation peoples. Remember however that quantification is simply lots of measurements of an originally theoretically or oral notion. Adopting a quantitative method does not mean that you must eschew participatory research methods and re-visiting results with participants. Foremost, FNSI must concern itself with meeting the legitimacy standards of First Nation communities and not of the national research community.

Obviously, the support of Statistics Canada, DIAND, Health Canada, HRDC and other government institutions will be critical for FNSI. To assist the First Nation in reclaiming ownership of its community knowledge will requires these institutions to recognize that their knowledge and their operating procedures, including notions of stewardship, are culturally particular. OCAP for the First Nation peoples will require all of us to be willing to accept another culture's right to decide how to produce and how to share knowledge of themselves. I firmly believe supporting OCAP for the First Nation will lead to more relevant, valid, accurate, reliable and beneficial knowledge of First Nation peoples.



REFERENCES

- Agrawal, Arun (1995) "Dismantling the Divide Between Indigenous and Scientific Knowledge." *Development and Change*, Vol. 26, pp. 413-439. Blackwell Publishers, United Kingdom.
- Berry (1999) "Aboriginal Cultural Identity", *The Canadian Journal of Native Studies* XIX, no. 1, pp. 1-36.
- Drees, Laugue Meijer (2001) "Native Studies and Ethical Guidelines for Research: Dilemmas and Solutions" *Native Studies Review* 14, no. 1, pp. 83-104.
- Dyck, Lillian (1996) "An Analysis of Western, Feminist and Aboriginal Science Using the Medicine Wheel of the Plains Indians", *Native Studies Review* 11, no. 2, pp. 89-102
- Fellegi, Ivan (1995) "Characteristics of an Effective Statistical System", Morris Hansen Lecture, Washington Statistical Society.
- First Nation and Inuit Regional Health Survey Project (1997 & 1998) *Code of Research Ethics*. Provided by Gail McDonald at the 2002 NAHO Conference: Ottawa
- Foucault, M (1977) *Power/Knowledge: Selected Interviews and Writings 1972-1977*. Colin Gordon (ed.) Pantheon Books: New York.
- Harding, Sandra (1998) *Is Science Multi-cultural?: Postcolonialisms, Feminisms, and Epistemologies*. Indiana University Press: Bloomington and Indianapolis.
- Harding, Sandra (ed.) (1993) *The Racial Economy of Science: Toward a Democratic Future*. Indiana University Press: Bloomington and Indianapolis
- Harding, Sandra (ed.) (1987) *Feminism and Methodology*. Indiana University Press: Bloomington and Indianapolis
- Hegel, Friedrich (1807) *Phenomenology of Spirit* translated by A.V. Miller (1977) Oxford University Press: Oxford.



- Hoare, Levy and Robinson (1993) "Participatory Action Research in Native Communities: Cultural Opportunities and Legal Implications", *The Canadian Journal of Native Studies* XIII, pp 43-68.
- Kuhn, Thomas (1970) *The Structure of Scientific Revolutions*. 2nd Edition. University of Chicago Press:Chicago.
- Kuokkanen, Rauna (2000) "Towards an "Indigenous Paradigm" From a Same Perspective", *The Canadian Journal of Native Studies* XX, no. 2, pp. 411-436.
- Le Dressay, Andre (1993-1994) "The Mysterious Trail of Suspect Statistics: A Case Study of Five Shuswap Nation Communities." *Native Studies Review*. Vol. 9, no. 2. pp 47-73.
- Lyotard, Jean-Francois (1989) *The Postmodern Condition: A Report on Knowledge*. University of Minnesota Press: Minneapolis.
- Lyotard, Jean-Francois (1989) *Just Gaming*. University of Minnesota Press: Minneapolis.
- McDonald, Gail (2002) "First Nations and Inuit Regional Longitudinal Health Survey: Code of Research Ethics – The Process, Principles and Relationships", presentation at the 2002 Conference of the National Aboriginal Health Organization, Ottawa, Canada.
- McLeod, Neal (1999) "Indigenous Being", *Native Studies Review* 12, no. 1
- Monture-Angus, Patricia (1999) "Considering Colonialism and Oppression: Aboriginal Women, Justice and the "Theory" of Decolonization", *Native Studies Review* 12, no. 1, pp. 63-94.
- Piquemal (2000) "Four Principles to Guide Research with Aboriginal" *Policy Options*, December 2000. pp 49-51.
- Royal Commission on Aboriginal People (1997) *Final Report*. Volume 3. Accessed through <http://www.indigenous.c.ca/v3/Vol3Ch1s1tos4.asp>
- Schnarch, Brian (2002) "Ownership, Control and Access (OCA): Self-determination Applied to Aboriginal Research", presentation at the 2002 Conference of the National Aboriginal Health Organization, Ottawa, Canada.



Scott, James (1990) *Domination and the Arts of Resistance: Hidden Transcripts*. Yale University Press: New Haven and London.

Sillitoe (1998) "The Development of Indigenous Knowledge: A New Applied Anthropology", *Current Anthropology* Volume 39, Number 2 pp. 223-252.

Stout, Madeleine Dion, and Gregory Kipling (2001) *NAHO: Establishing a Leading Knowledge-Based Organization*. Paper prepared for NAHO.

Wade (1999) "Working Culture: Making Cultural Identities in Cali, Colombia" *Current Anthropology* Volume 40, Number 4, pp. 449-471.

Yellowhorn, Eldon (2000) "Strangely Estranged: Native Studies and the Problem of Science", *Native Studies Review* 13, no. 1, pp. 71-96.



APPENDIX A

COMMENTS RECEIVED FROM ALFRED LINKLATER, EXECUTIVE DIRECTOR, FIRST NATIONS STATISTICAL INSTITUTE.

- replace 'Aboriginal Canadians' with 'Aboriginal Peoples' when they're your reference--leave in the direct quotations from the RCAP.
- replace 'Fry Bread' with 'bannock' - A Cree preference!
- avoid "FN" and write out the whole word "First Nations"
- same for references to "FN/I" with 'First Nations/Inuit'



APPENDIX B

COMMENTS RECEIVED FROM STATISTICS CANADA, HFSSD/DSSLF IN AN E-MAIL FROM HFSSD/DSSLF TO ALFRED LINKLATER, EXECUTIVE DIRECTOR, FNSI:

We have reviewed the paper on “Stewardship and OCAP” and have the following immediate observations that will address stylistic comments and erroneous statements. We will be producing a separate (sic) document that will provide a more in-depth discussion on some fundamental issues raised by Jennifer Espey’s paper. Please do not hesitate to contact me if you need further clarification on what I have sent you this morning.

Stylistic comments:

- data are plural
- use of “we” or “our”: often not clear if refers to European or First Nations (p.4; p. 18 – 3rd par.; p. 23 – 1st & 3rd par.
- use of the term “community” is not defined. Does it refer to individual FN communities or FN communities taken all together. Jennifer needs to be specific about what she means by “community” and when she changes the definitions of it, starting in the first line of page 4.

(AUTHOR’S NOTE: I CHOSE NOT TO GO INTO IN-DEPTH DISCUSSIONS OF THE DEFINITION OF COMMUNITY. AT BASE, COMMUNITY IS SELF-DEFINING. THE FIRST NATION IS A COMMUNITY OF ABORIGINAL PEOPLES WHO MAY CONSIDER THEMSELVES DISTINCT FROM, IF SHARING INTERESTS WITH, METIS AND INUIT ABORIGINAL PEOPLES. SIMILARLY, THE FIRST NATION IS COMPOSED OF HUNDREDS OF SMALLER COMMUNITIES OF FIRST NATION PEOPLES WHO CONSIDER THEMSELVES TO HAVE DISTINCT INTERESTS FROM ONE ANOTHER. AS SUCH COMMUNITY IS SELF-DEFINING. FURTHER, IT IS POSSIBLE FOR A COMMUNITY OF ABORIGINAL PERSONS TO OPT OUT OF THE FIRST NATION COMMUNITY AND INSTEAD ‘OPT INTO’ THE NON-ABORIGINAL COMMUNITY.)

- typo on p. 6 – 1st par.: “underlay” sh/be “underly”
- type on p. 6 – 5th par.: “commiserate” sh/be “commensurate”
- on p. 9, the term “sovereignty” is used. Should it not be “self-government” or “toward a new fiscal relationship” instead?

(AUTHOR’S NOTE: I CHOSE NOT TO FORGO THE TERM ‘SOVEREIGNTY’. THE TERM SOVEREIGN IS TO RULE. TO HAVE SOVEREIGNTY MEANS TO HAVE SELF-RULE. YOU MAY HAVE A GOVERNMENT AND STILL BE UNDER COLONIAL RULE (SUCH AS CANADA BEFORE REPATRIATION)

- on page 17 the terms “dominant transcript”, “social and natural worlds”, “standpoint populations” and “meta-narratives” are used for the 1st time and are not defined



APPENDIX B

- on p. 18, 3rd par – 3rd sentence: A little more complexly research . . . is awkward (sic)
- on p. 23 – 1st par. Last sentence a word is missing: . . . defined by “what” they choose. . .
- on p. 24 – 2nd par. 7th line a word is missing . . . provided “to” the public . . .
- on p. 25 – 3rd par. 5th line, a word is missing . . . institution “that” is serving. . .

Erroneous Statements

- p.7 – 4th par.: FNSI business plan is referred to as a Government of Canada document. Is it your belief as well?
- on p. 11 – 5th par.: talks about the legislative process – the reference to the legislation that is being developed sh/be changed to “being contemplated” and the last sentence should be dropped since we cannot say at this point that it is being developed. We are also suggesting to refer to SC’s “authority to collect and protect data” rather than “power and protection”.
- p. 11 – 6th par.: are the objectives listed in line with the new business plan. Sh/be revised to reflect current version.
- p. 12 line above section IV should be deleted.
- p. 12 – 4th par. In section IV: SD (sic), Health Canada & DIAND are not research institutions.
- p. 13 – bottom of page – footnote #12: the definition of politics refered (sic) to does not apply to the way in which SC understands and performs its mandate. We do not decide what and who is valuable, what is and isn’t allowed, and what is and is not a matter of public discussion.
- On p. 14, para after the Fellegi quote, this whole para is written awkwardly, especially the sentence, “It is, however, political.” Does she not mean, “and, it is also political”?
- p. 25 – 1st par.: SC is not the steward of knowledge but rather than steward of “information”. It is not clear as well if the discussion is about stewardship in general or stewardship of information.

(AUTHOR’S NOTE: I DO NOT BELIEVE THERE IS SUCH A THING AS ‘STEWARDSHIP IN GENERAL’. STEWARDSHIP IS ALWAYS OF SOMETHING FOR SOMEONE(S) – WHETHER IT IS POLITICAL POWER, THE PRODUCTION OF INFORMATION, HEALTH, ETC. STEWARDSHIP IS A TERM THAT MUST BE DEFINED – STEWARDS OF WHAT? FOR WHOM?)

- p. 25 – last par.: outside organizations can indeed create new products for profit using our information. Compusearch, is using our data quite extensively.
- p. 26 – 3rd par.: this paragraph should be removed or changed entirely. We do not understand what it means. There is also a typo in the 1st sentence – it should be “data” not date.

(AUTHOR’S NOTE: AFTER CONSIDERATION AND CONSULTATION WITH A.LINKLATER, THIS PARAGRAPH WAS LEFT AS IT ORIGINALLY WAS WRITTEN. THE CRITIQUE WASN’T SPECIFIC ENOUGH ABOUT EXACTLY WHAT DIDN’T MAKE SENSE OR HOW IT COULD BE CLEARER.)

- p. 26 – last par.: this sentence has to be reworded it is not an accurate reflection of how and why we protect the confidentiality of respondents.

APPENDIX B

- p. 27 – (iii) control: the control of the research process does not reside with SC. We produce data and people are free to use it in a manner that suits their research project. We also have in place research review processes.



- p. 27 (iv) possession: SC does not protect the privacy but rather will ensure that the information provided with(sic) remain confidential.