Aboriginal Rights, the Church, and Social Justice

Father Michael Stogre, S.J.

"Without a Vision the people Perish," (Proverbs 29:18)

Introduction

Ladies and Gentlemen It is with much pleasure and some reluctance that I am here tonight. Having recently moved to Manitoulin Island where I am principally engaged in pastoral ministry I wondered if I would have the time to due justice to this topic and this memorial lecture series. Thus my reluctance.

But it is always a pleasure to return to the Maritimes where I was born, to recall the many experiences of synchronicity that brought me to the stage where I can even begin to address the topic at hand. These would include the opportunity I had years ago of addressing the Grand Council of the Micmacs on this very topic, and the letter that one day arrived at the Project North-now the Aboriginal Rights Coalition-office.

That letter was from Bruce Clark, then a lawyer for the Bear Island Band. They were locked in a land claims dispute with the provincial and federal governments. The Ontario government was using arguments against the claim that one would have heard back in the days of first contact when Las Casas was trying to make a case for aboriginal rights.

To counter them Bruce Clark had dug up an obscure papal bull entitled Sublimis Deus. He wanted to know the status of this document within Church teaching.

The attempt to answer that question eventually took me back to University and a doctoral thesis now published in both official languages. It was entitled *That the World May Believe: The Development of Papal Social Thought on Aboriginal Rights*.

The Bear Island land claim went all the way to the Supreme Court of Canada, but remains unresolved to this day. Bruce Clark moved on to other issues including the confrontation at Gustafson Lake. Despite his notoriety and instability in recent years, I still appreciate his important work: Native Liberty Crown Sovereignty: The Existing Aboriginal Right of Self-Government in Canada.

Following my doctoral studies I moved to Northern Ontario to work at the Anishinabe Spiritual Centre and to engage in pastoral work among the peoples of the three Fires: better known as the Ojibway, Potawatomi, and Odawa or Ottawa tribes. Last fall I was transferred to Manitoulin Island the ancestral home of the Odawa people. With that little bit of biography I would now like to explore our theme.

In recent times Canada has lacked a coherent vision for its peoples. Compounding this malaise has been a profound neglect of its third solitude--the aboriginal peoples. Following the Oka crisis a Royal Commission was struck to work out a vision for the future. After five years and fifty eight million dollars it published a five volume report. It contains a comprehensive blueprint for the future, and for righting the wrongs of the past. In its fifth volume entitled "Renewal: a Twenty Year Commitment," the commissioners spoke of their vision and motivation: "our recommendations are motivated first and foremost by a desire for social justice and for a restoration of historical rights, dignity and self-reliance to Aboriginal people."(1)

I have highlighted the term "social justice" in this quotation because it is not immediately clear what the 'referent' is for this term. In fact, I became intrigued--partially because of philosophical studies which included serious attention to language--with how this term is used in popular speech and in the press, and even in more formal academic and ecclesial contexts.

I am convinced that the term "social justice" is badly misused in our time by politicians and prelates, by priests and people alike, indeed, by many of us most of the time. To critique and correct this significant error I will first trace out the origins and development of the term "social justice" in Catholic social thought.(2)

Secondly, I will try to demonstrate and dissolve the current confusion between the dimensions of justice that are most often misused--distributive and social.(3)

Thirdly, I will illustrate the relevance of the discussion for Canadians by using as a case study the "Report of the Royal Commission on Aboriginal Peoples."

The wider implications for Church and Society, of the concept of "social justice" in a time of rapid globalization, privatization, and the consequent marginalization of vast sectors of the world population including the aboriginal peoples of Canada I hope will be apparent by the end of the lecture.

The concept of "social justice," I will argue, provides a compass for social activists in general, and for Canadians in particular. It is my contention, moreover, that this Catholic tradition of justice can act as a set of principles for discerning how our society is progressing--or regressing--in the quest to build a just society, overcoming the "third solitude" and making effective the aboriginal rights enshrined in our Canadian Constitution.

Origins of the term "Social Justice"

The Catholic understanding of social justice is very complex at this point in history. Rooted in Greek philosophical concepts it has now been nuanced--in truth transformed-

-by the introduction of a Biblical understanding of justice. This is turn has been found to be grounded in earlier Near Eastern understandings of justice.(4)

The term, "social justice," was first introduced to catholic social thought by Luigi Taparelli d'Azeglio.(5) Within a few decades it had replaced the more traditional terms "general justice" or "legal justice" both referring to what Thomas Aquinas called a general virtue directing "all the virtues to the common good."(6)

Pius XI introduced the term into papal social thought in his encyclical, Quadragesima Anno. He used the term several times in this document, sometimes with different referents. The confusion between social and distributive justice is amply illustrated in this important work of catholic social teaching. In his first use of the term Pius XI states:

Wealth, therefore, which is constantly being augmented by social and economic progress, must be so distributed among the various individuals and classes of society that the common good of all...be thereby promoted. In other words, the good of the whole community must be safeguarded. By these principles of social justice one class is forbidden to exclude the other from a share in the profits.(7)

To my mind this particular use of the term really refers to distributive justice, but the notion of exclusion already hints at what will become a central aspect of social justice namely, participation and inclusion not only in sharing the wealth but in its production as well.

Later in the encyclical we find a reference which more exactly expresses the true meaning of social justice: "the public institutions of the nations should be such as to make all human society conform to the requirements of the common good, that is, the norm of social justice."(8)

Dimensions of Justice

Implicit in this understanding of justice is a conceptual framework involving three dimensions or fundamental relationships. There is first of all the relationship between individuals, groups, institutions amongst themselves as they interact and provide various goods and services. Traditionally, this has been called "commutative" or exchange justice. The concern here is to work out a just price or a fair exchange for a good or service rendered.

This type of justice can be quite precise, and is often spelled out in contracts and government regulations, establishing what is a just price or a fair rent. But most often these determinations are left to market mechanisms.

In addition to commutative justice, the form of justice which governs the relationships between individuals and groups within society, there is also the relationship of part to

whole. In this case, the relationship of individual members or communities within civil society to society and state as a whole.

As human beings, of course, we do not choose to be in a society or state; we are born into a particular culture and community and gradually learn to play a role and take our place within it. Anthropologists call this process "enculturation."(9) Ideally all members contribute their gifts and talents and energies to ensure that the whole community has ample resources and the appropriate structures to live decently. Thus contrary to popular usage the term "social justice"--which usually means getting a fair share of the economic pie--really has to do with participation, with the promotion, production, and protection of the common or public good.

On one level the "common good' refers to a "good of order." Such a social order is a set of structures which enables a society to meet recurrent needs systematically and effectively.(10) This good of order is shaped by social values which take precedence over individual vital values, needs, and wants. As Bernard Lonergan states it:

It is not the object of any single desire, for it stands to single desires as system to systematized, as universal condition to particulars that are conditioned, as schemes of recurrence that supervenes upon the materials of desires and the efforts to meet them, and at the price of limited restrictions, through the fertility of intelligent control, secures an otherwise unattainable abundance of satisfactions.(11)

Scholastic theologians and philosophers used to call this abundance of satisfactions the "temporal common good" which was seen as the purpose of civil society.

Of course, the good of order can itself become the object of choice and revision. For after all there is no one way, or perfect way, of doing things--as the variety of cultures the world over verifies. Furthermore, Lonergan aptly points out that:

Individualism (Liberalism) and socialism are neither food nor drink, neither clothes nor shelter, neither health or wealth. They are constructions of human intelligence, possible systems for ordering the satisfactions of human desires. Still men (sic) can embrace one system and reject others.(12)

Ultimately, human beings make these choices in terms of their value systems which usually involve a transcendent dimension. Thus the "complete temporal common good" as the ideal of civil society was relativized by, and subordinated to, the "extrinsic common good," namely, God, our Creator, as the final goal and good of individual and communal human life.(13)

In our modern--or post-modern secular society--the extrinsic common good is not and cannot be a value or goal except in the sense that civil society and the state respect

religious freedom. However, many religions which enjoy religious freedom in modern western societies do not and cannot accept the dichotomies that secular societies assume between church (religion) and state, religion and politics, religion and ethics etc..(14) They further believe that religious freedom entails not only the right to public expression of their belief systems but also the relevant applications to political, social, and economic issues.

Completing the triangle of justice is the relationship of the whole to part, of state and civil society to the individuals, families, groups, institutions, etc. that make up the whole. It is this dimension and relationship that should properly be called "distributive justice." To give, then, each one their due--the traditional definition of justice--entails not just the freedom and responsibility of creating the wealth of society but the right to equitably share in what all have produced together.

Within this framework of distributive justice we should also include sub-categories such as compensatory, retributive, restorative justice. Principally these terms apply and govern distributive justice as it is worked out within our criminal justice system. What, for example, is a fair sentence for the crime committed? What is fair compensation for the victims of the crime itself? How do we reintegrate, restore offenders to a productive participation in society itself? How is reconciliation to be achieved between the parties involved?

Finally, the various aspects of justice are usually codified in a constitution, which is our legal justice framework for living together, and for working out the inevitable conflicts that emerge in society when claims conflict.(15)

In Summary, there are three principal dimensions or vectors that help us map out the meaning of justice from a Roman Catholic Church persepctive. The relationship between individual and individual within society is governed by commutative justice and forms the base of the triangle of relationships we have been trying to elucidate. Secondly, there is the left vector of the triangle representing the relationship between the individual and society as a whole. This relationship, I have argued, is what we should refer to as the principal domain of social justice. Thirdly, the relationship of whole to part, of society to its members, forming the third side of my justice triangle should be called distributive justice.

Having made these distinctions and clarifications which should clear up the prevalent confusion between social and distributive justice, it must also be pointed out that all forms of justice are social by nature, and are intimately connected. This is well illustrated in the encyclical, Divini Redemptoris, published by Pius XI in 1937. In this document we have perhaps the clearest definition of social justice as well as an exposition of the interrelationship between social and distributive justice:

It is of the very essence of social justice to demand from each individual all that is necessary for the common good. But just as in the living organism it is impossible to provide for the good of the whole unless each single part and each individual member is given what it needs for the exercise of its proper functions, so it is impossible to care for the social organism and the good of society as a single unit unless each single part and each single member ....is supplied with all that is necessary for the exercise of his social functions.(16)

In other words, without an equitable share in the economic, social, political, spiritual benefits produced by a society its members will not be able to contribute to the production of the common good. An uneducated population, for example, will certainly be quite limited in what it can contribute to the good of the whole--something we see in many less developed nations, and within sectors of our own industrialized nation--especially within first nation communities at the present time.

So there is a kind of vicious circle here. A diminished temporal common good means that there will be less to share. An impoverished membership will, in turn, be limited in its ability to work towards the creation of a "good of order" adequate to meeting the basic needs of a population etc.. In sum, all dimensions of justice are intimately related. In this sense all aspects of justice can be said to be forms of social justice.

Historically, however, the church has focused more on distributive justice. This is now changing. Theological and philosophical reflection on the dignity of the human person and the dignity of work, coupled with a contemporary evolution in ethics that focuses on "responsibility" has transformed Catholic social teaching. The focus is now on social justice and its core criterion for judging the relative state of justice in a given society--"participation."

A key moment in this evolution occurred at the 1971 Synod of Bishops. In its published reflection "Justice in the World"(17) the issue of "participation" was front and center. As David Hollenbach interpreted it, the synod fathers saw that:

The chief threat to personal dignity in a world of rapid technological growth is that large segments of the population simply be excluded from any active participation in shaping the social patterns which provide the context of their lives.... Marginalization or lack of participation thus becomes a primary criterion for judging if human dignity is being violated. Lack of adequate nourishment, housing, education, and political self-determination are seen as a consequence of this lack of participation.(18)

In addition to these important consequences we should add the serious effects that lack of participation has on the spiritual and interior dimension of the human person. Low self-esteem, and lack of self-respect, and respect for other persons leads to many of the

social problems we see increasing at this time--alcoholism, drug abuse, compulsive gambling, increased suicide rates to name only a few obvious examples.

The right to participation is seen by the Synod as the right which integrates all other rights.(19) This, as we have explained in the earlier discussion, is the essence of what the church means by "social justice." Here the emphasis is on the subject of human rights taking responsibility for creating a more just world in which the objects of human rights can be more fully realized and enjoyed by everyone.(20)

Implicit in this theory of justice and human rights is an understanding of the human person as at once an individual and a social being. This social dimension is more and more being highlighted in Catholic social teaching and meshes well with a biblical view of justice which presupposes that human beings are entwined in a web of relationships including a covenant relationship with their Creator.

In the biblical view, according to John Donahue, "justice can be described as fidelity to the demands of a relationship."(21) Unpacking this biblical approach to justice we can identify four fundamental relationships that all human beings share. There is first of all the relationship between humanity and God. I call this the Supra-personal relationship. Secondly, there is the relationship between persons, and persons in community, the inter-personal relationship. Thirdly, all human beings have a relationship with themselves, the intra-personal dimension of human existence. Fourthly, and finally, there is the trans-personal relationship human beings have with creation itself.

Each of these relationships entails certain "demands"--love God, neighbour, self, care for creation etc. In summary, justice can be understood to mean fidelity to the covenant that God has initiated and made with humanity, all living beings, and the cosmos itself.(22) Biblical justice will still need the "discernment" principles that derive from the three-fold justice schema expounded above if we are to truly promote social justice to its fullest extent of seeking "justice, peace, and the integrity of creation."

The Royal Commission on Aboriginal Peoples

One of the best examples of the need for increased "participation" and "social justice" is the status of the aboriginal peoples who live within the nation-state of Canada. Their situation and prospects were studied, as mentioned at the outset, in an exhaustive way by a Royal Commission. RCAP for short (the Royal Commission on Aboriginal Peoples, 1996)

More than a year past before there was an official response to the Report by the Government of Canada. It took the form of a blueprint for action entitled: "Gathering Strength, Canada's Aboriginal Action Plan." This action plan included a "Statement of Reconciliation: Learning from the Past. What we learn, according to the government

statement, is that aboriginal contributions to the development of Canada in the past and in the present have been for the most part ignored.(23)

We also learn that our colonial history "with respect to the treatment of aboriginal people is not something in which we can take pride."(24) Perhaps Enrique Dussel said it best when he called the conquest and colonization of the Americas the "original sin of the Americas." The minister then went on to acknowledge many aspects of this painful legacy:

Attitudes of racial and cultural superiority led to a suppression of Aboriginal culture and values. As a country we are burdened by past actions that resulted in weakening the identity of Aboriginal peoples, suppressing their languages and cultures, and outlawing spiritual practices. We must recognize the impact of these actions on the once self-sustaining nations that were disaggregated, disrupted, limited or even destroyed by the dispossession of traditional territory, by the relocation of Aboriginal people, and by some provisions of the Indian Act. We must acknowledge that the result of these actions was the erosion of the political, economic, and social systems of Aboriginal people and nations.(25)

In brief, the aboriginal nations of Canada have become prime examples of what "Justice in the World" saw as the "great numbers of "marginal" persons, ill-fed, inhumanly housed, illiterate, and deprived of political power as well as of the suitable means of acquiring responsibility and moral dignity."(26)

To redress these historic injustices, and to implement the comprehensive blueprint RCAP envisions, is a gargantuan task and the work of generations. To achieve this goal the Royal Commission recommended a fresh infusion of funding in the amount of two billion additional dollars per year for twenty years.

Needless to say, the cost of such a massive venture, at a time when we are trying to deal with Federal and Provincial deficits, debts, and the many other competing needs in Canadian society, has not gone over well with the Canadian public. However, it needs to be said that the fundamental vision of RCAP is not primarily about distribution. It is basically a vision in harmony with the church's understanding of social justice.

In its fifth and final volume the commissioners lay out for our consideration their fundamental vision: "We advocate recognition of Aboriginal nations within Canada as political entities through which Aboriginal people can express their distinctive identity within the context of their Canadian citizenship."(27) This objective, I would submit, is not only compatible with the Canadian constitution and multicultural reality, but also with Catholic social teaching as expounded in this paper.

Before moving on to a discussion of the Royal Commission's blueprint for the future I would like to outline, all too briefly, the main stages in the development of Catholic Social teaching on Aboriginal Rights.

I had assumed that the debate over aboriginal rights began in the context of the Spanish conquest of Latin America. Recent scholarship demonstrates that this view is mistaken.(28) Research has shown the great continuity between the key figures of the sixteenth century, men such as Bartolome de las Casas, Francisco de Vitoria, Paul III, and their predecessors of the previous three centuries. In particular Church tradition in this area was shaped by the influential Pope and canonist Innocent IV (1243-1254) and his student, Henry of Segusio better known as Cardinal Hostiensis.

In a sense we have come full circle. The issues of political sovereignty and self-government that preoccupies so many aboriginal peoples today was also central when Innocent IV began his deliberations on the rights of non-Christian peoples to "dominium" the Latin term that encompassed property and political rights.

In Innocent's day many non-Christian peoples had de facto dominium. The question for both Innocent IV and Hostiensis was: did non-Christian peoples have de jure dominium?

Innocent IV, basing his argument on natural law, affirmed the universal right of peoples to political sovereignty. Hostiensis, on the other hand, arguing from a theological base, denied de jure dominium to all non-Christian peoples. Because they both supported the Church's mission to evangelize the nations their theories differed little in practice. Yet, in the end, it was the Hostiensian position that would win out in justifying the conquest of the new world.

In the era of European colonial expansion in Africa, Eastern Europe, and the Atlantic island chains, the issue of dominium was shunted aside in favour of working out relations among the colonial powers themselves. In this context of inevitable European expansionism, the papacy, including Alexander the VI strove to carry out the church's ministry of evangelizing the nations. Following several of his predecessors, Alexander's solution was to use the conflict and rivalry between the Iberian powers-Spain & Portugal, and the mechanism of a line of demarcation, to ensure for the Church a space for evangelization.

This overriding missionary concern of the papacy was confronted with new ideological challenges during the pontificate of Paul III. The question then was not: do the Indians have rights, but are they even human? If they were not human the issues of human rights, slavery, and just war were moot, and evangelization was pointless. Paul III affirmed the humanity of aboriginal peoples and defended aspects of dominium, namely, their right to personal freedom and private property, but within the sphere of

Iberian political sovereignty. He did this principally because an authentic response to the gospel message required freedom on the part of those receiving it. The safeguarding of private property was also related to this faith response because of the fear that people would convert only to protect their property. Thus justice issues, while explicitly discussed by Paul III and a number of his successors were seen as subordinated to, and necessary conditions for, the work of evangelization. In the centuries that followed Paul the third's pontificate slavery continued to be a major concern, but subsequent popes who addressed the issue were content merely to revive and replay the teaching and sanctions of Paul III.

As we move into the modern era of papal social teaching slavery remains a focus of attention, but the assumptive world of the papacy was changing. While Innocent the IV may have raised the issue of universal human rights, Leo XIII and his successors took it for granted. Leo also retrieved a fuller understanding of dominium by reading back into Paul III's Sublimis Deus "the right to live under one's own laws." A notion that is present in Innocent IV, but missing from the papal documents of Paul III.

After the Second World War the context shifts significantly. The process of decolonization gave birth to many new states, but left many old ones-as well as most new ones-struggling with the issues of "multiculturalism" and especially the rights of "minorities." Recognizing that many if not most of these groups could never hope to achieve political independence-but not precluding it in some cases-the Holy See worked out a policy framework for dealing with these issues. On the one hand the policy flowed from the application of general social teaching to the situation of the so called minority peoples. On the other the teaching has been nuanced by direct papal contact especially with the "aboriginal peoples" among these minorities.

A review of Catholic social teaching as applied to minorities and especially to aboriginal peoples from Leo XIII to John Paul II reveals both continuity and innovation. The earlier overriding concern for evangelization has definitely continued. Given the fundamental purpose of the Church to evangelize the nations it could hardly be otherwise. What is new is that issues of justice, development, and more recently, liberation, are now seen as integral to, and constitutive of evangelization. This shift occurred principally during the pontificates of John XXIII, and Paul VI.

Contributing greatly to the shift in papal teaching was the Second Vatican Council in which both popes played crucial roles. The stress on culture and the development of a missiology rooted in "enculturation" (the expression of the Christian faith in local cultural forms) and respect for the right to religious liberty, has lent support to indigenous peoples struggling to maintain their precarious existence in the modern world. In effect, the Church has come to affirm a communal right-indeed a duty-to maintain one's own culture.

Later, in the pontificate of John Paul II, a growing ecological awareness has influenced the teaching on the rights of aboriginal peoples. I submit that in recent Vatican documents, especially in The Church and Racism, and in If You Want Peace Respect Minorities, the Vatican has belatedly come to recognize the special relationship that aboriginal peoples have with the land. Thus the right to an adequate land base for indigenous peoples has been supported not only by the traditional argument of first use and occupancy but also in a unique way by linking it with the right to life. This right to life is interpreted to mean more than the right to maintain one's bare existence, but in the sense that life and traditional culture are inextricably bound together.

In sum I consider that the Church has worked out a fairly comprehensive and flexible policy framework for addressing issues of indigenous peoples. The Church is prepared to accept a variety of options and outcomes. These range from eventual assimilation (freely chosen), right up to, and including complete independence.

The Church would like to see these arrangements worked out in freedom by negotiation, and buttressed by non-violent action if needed. Yet, it does not rule out the possibility-as a last resort-of armed struggle to achieve the desired end. If the Church can be said to have a preferred option it is for multicultural states in which all can be accommodated, and to which all the member communities can make a contribution for the common good. Some would call this "consociational democracy" I call it Canada in an evolved state.

Cost of the Status Quo

This vision of social justice and aboriginal rights developed by the Church over many centuries and espoused in this paper mandates and makes imperative a greater participation on the part of aboriginal peoples in the Canadian economy, and in its political and social institutions. This imperative could also be seen to flow from traditional aboriginal ways of life and the spiritual values inherent in them.

In a family based culture and economy, "sharing" and "excellence", as Rupert Ross points out, are absolutely essential to the survival of the group: "Each extended family had to perform all the necessary survival tasks itself. Family survival required two things: the best efforts by all, and then the sharing of the products of that effort."(29)

The restoration of this value system would be invaluable in enabling aboriginal persons and peoples to take their rightful place in Canadian society while at the same time retaining their traditional identities. In fact, "effort and excellence" coupled with "sharing" the fruits of that effort express in a traditional way the core values contained in the understanding of social justice espoused in this lecture. In other words, as I see it, "effort and excellence" correspond to social justice while "sharing" could be construed as the traditional expression of "distributive justice."

But even if this vision of justice should not prove convincing, there is always the appeal of enlightened self-interest--the reality of the increasing social and economic costs to Canada if nothing changes.

What, then, is the cost of maintaining the status quo? There is first of all a need to recognize the cost of missed opportunity, of lost production. The RCAP estimates the loss of present income amounts to "$5.8 billion in 1996.(30) If nothing changes this will continue to grow--even escalate--because of population growth trends.

Secondly, there is the cost and burden of remedial action. This is being driven "by an escalating need for basic services --education, health, and social assistance--to a rapidly growing population that has become more economically dependent."(31) RCAP estimates that "governments spent $4.2 billion more on programs and services for and used by Aboriginal people than they spent on programs for an equivalent number of Canadians in the general population."(32)

Overall we are talking about a $7.5 billion cost of the status quo as of 1996. If projected population growth within aboriginal communities is accurate--the adult population is expected to grow at twice the Canadian rate (33)--and there is no significant change in the status quo, RCAP estimates that by the year 2016 the economic costs will escalate to $11 billion. This is an increase of 47% over the next 20 years.(34) But this doesn't even begin to measure the immense loss of the human potential of aboriginal persons and communities.

Basically the RCAP wants Canada to invest now so as to save later. In many ways its recommendations and strategies reflect the concern articulated in Divini Redemptoris that "unless each single part and each individual member is given what it needs for the exercise of its proper functions...it is impossible to care for the social organism and the good of society as a single unit." The Royal Commission hopes for a win-win situation that will benefit not only the aboriginal peoples but Canadians generally.

In this process of "revitalization"(35) there are several necessary conditions that must be met if this vision for the future is to succeed. The first necessary condition has to do with healing. The RCAP uses the term "healing" to refer to "the restoration of physical, social, emotional and spiritual vitality in individuals and social systems."(36)

The need for massive healing efforts is very evident in Canada as aboriginal cultures have been under severe stress for centuries, and have disintegrated into what Anthony Wallace has called a state of "cultural distortion." When this stage is reached we see the kind of social pathology that is rampant in most native communities. Wallace's description is very accurate:

The regressive response empirically exhibits itself in increasing incidences of such things as alcoholism, extreme passivity and indolence, the development of highly ambivalent dependency relationships, intragroup violence, disregard of kinship and sexual mores, irresponsibility in public officials, states of depression and self-reproach, and probably a variety of psychosomatic and neurotic disorders. Some of these regressive action systems become, in effect, new cultural patterns.(37)

However, this state of cultural distortion cannot last forever. If left unchecked it will often lead "to the death of the society."(38) If this is not to happen the revitalization movement must work through six major phases and accomplish six essential tasks.(39)

In our current RCAP case study the blueprint for restructuring aboriginal societies and their relationships with Canadian society amounts to a "mazeway reformulation,"(40) the first and most essential stage of this process of cultural change.

Historically, most reformulations of a cultural mazeway have been done by a charismatic individual who has undergone a profound religious experience and transformation. Such important historical figures as Moses, the Buddha, Jesus, Mohammad, Gandhi, immediately come to mind. In a native North American context, Handsome lake, the Seneca prophet, would meet the criteria for a major revitalization figure.(41)

This cannot be said for the commissioners who made up RCAP. With the publication of the report their mandate ended. This is a fatal flaw in the process if one wants to consider the work of the royal commission as a form of revitalization work.(42) For the next phase in the revitalization process involves communicating the vision to the relevant constituencies. In this case, it must involve all Canadians.

So far the communication effort has fallen far short of what is needed. Furthermore, the fragmentation of the native population into status and non-status, on-reserve off-reserve populations, as well as the lack of leadership needed to spearhead a revitalization movement has perhaps fatally wounded the process.

Also needed during this second phase is a growing group of disciples who can carry the message to the target constituencies. At the present time this is sorely lacking although the RCAP did identify a number of stakeholders--including the churches--who could do some of the needed public education and lobbying.(43)

Thirdly, if the movement is able to survive it moves on to constructing a "campaign organization" that facilitates the spread of the message beyond the group of disciples to a growing group of followers. Fourthly, the movement, as time goes on, usually has to adapt its message to fit the evolving situation, its growing numbers, and the opposition that any reform movement inevitably provokes.

Fifthly, if this transition is successful a cultural transformation takes place which solidifies into new, and eventually, routinized cultural patterns, the sixth phase of the revitalization process. As a consequence cultural distortion declines, or even disappears, and individual stress is relieved. At this point the society enters a new steady state and becomes a viable culture once again.(44)

It should be noted that the process is not inevitable, nor is it ever complete. The new cultural matrix will eventually experience a new set of stressors and the process will have to begin again and again as the society moves through history.

In addition to this complex cultural healing process, RCAP identifies several other key ingredients to a successful revitalization. Economic development along with improved housing and community infrastructure is considered a necessary condition. Of course none of this can happen without vastly increased human resources that enable the aboriginal population not only to manage their own affairs, but to participate in the labour force. At the same time, the fourth dimension must be worked at, namely, institutional development.

What applies to, and is needed, for aboriginal peoples in Canada, would be equally applicable to most other indigenous peoples around the world, and to growing sectors and sub-classes, within virtually every nation state on earth. As the technological society takes on more and more of the characteristics that Jacques Ellul so presciently described in his prophetic work "La Technique,"(45) vast numbers of human beings are being marginalized-- excluded from meaningful participation in their society and in world affairs generally.

For many decades now the Catholic Church in its social teaching has recognized this growing phenomenon of marginalization. However, we have been far less successful in galvanizing our membership to meet this social justice challenge. But perhaps the Church's recent teaching on the integration of faith and justice may eventually make a difference. As the synod on Justice put it:

Action on behalf of justice and participation in the transformation of the world fully appear to us as a constitutive dimension of the preaching of the Gospel, or, in other words, of the Church's mission for the redemption of the human race and its liberation from every oppressive situation.(46)

In conclusion, It is my hope that a clearer understanding of the meaning and scope of social justice would act like a compass for work on social policy, and more specifically for guiding our work of social action and social transformation especially in that area of massive unfinished business-- aboriginal rights.

I also hope that the relationship between the mission of the Church and justice has been further clarified by this exercise in social thought.

References

1. Canada, Royal Commission on Aboriginal Peoples, The Report of the Royal Commission Aboriginal Peoples, Ottawa: Minister of Supply and Services Canada, 1996, vol. 5, p. 60. Hereafter cited as RCAP.

2. As David Hollenbach notes in Justice, Peace, & Human Rights, New York: Crossroad, 1988, p. 27, "Within the Roman Catholic ethical tradition, social justice has a meaning somewhat more technical than that in contemporary common usage." In the secular world Justice as "fairness" comes close to the contemporary popular usage. This fairness would include equal liberty and equal opportunity for all citizens. For the major systematization of this view see John Rawls, A Theory of Justice, /Cambridge, M.A., The Belknap press of the Harvard University press, 1971.

3. I have been greatly aided in this clarification by Normand J. Paulhus. See his article, "Uses and Misuses of the Term "Social Justice" in the Roman Catholic Tradition," The Journal of Religious Ethics, Vol. 15, no. 2., fall 1987, pp. 261-282.

4. See, for example, Bruce V. Malchow, Social Justice in the Hebrew Bible, Collegeville: Liturgical Press, 1996.

5. Luigi Taparelli d'Azeglio, S.J., Saggio Teoretico di Diretto Naturale, 2 vols., Palermo, 1840.

6. Thomas Aquinas, Summa Theologicae, 2a2ae, 58,5.

7. Pius XI, Quadragesimo Anno, in Catholic Social Thought: The Documentary Heritage, eds. David J. O'Brien & Thomas A. Shannon, Maryknoll, New York: Orbis books, 1992, no. 57, p. 55.

8. Ibid., no. 110, p. 66.

9. This term should not be confused with "inculturation." This is a theological term which refers to the process of expressing the Christian faith within the forms of a local culture.

10. For an excellent discussion of this term see Bernard Lonergan, Insight, New York: Longmans, 1957, pp. 212-214. See also his discussion of the structure of the human good in Method in Theology, New York, Seabury press, 1979, pp. 47-52.

11. Bernard Lonergan, Insight, Longman's: London 1965, p. 496.

12. Ibid., pp. 597-598.

13. For an excellent discussion of the relationship between the temporal common good and the extrinsic common good in a modern context see, David Hollenbach S.J., The Common Good Revisited, Theological Studies, (50) 1989, pp. 70-94.

14. These distinctions and the issue of church state relations are well developed by Richard P. McBrien in Caesar's Coin: Religion and Politics in America, New York: MacMillan, 1987.

15. For a seminal discussion of these issues see, David Hollenbach, Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition, New York: Paulist Press, 1979.

16. Pius XI, Divini Redemptoris, in Act Ap S 29, (1937), 92.

17. Synod of Bishops, Justice in the World, in Flannery, Vatican Council II, More Post Counciliar Documents, pp. 695-710.

18. Hollenbach, Claims in Conflict, p. 86.

19. Ibid., p. 87.

20. Charles Curran, in his work Transition and Tradition in moral Theology: Notre Dame: University of Notre Dame Press, 1979, helpfully summarizes the elements of a right: "The essential elements of a right are four: the subject of the right, or the person; the object, or the matter, of the right; the title, that is, the fact by reason of which one claims the right; and the term, or the person or persons who are affected by the right and have the corresponding duty." p. 150.

What he does not discuss, and what has come to the fore recently, is the reciprocal responsibility on the part of the subject of the right to work at making the essential right an effective one. For example the personal right to life and bodily integrity entails and requires the social right to health care and the creation of a good of order to make these rights effective. At the same time each person must take personal responsibility for caring for their own health--as far as this is possible--and for creating the social conditions for optimal health.

21. John R. Donahue, S.J., "Biblical Perspectives on Justice," in The Faith That Does Justice, edited by John C. Haughey, New York: Paulist Press, 1977, p. 69.

22. For a study of these covenant themes see Robert Murray, The Cosmic Covenant, London: Sheed and Ward, 1992.

23. Jane Stewart, Federal Minister of Indian Affairs, "Statement of Reconciliation: Learning from the Past", The Globe and Mail, Thursday, January 8, 1998, p. 17.

24. Ibid.

25. Ibid.

26. Justice in the World, no. 10, p. 697.

27. RCAP, vol. 5, p. 1.

28. See, for example, James Muldoon's Popes, Lawyers, and Infidels: The Church and the Non-Christian World 1250-1550, Philadelphia: University of Pennsylvania Press, 1979.

29. Rupert, Ross, Dancing with a Ghost, Markam: Octopus Publishing Group, 1992, p. 34.

30. Ibid., p. 33.

31. Ibid., p. 36.

32. Ibid., p. 39.

33. Ibid., p. 49.

34. Ibid., p. 49.

35. Anthony Wallace, "Revitalization Movements" in American Anthropologist, 58(1956) pp. 264-281. Wallace defines a revitalization movement as a "deliberate, organized, conscious effort by members of a society to construct a more satisfying culture."p.265.

36. RCAP, p. 12.

37. Wallace, "Revitalization Movements," p. 269.

38. Ibid., p. 270.

39. Ibid.

40. Ibid. p. 266. The maze way, according to Wallace, is a "mental image of society and its culture, as well as of his own body and its behavioral regularities, in order to act in ways which reduce stress at all levels of the system."

41. For an excellent study of this important figure see, Anthony Wallace, The Death and Rebirth of the Seneca, New York: Random House, 1972.

42. Wayne A. Holst in his article "A Study of Missionary Marginalization" Missiology an International Journal. Vol. XXVI, No. 1, Jan. 1998, espouses this position. See, in particular pp. 47-48.

43. RCAP, p.9. Other stakeholder groups identified include corporations, municipalities, educational institutions, labor unions, and professional organizations.

44. Wallace, "Revitalization Movements," pp. 273-275.

45. Jacques Ellul's work was translated into English as The Technological Society, New York: Knopf, 1964. Technological does not capture the full meaning of Ellul's original French version published as "La Technique ou l'enjou du siecle." The central theme of the book is the ineluctable drive of modern society to seek the one best way of doing things. Technology is merely the external expression of this inner dynamic and mind set.

46. Justice in the World, p. 696.