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Changing Narratives: Colonised Peoples, Criminology and Social Work

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Abstract

There is growing recognition in criminology and social work of the importance of Indigenous knowledges and methodologies. Yet to date there have been limited attempts (particularly in criminology and criminal justice social work) to consider the theoretical and practice implications of Indigenous understandings and approaches to these disciplines. Both disciplines have also been slow to recognise the importance of understanding the way in which colonial effects are perpetuated through knowledge control, particularly in the operation of criminal justice systems.

Our paper thus begins by examining the historical and institutional factors that have contributed to the continuing subjugation of Indigenous knowledges and methodologies. A discussion of the connections between the hegemony of Western science, the construction of race, and the colonial project follows. While herein Western and Indigenous approaches are conceptualised broadly, the dangers of over-simplifying these categories is also acknowledged. The paper proceeds by examining the distinctive character of each approach through a consideration of their ontological, epistemological, axiological, and methodological differences. Whilst acknowledging the considerable challenges which arise in any attempt to develop connections between these differing worldviews, a pathway forward for understanding both theoretically and methodologically the relationship between Western and Indigenous approaches is proposed.

Keywords

Indigenous methodologies, criminology, criminal justice social work, colonialism.

Introduction

For the past three decades the quest to better understand and respond to the extreme overrepresentation of Indigenous peoples in the criminal justice system has occupied criminologists and criminal justice social workers[3] alike. Yet despite manifold intersecting interests, social work and criminological cross-disciplinary collaborations are scarce. At the same time, a strong critique of Eurocentricism has been underway in all fields of social thought. These critiques – of postcolonial theory in particular – have revealed, *inter alia*, that colonisation and the postcolonial are not simply historical events: rather, they are continuing social, political, economic and cultural processes (Cunneen 2011b). However to date, a reflexive and engaged integration of postcolonial theory in both criminology and social work remains in its infancy. Alongside these developments, the rapidly evolving field of Indigenous knowledges and methodologies[4] has revealed the transformative and decolonising potential of Indigenous standpoints and perspectives. Despite the significance of these developments with respect to Indigenous peoples' increasing incarceration rates, in the fields of criminological and criminal justice social work, there is a concerning lack of engagement with Indigenous knowledges and methodologies.[5]

It has been argued that part of the problem of understanding the theoretical and practice implications of Indigenous methodologies rests in the fundamental disjuncture between Western[6] and Indigenous knowledge systems (Briskman 2008: 87; see also Battiste 2005: 6 and Wilson 2001: 176). This paper opens a new perspective to transcending this disjuncture. We propose a pathway forward that makes central Indigenous standpoints, Indigenous knowledges and methodological perspectives. We argue that understanding and responding to the extreme overrepresentation of Indigenous people in the criminal justice system demands a deeper appreciation and integration of Indigenous knowledges and methodologies, both in theory and in practice. Greater cross-disciplinary collaborations between academics and practitioners concerned with reducing Indigenous overrepresentation in the criminal justice system will be an important step in achieving this aim.

We take as our starting point that the subjugation of peoples is directly connected to the subjugation of their knowledge and culture. As Indigenous scholar Leanne Simpson (2004) argues:

> Academics who are willing to be true allies to Indigenous Peoples … must be willing to step outside of their privileged position and challenge research that conforms to the guidelines outlined by the colonial power structure and root their work in the politics of decolonisation and anticolonialism. (Simpson 2004: 381)

We thus see the development of a pathway forward as part of an anti-colonialist struggle. Understanding Indigenous knowledges and methodologies is not simply or even primarily about improving research and practice. Rather, like Simpson (2004: 376), we see the recognition and development of Indigenous knowledges and methodologies as part of a transformative political process.

Transformation, we argue, must begin by exposing the historical and institutional factors contributing to the continuing subjugation of Indigenous knowledges. Hence section one of our paper explicates the role of criminology and social work[7] in the historical and contemporary production of colonial relations of power. Further, fundamental to the decolonisation of the criminal justice system is cognisance of the ways in which dominant epistemologies of Western knowledge production have perpetuated a belief in the superiority of Western knowledge systems, a process which has constructed the racialised inferiority of Indigenous peoples and their knowledge. This is the focus of section two. Thereafter we contemplate the core concerns

central to 'understanding' Indigenous knowledges and methodologies through a consideration of the ontological, epistemological, axiological and methodological differences between Western and Indigenous approaches. The practical implications of these differences are exemplified in section four's discussion of the contrast between legal-bureaucratic and Indigenous knowledge. Section five considers how Indigenous ways of knowing, being, and doing (Martin 2003) are manifested in Indigenous approaches to healing. In this way the inadequacy of mainstream approaches to rehabilitation in the criminal justice system to respond to Indigenous needs are highlighted. The preceding points culminate in our concluding argument for a paradigmatic shift in criminal justice theory and practice with Indigenous peoples[8] that makes central Indigenous standpoints, knowledges and methodologies that draws upon critical theoretical insights,[9] and is rooted in a decolonised vision of justice.

The continuing subjugation of Indigenous knowledges

In the dominant criminological and social work traditions limited critical analysis has been given to the relationship between colonised peoples and Western values, beliefs, laws and institutions. Notions of legal neutrality, legal positivism, formal equality, and legal objectivity have failed to reflect Indigenous peoples' conditions of substantive social, political, and economic inequality and marginality. Western claims to absolute sovereignty have undermined the legitimacy of the laws of colonised peoples which are often characterised as partial, incomplete, and customary (Cunneen and Schwartz 2005). The imposition of Western values and beliefs, as reflected in particular institutional practices and programs (such as the dominance of Cognitive Behavioural Therapy (CBT) in prison settings), have largely ignored differences due to race, culture and gender, and further undermined Indigenous approaches to healing, health and wellbeing (Briskman 2008; Pollack 2004). Indeed, transplanting and applying Western laws, values, and beliefs to colonial peoples were a key part of the process of empire building, a process that continues to have exploitative consequences today.

With relatively few exceptions in criminology (for example, Agozino 2003, 2004, 2005; Blagg 2008; Cunneen 2011a and 2011b; Morrison 2006; Sumner 1982; Tauri and Webb 2012) and social work (for example, Gray, Yellow Bird and Coates 2008; Green and Baldry 2008; Razack, 2009; Sinclair 2004), the colonial subjugation of Indigenous knowledges has not been analysed to any great extent. For criminology, part of the problem is that by 'taking the American and European criminological traditions as the point of departure, whether right or left realism, critical theory or administrative criminology—is that they all tend to operate without a theory of colonialism and its effects' (Blagg 2008: 11; see also Cohen 1988). Similarly, the exportation of Western knowledge, values, and beliefs in social work has not only proven inappropriate for the profession to respond to Indigenous peoples' 'experiences, needs and understandings of the world' (Green and Baldry 2008: 390), but it has also seen the profession collude with the apparatus of the state such that social work cannot be seen as innocent of the historical abuses associated with colonialism (Briskman 2008: 85; Razack 2009: 11). For criminal justice social work in particular, the dominance of individualising and psychologising discourses stands out as an institutionalised vehicle through which such collusion continues to take place (Gray, Yellow Bird and Coates 2008: 49; see also Pollack 2004: 695; Taylor and Swain 2009: 320-321).

The dominant intellectual frameworks of social work and criminology were established in the west: criminology with a view to understanding and explaining the phenomena of crime and crime control; and social work to deal with the social problems of industrialised urban communities. Part of the process of 'decolonising' social work and criminology is to see both disciplines as a product of a particular set of narratives within Western social sciences. Such narratives were 'fashioned in relation to the experience of the [European] Diaspora and in the construction of complexly stratified societies within and around the urban conurbations of Western cities' (Blagg 2008: 202). Others have drawn attention to the historical connections between the development of criminology in the nineteenth century and the projects of

colonialism and imperialism (Kitossa 2012; Morrison 2006). Similar connections are made through social work's association with various colonial practices, in particular its operation through missionary activities and child removals, practices that have resulted in a profession 'tinged with the stain of colonialism and imperialism' (Razack 2009: 1).

For social work, the powerful traditions of empiricism and positivism were the primary means by which the profession sought respectability and professional status (Lynn 2001: 904). Such professionalising trends have constructed enduring boundaries that render inferior ways of knowing (such as Indigenous knowledges) that do not conform to the dominant model of scientific reasoning (Coates, Gray and Hetherington 2006: 3). Blagg and Smith (1989: 139) suggest that: 'Notions of pathological individuals, families and cultures have played a central role in defining the agenda of social work practice since its infancy'. Similarly in criminology, the dominance of 'evidence-based' and 'what works' approaches continue to marginalise Indigenous perspectives in the design and operation of criminal justice interventions and policies (Cunneen in press; Tauri and Webb 2012: 9).

The question arises, then, of the extent to which these historical origins reproduce in contemporary social work and criminological theory and practice an inability to conceptualise the degree to which criminal justice systems reproduce neo-colonial relations of power. Certainly, both the criminological and social work imagination falters when confronted with genocide and dispossession, and with peoples who demand that their radical difference, their laws and customs, and their alterity to the west be recognised (Blagg 2008). There is thus a need to understand the multi-dimensional aspects of those factors that bring Indigenous peoples in contact with the law (Pollack 2004: 704). There is a need for a sustained critique of crime control policy and practice that is multi-dimensional and strategic (Tauri and Webb 2012: 12). And there is a need to excavate the way in which colonial effects are perpetuated through knowledge control, particularly in the operation of criminal justice systems. Through the development of anti-colonial, postcolonial and Indigenous perspectives in criminology and social work we are beginning to witness a response to such needs, a framework within which the silencing of Indigenous voices is being challenged (see for example in criminology: Agozino 2003, 2004, 2005; Blagg, 2008; Cunneen 2011a; Davis 2011; Stubbs 2011; Tauri 2005 Tauri and Webb 2012, and in social work: Bennett et al. 2012; Briskman 2008; Coates et al. 2006; Green and Baldry 2008; Sinclair 2004).

These theoretical and conceptual tools help make transparent definitions of crime and the institutional determination of criminality. Such definitions can no longer be seen as separate from, or independent of, the broader claims of Western discourses of dominance: rather, crime and crime control must be recognised as embedded in the experiences of colonisation. This has significant implications for how we might explain and respond to the overrepresentation of colonised peoples within criminal justice systems. Positivist approaches in criminology and criminal justice social work understand racial or ethnic over-representation as the result of essentially individualised factors that can be determined from aggregate populations (for example, rates of offending and reoffending; living in crime-prone neighbourhoods; single parent families; prior child abuse or neglect; high levels of unemployment; low levels of education; and so forth). Within the scientific paradigm these factors can be separated, quantified, measured and put through a regression analysis. 'Race' is reproduced, not as a social, economic, cultural and political set of relations, but as an individualised factor that may or may not shows signs of statistical significance. As Blagg and Smith (1989: 138-139) have noted, criminal justice social work has tended to translate the problem of racism into individual dysfunction, pathology, and cultural impoverishment.

In contradistinction, anti-colonial, post-colonial and Indigenous perspectives argue that the individualised factors identified above are embedded in the historical experience of colonisation and dispossession. It is the *relationship* between the processes of colonisation and

criminalisation that need to be excavated and explained. Such an approach refuses to take offending rates at face value, arguing that offending rates are not 'knowable' separate from the agencies that identify and process crime. As well, we cannot discount the contribution of institutional practices and legal frameworks within which criminalisation and the use of imprisonment are embedded (Cunneen 2006: 340). These institutional practices are caught within broader dominant cultural values and political relationships that reproduce marginalised peoples as criminal subgroups. As discussed in ensuing sections Indigenous qualitative and quantitative methodologies provide an invaluable tool with which to excavate and reconceptualise the unspoken racialised assumptions underpinning mainstream representations of Indigenous peoples in the criminal justice system.

Race, knowledge and colonialism

Of equal significance is the way in which Western knowledge has been used as an integral part of the colonial project to construct a particular view of the racialised inferiority of Indigenous peoples. One of the common arguments found amongst Indigenous writers in this field is that the developing hegemony of Western science was built on and informed colonial societies' views of 'race' and racial inferiority (Rigney 2001: 4; see also Battiste 1998, 2000, 2005; Kincheloe and Steinberg 2008; Moreton-Robinson 2000). Knowledge cannot be understood as either innocent or neutral: rather, knowledge is a key to power and meaning which has been and continues to be used to dominate and control (Moreton-Robinson 2000). As Indigenous scholar Marie Battiste (2000: 195) succinctly states: 'modern knowledge has been the ideology of oppression. This ideology seeks to change the consciousness of the oppressed, not change the situation that oppressed them'. Indeed Indigenous systems of knowledge, economy, law, and governance were attacked and devalued by colonial institutions on the basis that those social systems and their institutions were inferior. As Lester Rigney elaborates:

> If one's racial superiority could be scientifically legitimated then the logical conclusion could be drawn that the scientific methods used in 'other' cultures to investigate or transmit knowledges were inferior and irrational. Indigenous intellectual traditions and knowledge transmission, which sustained Indigenous cultures and humanity for thousands of years, were not considered worthy science or even science at all. 'Race' theories laid the firm foundation for determining whose knowledge was valid and whose science was legitimate. (Rigney 2001: 4)

Battiste (1998: 21) concurs, arguing that the assumed universality of Western knowledge has 'manufactured the physical and cultural inferiority of Indigenous peoples'.

As a key part of the devaluing of Indigenous culture, Indigenous ways of sharing knowledge, mostly through oral or performative communication modes, were seen as hearsay and inferior to written texts 'that recorded a superior intelligence' (Louis 2007: 130). According to Hawaiian scholar Renee Pualani Louis (2007: 131), the legacy of invalidating Indigenous knowledge disconnected Indigenous people from 'their traditional teachings, spirituality, land, family, community, spiritual leaders, [and] medicine people'. Yet despite colonial hegemony and close interaction with the dominant culture, traditional views in Indigenous communities remain important (Hand et al. 2012: 450). Furthermore, Indigenous knowledge systems remain intact and continue to develop as living, relational schemas (Moreton-Robinson and Walter 2009: 97). The revalorisation of oral histories and narratives offers a powerful medium through which criminologists and social workers can assist in bringing Indigenous perspectives to the forefront.

From the rapidly growing and emergent fields of Indigenous knowledges and methodologies, there are at least five considerations with pertinent implications to criminal justice theory and

practice. Firstly, as the objects of research, Indigenous peoples have been 'interpreted and analysed utilising Western perspectives, methodologies and agendas' (Moreton-Robinson and Walter 2011: 6). Given Indigenous people have been constantly seen as 'research curiosities' and 'problems', it is not surprising that the term 'research' is often linked with colonialism. 'The way in which scientific research has been implicated in the excesses of imperialism remains a powerful remembered history for many of the world's indigenous peoples' (Porsanger 2004: 107; see also Rigney 1999 and Smith 1999).

Second, it has been argued that the assumed universality of Eurocentricism creates 'a strategy of difference that leads to racism' (Battiste 1998: 21). An important question raised by the connection between Western research structures, philosophies and methods and the colonial process is whether these approaches are fundamentally racialised in their investigation of issues related to colonised peoples. Some have considered these approaches 'racist epistemologies' (Scheurich and Young 1997; Tauri 2012a).

Third, it is not surprising that Indigenous perspectives on research represent alternative ways of thinking about the research process. The decolonisation of research methods is seen as necessary to develop Indigenous knowledge (Kovach 2009; Smith 1999). These alternative approaches are not necessarily meant to replace a Western research paradigm (Porsanger 2004) but rather to challenge it and to reconfigure Indigenous research as one that is increasingly defined by and responsive to Indigenous needs (Louis 2007; Smith 1999). An important response to this issue has been the development of Indigenous standpoint theory (Nakata 1998) and Indigenous women's standpoint theory (Moreton-Robinson and Walter 2009).[10]

Fourth, it is understandable that Indigenous approaches seek to revalorise Indigenous knowledges as valid ways of understanding and describing the world. Thus the importance of Indigenous research methodologies has to be understood within the broader valuing and assertion of Indigenous knowledges and cultures. The decolonisation *of* research is one strategy emanating from Indigenous approaches, the other is research *for* decolonisation: the later reflects the widely held ethical view among Indigenous scholars that research needs to be for the benefit of Indigenous communities.

Research *for* decolonisation inevitably leads to a discussion of power: that Indigenous research is part of the decolonisation process, particularly in the struggle for Indigenous self-determination (Porsanger 2004). However, research involves relations of power at multiple levels between the researcher and the research participant; in determining the priorities of research agendas; in the broader assumptions that give 'truth' value to certain types of research; and in the social, political and cultural values that underpin our processes of reasoning and understanding of the world. This is a view that knowledge production operates within communicentric frames of reference that enable and legitimise it (Scheurich and Young 1997). As Hart (2010: 4) notes: 'Eurocentric thought has come to mediate the entire world to the point where worldviews that differ from Eurocentric thought are relegated to the periphery, if they are acknowledged at all'. Battiste (2005: 6) explains that:

> Recognition of the monopoly that Eurocentric thought reserves for itself is the key to understanding the new transdisciplinary quest to balance European and Indigenous ways of knowing. The contradictions, gaps and inconsistencies between the two knowledge systems suggest that the next step needed in the quest is a deeper understanding of Indigenous knowledge.

Foucault has written extensively on the power/knowledge relationship. The exercise of power relies upon knowledge of the target or field upon which power is exercised. As Garland (1990: 139) has noted in his discussion of Foucault:

> … the relationship between knowledge and power is an intimate and internal relationship in which each implies and increases the other … the social or human sciences which developed in the eighteenth and nineteenth centuries must be thought of not as independent intellectual developments but rather as knowledge forms and techniques of enquiry which are deeply embedded in the history of power-knowledge and its relations with the body.

In relation to the colonial project these techniques of enquiry were (and arguably still are) aimed at the control of colonised peoples. For example, one might point to the 'science' of eugenics in legitimising the forced removal of Indigenous children from their families during the first half of the twentieth century (NISATSIC 1997).

The distinctive character of indigenous and western approaches: Ontology, epistemology, axiology and methodology

The authors' socio-cultural and political positioning as non-Indigenous researchers, combined with our methodological orientation to critical theory, is such that we are aware of our limitations to 'understanding' the full depth and breadth of the diverse, and in some areas divergent, field of Indigenous knowledges and methodologies. There is also a danger of an essentialised view of Indigenous knowledge. With 5,000 distinct Indigenous peoples living in 70 countries across the globe, and with a world population of more than 300 million (Battiste 2008: 499), we are acutely aware of the differences between Indigenous peoples. We also acknowledge the distinctive and sometimes conflicting positions advanced by Indigenous academics pertaining to the potential commensurability between Indigenous and Western approaches. So too are we aware of the dangers of essentialising Western knowledge. For example, there are clear differences between positivist, postpositivist, constructivist, and critical approaches[11] in both criminology and criminal justice social work. Our concluding argument regarding the points of connection between Western and Indigenous approaches refers specifically to latter: that is, to the field of critical theory. Finally, we are aware of the limited exposure many non-Indigenous critical researchers and practitioners have to Indigenous methodologies (Moreton-Robinson and Walter 2009: 95). The ensuing discussion responds to this concern.

Lincoln and Guba (2005: 97-128) and Lincoln, Lynham and Guba (2011: 191-215) have argued that any research paradigm consists of an ontology, an epistemology, a methodology and an axiology. Wilson (2001: 175), Kovach (2009) and Moreton-Robinson and Walter[12] (2009: 98-99) have considered this approach in relation to Indigenous knowledges, methodologies and research. This schema also provides a useful tool for exploring some of the fundamental differences between mainstream 'Western' (that is, positivist) and Indigenous research paradigms.

Ontology deals with assumptions about the nature of being and society. Notions of what constitutes reality (or a researcher's ontological base) directly influences interpretations of research findings. Reality viewed through the lens of Western and Indigenous researchers differs (Walter 2010: 53). One of the fundamental ontological differences between Western and Indigenous ontologies pertinent to criminal justice theory and practice is the nature of the self as either a rational individual exercising free will, compared to a view that sees the individual as defined by, and with obligations and relationships to, kinship groups and the natural environment. We see this as a basic distinction between the ideas of individual autonomy and individual relationality. As McCaslin and Breton (2008: 523) clarify, 'The most fundamental reality factor that Indigenous law acknowledges (and Eurocentric law does not) is the reality that we are all related'. Further, according to Hart (2010:7):

> One dominant aspect that has been noted amongst some, if not many, Indigenous people is the recognition of a spiritual realm and that this realm is understood as being interconnected with the physical realm... Another dominant aspect is reciprocity, or the belief that as we receive from others, we must also offer to others... Reciprocity reflects the relational worldview and the understanding that we must honour our relationships.

For example Wilson (2001: 73) makes reference to the extended use among Aboriginal people of terms like 'cousin', 'brother' and 'auntie' as demonstration of an epistemology in which the ontological importance of kinship relationships is stressed. In contradistinction, Western ontology is predicated on an individualised, hierarchical, gendered, and racial dichotomy (Moreton-Robinson and Walter 2009: 99), a way of being dominated by Cartesian ideas separating mind and matter, self and world (Kincheloe 2006).[13]

Epistemology refers to the way in which we know and think about the world and the validity of knowledge. One of the most challenging discussions on this issue has been by Scheurich and Young (1997) who raise the issue of epistemological racism. These authors argue that epistemologies arise out of the social history of a particular group. European colonial expansion occurred under the rationale of the supremacy of European civilisation within the broader developments around 'modernism'. For these authors, 'modernism is an epistemological, ontological and axiological network that "makes" the world as the dominant Western culture knows and sees it' (Scheurich and Young 1997: 7). It is incontrovertible that the history of research *on* Indigenous peoples has imposed a dominant epistemology that has facilitated definitions through various research processes of the racialised Other as defective, dysfunctional, disturbed and culturally deprived. Indigenous epistemology stresses a focus on Indigenous experience and the concomitant methodologies that can facilitate this. Others have noted that Indigenous knowledge is local, holistic and oral (Hart 2010: 3). Indigenous ways of knowing are transmitted through storytelling, rituals and ceremonies. It is fluid, intuitive and introspective. It arises from interconnections between the human world, and the spiritual and physical world (Hart 2010: 8). Many Indigenous scholars emphasise the importance of relationships, not only human relationships, but Indigenous peoples' connection to their ancestors, nature and the land. For Carjuzaa and Fenimore-Smith (2011: 12), 'it is relationality that is the key to understanding and embracing Indigenous ways of knowing'.

By contrast, Western theories of knowledge are premised upon notions of objectivity, whereby 'reason is the apex of the hierarchy of knowledge production' and 'knowledge status is limited to the educated and social elite' (Moreton-Robinson and Walter 2009: 98). Further, Western epistemologies tend to compartmentalise knowledge into different social and physical sciences or disciplines. This compartmentalisation contrasts strongly with the holistic framework of Indigenous knowledge whereby legitimacy is based upon connectivity (Moreton-Robinson and Walter 2009: 98). It is worth emphasising here that knowledge is not acultural: rather, approaches to research and consequently knowledge production are embedded in institutional structures that can be seen to promote and maintain the status quo (Carjuzza and Fenimore-Smith 2011: 3).

Axiology refers to the set of values, ethics and morality which underpin our research, including our ethical standpoint on the relationship of research to broader social or political goals. For Lincoln et al. (2011: 116), axiology is central to the foundational philosophical dimensions of a research paradigm, encompassing all 'basic beliefs' including the ethical dimensions of a research paradigm, and necessarily involves consideration of the role of spirituality in human inquiry. What is valued in Indigenous approaches is 'observation based on being in the world', and valued knowledge comes from many sources including 'dreams, the ancestors, stories, and experience' which is embedded in the land. In contradistinction, what is valued in Western

knowledge is scientific 'rigour, established via measurement, explanation, causality, classification and differentiation' (Moreton-Robinson and Walter 2009: 99).

Indigenous ethical and moral models call for a collaborative social science research model (Denzin and Lincoln 2008: 15). A critical element here is that research be for the benefit of Indigenous communities. As Louis (2007: 131) bluntly states: 'If research does not benefit the community by extending the quality of life for those in the community, it should not be done'. Indigenous knowledge needs to be protected (for example, through the recognition of Indigenous intellectual property rights), and research outcomes shared. Some of the core values include Indigenous control over research, respect for individuals and communities, reciprocity and responsibility. The values of respect and reciprocity are perhaps the most frequently cited (Hart 2010: 11; Porsanger 2004: 113). A further value has been referred to as rights and regulation, which 'refers to research that is driven by Indigenous protocols, contains explicitly outlined goals, and considers the impacts of the proposed research' (Louis 2007: 133; Smith 1999).

Methodology refers to the process or tools we use for understanding or describing the world. Any research methodology rests on a foundation of ontological, epistemological and axiological assumptions. As Walter (2010: 52) states: 'it is research methodology, not method, that contains the explicit and the implicit, cultural, social and consequently political meanings of research process and practice'. Methodology is also interwoven with and emerges from the nature of particular disciplines and perspectives (Lincoln et al. 2011: 97). A critical element here is that Indigenous people not be treated as objects of research but are partners in the research process. This requires the use of methodologies that enable voice to be given to Indigenous people and their understandings. Indigenous methodologies are described as being 'collective', as involving reciprocity and accountability (Hart 2010: 9). In reviewing the developments internationally, Moreton-Robinson and Walter (2011: 10-11), drawing on Martin (2003), note four key underlying theoretical principles consistent within all Indigenous methodologies:

- the recognition of Indigenous worldviews, knowledges and realities as distinctive and vital to Indigenous existence and which serve as a research framework;
- the honouring of Indigenous social mores as essential processes in which Indigenous people live, learn and situate themselves in their land and when in the lands of other Indigenous people;
- an emphasis upon the social, historical, and political contexts which shape Indigenous peoples experience, lives, positions and futures; and
- privileging the voices, experiences and lives of Indigenous people, and recognition of their Indigenous lands.

Contrasting legal-bureaucratic knowledge and indigenous knowledge

We can contrast Western 'legal-bureaucratic' forms of knowledge that dominate mainstream social work and criminology with Indigenous research paradigms. Legal bureaucratic forms of knowledge are based on written scripts, record keeping and official documentation, all of which have been essential parts of imperial culture. Indeed, record keeping was integral to the project of colonisation: it is the tool for describing, itemising and controlling the colonised Other. It is also the stuff of mainstream social work and criminology; for example, the crime figures or child abuse reports that endlessly repeat the offending rates of Indigenous peoples. Further, the legal process itself tends to construct, reinforce, prioritise and legitimise particular forms of knowledge, particularly written documentation, as evidence while dismissing other communicative processes as uncertain, unreliable, partial and impermanent. By contrast Indigenous communicative modes have traditionally relied on oral story-telling, music, dance, art and other material artifacts (Cunneen 2010).

A consideration of Indigenous communicative modes provides the opportunity to break out of the positivist epistemological straight jacket that has tended to dominate both social work and criminological theory and practice. Other forms of knowledge and communicative modes enable a repatriation of Indigenous knowledge and critique. Indigenous cultures utilise rich and complex oral and artistic traditions as an essential part of the communicative process. Yet through traditional disciplinary approaches these forms of communication will remain unrecognised.[14] These different modes of knowledge and communication reflect differing views of the importance and function of knowledge. Legal-bureaucratic forms of knowledge in criminology and social work are directly tied to the production of knowledge in the interest of governance of populations. Indigenous knowledge is tied to values of connectedness, reciprocity and the maintenance of kinship and environmental relations. Legal-bureaucratic forms of knowledge and the methodologies they employ are functionally related to the institutions of the state, to managing 'problem' populations. Indeed the management of 'problem' populations has been foundational to criminology and social work.[15] By contrast Indigenous knowledge is related to maintaining valued relationships. At a methodological level, we stress the importance of oral histories and narratives as a significant means by which to make explicit the value of relationality. As Briskman (2008: 85) notes, oral histories are a 'powerful medium for bringing Indigenous perspectives to the forefront'.

The production of statistics about Indigenous peoples is a key component of legal-bureaucratic knowledge, particularly as it is manifested in criminology and criminal justice social work. Yet rarely are the implications of Indigenous approaches considered in relation to the production, analysis and presentation of quantitative, statistical Indigenous data. As Tauri notes:

> The majority of criminological material that is influencing public policy and media discourse on the Indigenous question, emanates from approaches that are predominantly quantitative in method, and largely 'Aboriginal free' in terms of data gathering and engagement with the research population' (Tauri 2012b: 219).

Tauri (2012b), Tauri and Webb (2012) and Cunneen (2006, 2011b) point to the influence of the rise of risk-based analysis and the subsequent development of various diagnostic tools (based on 'criminogenic need') and therapeutic interventions (usually CBT) derived from actuarial models of offending. In particular, they draw attention to the extent to which these approaches have undermined Indigenous knowledges and methodologies, and the struggle for Indigenous rights more broadly.

The insightful work of Australian Indigenous scholar Maggie Walter (2010) provides an important contribution to the field of understanding and critiquing statistical Indigenous data. Walter's exposure of the racialised politics underlying the unspoken, non-Indigenous ontological framework applied to Indigenous data production, most evident in the dominant portrayal of Indigenous dysfunction, has significant import for the criminal justice field, a field dominated by quantitative representations of Indigenous peoples. As Walter (2010) explains, an Indigenous quantitative methodology challenges the construction of racialised statistics,[16] explicitly foregrounds Indigenous voices and knowledges, and makes central the Indigenous ontological significance of relationality rather than dominant Western positions of subject and object.

Identity and healing

When we see criminology and social work as racialised discourses, as dominant systems of meanings that produce knowledge and practice about crime and race, we can begin to understand how the disciplines control both the mode of representation and their meaning. The discourse controls the process through which we understand crime and deviance, for example,

with the construction of Indigenous dysfunction through the unspoken racialised politics of quantitative data pertaining to Indigenous overrepresentation in the criminal justice system, and the symbolic meanings we attach to those representations (such as Indigenous men as crime-prone). In the case of racialised criminality we see simultaneously the offender as racial and the racialised individual as criminal. As Fanon once remarked: 'not only must the black man be black; he must be black in relation to the white man' (Fanon 1967: 202). The colonised is forced to exist individually and as an embodiment of race, an embodiment that is overladen with significations of criminality.

One consequence of the importance of identity for colonised peoples, and the need to affirm identity in the face of colonial strategies to circumscribe, define and control the identity of the colonised, is the approach taken towards reforming and rehabilitating offenders. We argue that there is a different understanding between mainstream Western and Indigenous researchers and practitioners about how unacceptable criminal behaviour is changed. Generally within Indigenous approaches there is a greater focus on healing and community-controlled interventions for offenders. If we reflect on Indigenous developed interventions it is evident that they start at a different place to conventional individualised programs. They represent different ontologies, epistemologies, methodologies and axiologies. The concept of healing is fundamental to Indigenous approaches. As the Australian Aboriginal and Torres Strait Islander Social Justice Commissioner states:

> Indigenous concepts of healing are based on addressing the relationship between the spiritual, emotional and physical in a holistic manner. An essential element of Indigenous healing is recognising the interconnectedness between, and the effects of, violence, social and economic disadvantage, racism and dispossession from land and culture on Indigenous peoples, families and communities (Aboriginal and Torres Strait Islander Social Justice Commissioner 2004: 57).

Indigenous programs start with the collective Indigenous experience. Inevitably, that involves an understanding of the cumulative harms and long-term outcomes of colonisation, including genocidal policies and practices; the loss of lands; the disruptions of culture; the changing of traditional roles of men and women; the collective loss and sorrow of the removal of children; and relocation of communities. Criminal offending is not only understood as an outcome of disadvantage and marginalisation: it is also linked to non-economic deprivation 'such as damage to identity and culture, as well as trauma and grief' (Aboriginal and Torres Strait Islander Social Justice Commissioner 2002: 136).

Individual harms and wrongs are placed within a social context. On the one hand, offenders are dealt with as individuals responsible for their own actions: their pain and the forces that propel them to harmful behaviour towards themselves and others are confronted. On the other hand, they are *understood* within a collective context of the experience of Indigenous peoples in the dominant non-Indigenous society. The explanatory context – the explanation for behaviour – is within the collective experiences of Indigenous peoples. Healing is not simply about addressing individualised offending behaviour. It is fundamentally about addressing trauma. Three types of trauma have been identified: situational trauma caused by discrete events; cumulative trauma caused by pervasive distress over time (for example, racism); and inter-generational trauma which is passed down from one generation to another (Aboriginal and Torres Strait Islander Social Justice Commissioner 2008: 153-154). The process of healing is inextricably linked to Indigenous spirituality and culture and to repairing the effects of trauma (Aboriginal and Torres Strait Islander Social Justice Commissioner 2008: 152).

In this sense Indigenous approaches to healing are unique because they seek individual change within a collective context. Mainstream programs (such as CBT programs) cannot achieve that: they do not understand individual change as part of a collective experience; nor do they

understand that factors such as race and class oppression intersect at individual, interpersonal and systemic levels (Pollack 2004: 704). This is why Indigenous programs and Indigenous people prioritise the concept of healing: healing is quintessentially and simultaneously an individual and collective experience. It is far more expansive than a notion of rehabilitation: it is concerned with simultaneously healing one's self and community. Individual and collective grief and loss become core issues that programs need to address rather than focusing on criminogenic need. Mainstream programs simply ignore the nexus between oppression and liberation, between collective grief and loss and individual healing. Indigenous healing programs start from this nexus: they begin with understanding the outcomes and effects of longer-term oppression, and move from there towards the healing of individuals.

In relation to the values (axiology) that underpin Indigenous approaches, many of the innovative developments in Indigenous justice (such as healing lodges, community justice groups or women's community patrols) arise from a *disbelief*: a disbelief in the functionality and the legitimacy of state-centred institutional responses. For the most part, criminalisation and incarceration are seen as destructive avenues that cause further family and social disintegration and do not change the behaviour of the perpetrator. The disbelief in the criminal justice system as reformatory or rehabilitative is hardly surprising given that most colonised and formerly colonised peoples have had firsthand experience of police, courts and prisons over many generations.

Reviewing the international literature on the Indigenous 'healing movement', Lane et al. (2002: 23) highlight the ways in which the many inter-connected outcomes of Indigenous healing have led to increased emphasis upon the need for a transformation of existing mainstream approaches. This is particularly so in relation to the use of CBT programs with Indigenous peoples involved in the criminal justice system. As McCaslin and Breton (2008: 518) explain, 'coloniser programming' in the criminal justice system is permeated by a view of Indigenous peoples as the 'the problem' and colonisers as the 'the solutions'. Unless colonialism is brought 'front and centre and named as the root cause' of Indigenous overrepresentation in the criminal justice system, Indigenous peoples will continue to be oppressed through processes of state criminalisation.

The way forward

There are multiple dangers and challenges that arise in any attempt to develop relationships between Indigenous and Western approaches. As Denzin and Lincoln (2008: 5-6) have previously highlighted, there is a very real concern that the historical legacy of extraction, misappropriation, commodification and distribution of knowledge about the Indigenous Other may be perpetuated through such processes. Yet alongside Denzin and Lincoln (2008: x) and Indigenous scholars such as Grande 2008, Porsanger 2004 and Smith 1999, we concur that there is a need for a 'dialogue' between Indigenous peoples, Indigenous scholars, and critical scholars and practitioners. Jelena Porsanger (2004: 109) makes clear that 'Indigenous methodologies do not reject non-Indigenous researchers, nor do they reject Western canons of academic work'. Recognising the dominance of non-Indigenous researchers in the academy, Native American scholar Cheryl Crazy Bull (1997: 24) stresses the need to build alliances between non-Indigenous and Indigenous researchers.

We argue that the first step in forging a discursive pathway forward between Indigenous and non-Indigenous critical scholars and practitioners is for non-Indigenous people to think critically and reflexively, both intellectually and practically, about the methodological assumptions underpinning our relationships and our work with Indigenous peoples. In so doing we must move beyond ill-conceived notions of objectivity and neutrality, especially as this relates to research processes and practices. In their call for a 'reflexive return' on the social scientist and on 'his or her universe of production', Bourdieu and Wacquant (1992: 68)

advocate for a transcendence of a dominant position in social science research whereby 'people whose profession it is to objectivise the social world prove so rarely able to objectivise themselves'. As a process of reflecting critically on the self, researcher reflexivity 'forces us to come to terms with our choice of research problem' (Lincoln et al. 2011: 124). It further provides the means by which to render visible the ontological, epistemological and axiological assumptions that determine how the research problem is produced, analysed and presented.

From this vantage point Indigenous peoples and their allies can begin the work to 'decolonise and deconstruct those structures within the Western academy that privilege Western knowledge systems and their epistemologies' (Denzin and Lincoln 2008: 6). With respect to the criminal justice arena, shifting the dominance of non-Indigenous approaches – or 'changing narratives' – requires a paradigmatic shift (Porsanger 2004: 109), the creation of a liminal and intellectual space of engagement between Indigenous and non-Indigenous peoples, scholars and practitioners (Grande 2008: 234). Recognition of the inherent limitations of critical theory, even in its most emancipatory form, to conceptualise and interrogate the myriad implications of colonial processes is imperative. Given its roots in the Western paradigm, critical theory is in tension with Indigenous knowledges and praxis. We need therefore to make explicit 'the forces shaping Western methodological frames' (Moreton-Robinson and Walter 2009: 97). Without modification, elaboration and debate, critical theory will not work within Indigenous settings (Denzin and Lincoln 2008: 5). Moreover, there are certain ontological and epistemological features of Indigenous ways of knowing that remain incommensurate with critical paradigms (Blagg 2008: 132). Respecting and accepting such difference is paramount when seeking to reflexively engage Indigenous and critical approaches. We must therefore abandon the tendency to be 'overly precious' about the project of critical theory and pedagogy 'as a universal recipe that has to be followed to the letter if it is to be effective' (Smith 2000: 229).

Certainly Indigenous scholars have adapted aspects of critical theory in the development of their Indigenous theoretical and methodological positions. In her discussion of Kaupapa Maori[17] theory, Smith (2000: 229) argues that Kaupapa Maori:

> … is the modality through which the emancipatory gaol of critical theory, in a specific historical, political, and social context, is practiced. The localising of the aims of critical theory is partly an enactment of what critical theory actually offers to oppressed, marginalised, and silenced groups.

In the Australian Indigenous context, Walter (2010) uses insights from Bourdieu to critique governmental statistical representations of Indigenous people and to develop a specific Indigenous approach to quantitative methodology. She takes Bourdieu's concepts of *habitus* and *field* to understand the political framework within which the production of the 'statistical Indigene' takes place. Importantly she expands Bourdieu's idea of three dimensional social space and his analysis of social, cultural and economic capital to include a fourth dimension of race. This theoretical insight enables Walter to develop her argument on the importance of a specific Indigenous quantitative methodology that shifts the axiological frame underpinning data production, representation and interpretation.

Many Indigenous researchers have also developed feminist understandings of gender and power, and some like Patricia Monture-Okanee (1992) have been critical of aspects of Indigenous approaches for failing to consider gendered relations. More than twenty years ago Monture-Okanee (1992: 250) argued: 'The goal we set for ourselves should be to eliminate the disadvantage that Aboriginal women face because it is more startling than the experience of either race or gender alone'. In particular, feminist analysis of contemporary Indigenous justice has highlighted the need for a gendered analysis.[18] Others, such as Moreton-Robinson (in Moreton-Robinson and Walter 2009: 99-105), have developed a specific Indigenous women's standpoint centred upon Indigenous knowledges, and informed by a feminist methodological

paradigm. Cognisant of the diversity of Indigenous women's individual experiences and perceptions of themselves, the ontology, epistemology, and axiology of Indigenous women's standpoints are built on shared positioning between Indigenous women. In this way, Indigenous women's standpoints help explicate 'the intersecting oppressions of race and gender, and the subsequent power relations that flow from these into the social, political, historical and material conditions' which frame the lives of Indigenous women (Moreton-Robinson and Walter 2009: 99). More recently, the growing importance of decolonial feminist research has helped position feminist researchers to address enduring and emergent questions of gendered social justice, concomitantly demanding the decolonisation of 'self and other' (OIesen 2011: 129-130).

By turning the lens reflexively upon colonising society and themselves, non-Indigenous researchers have also developed methodologies that bridge Indigenous and critical theoretical and methodological insights. For example, through her methodological 'bridging' of Indigenous and feminist knowledge, the White Irish-Australian researcher and academic Zohl de Ishtar (2005: 366) developed a methodological umbrella that 'forged a partnership between two cultures – Indigenous women and White feminist'. As de Ishtar (2005: 358-359) states, White researchers can investigate effects of Euro-centric behaviours on both societies: 'An examination of the interaction between the two societies is imperative, for to ignore half of the picture is to defeat the endeavour at its outset'. Indeed, 'insider insights' can prove invaluable to the broader aim to 'dismantle, deconstruct, and decolonise Western epistemologies from within' (Denzin and Lincoln 2008: ix).

Both Indigenous and non-Indigenous researchers in the disciplines of criminology and social work have also reflexively employed Indigenous and non-Indigenous theoretical and methodological insights (see for example, Bennett et al. 2012; Blagg 2008; Cunneen 2010; Gray et al. 2008; Green and Baldry 2008; Lynn et al. 1998; Stubbs 2011; Tauri 2012b). The multiple examples referred to above point to the potential intersections between critical and Indigenous approaches in the development and application of critical and Indigenous methodologies. However we note that such a relationship cannot be assumed. It may be partial or strategic. And it will certainly be open to ongoing debate, refinement and change.

Yet we cannot be deterred by possible tensions. As Grande (2008: 236) argues:'the lack of engagement with critical theory has ultimately limited possibilities for Indigenous scholars to build broad-based coalitions and political solidarities'. Similarly, we argue that the lack of engagement by critical theorists with Indigenous perspectives has impoverished our understandings of Indigenous peoples, especially as this relates to the root causes of their contact with criminal justice systems. From a position of humility, criticality and respect, new bridges can be formed. This requires cognisance not only of existing tensions but also the myriad similarities between both parties. Indeed, through a critically reflexive lens, many previously considered irreconcilable tensions between critical and Indigenous approaches prove not only reconcilable but also integral to the decolonisation of the criminal justice system. A critical and reflexive appreciation of such forces makes transparent pathways of intersection which enable core insights and conceptual tools derived from critical theory to be reframed to serve Indigenous needs and agendas.

Demystification and direction is supported through an appreciation of the core epistemological, ontological, and axiological dimensions of Indigenous methodological perspectives and approaches. Central to this process is the prioritisation of Indigenous social positioning, or standpoints (Walter 2010). If the power differentials are to be truly challenged, Indigenous worldviews must be privileged (Green and Baldry 2008: 398). Further, the nuanced and contextual embeddedness of Indigenous approaches must be given primacy, such that any effort to engage critical and Indigenous perspectives must understand that Indigenous knowledges cannot be separated from the ontological, epistemological, and axiological elements embraced by their producers. It is from this vantage point that Indigenous peoples and their allies can

jointly participate in transformative political processes that make central the narratives and standpoints of incarcerated Indigenous peoples, along with the decolonisation of institutional structures and processes causative of Indigenous peoples overrepresentation in criminal justice systems across the globe.

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[3] Criminal Justice Social Work refers to the broad range of social work services provided to individuals and their families involved in the criminal justice system. These services can range from early intervention programs to prison and post-release services. As a core value of social work, social justice and its application has a particular resonance in the institutions of criminal justice (Baldry and Sotiri 2009: 36). The theory and practice of critical social work (the focus of this paper) in criminal justice settings provides an important framework to understand and transform the individual, social and systemic dimensions of crime and crime control (Baldry and Sotiri 2009: 364; see also Blagg and Smith 1989; Criminal Justice Social Work Development Centre 2013; Pettus-Davis 2012).

[4] We use the plural of Indigenous knowledges and methodologies in recognition of the multiplicity of Indigenous knowledges and methodological approaches.

[5] For example, the recent *Sage Handbook of Criminological Research Methods* (Gadd et al. 2012) contains no chapter on Indigenous research methodologies. Indeed, reference to Indigenous or Aboriginal peoples does not appear in the index of this 500-page plus book. This is despite the significant overrepresentation of Indigenous peoples in the criminal justice systems of Australia, New Zealand, Canada and the US.

[6] Throughout this paper the term 'Western' is used to refer to a way of thinking, a history of philosophy rooted in 'rational' thought where the individual subject is highly valued, secular humanism prevails, the rational, autonomous, freely choosing individual is prized, and where the dominant history is that of exploitation and conquest (Yellow Bird 2008: 290).

[7] While criminal justice social work is the focus of this article, the first section widens the lens to consider the ways in which the broader discipline of social work has and continues to perpetuate the effects of colonisation.

[8] Herein 'criminal justice theory and practice' refers to the theoretical and practice dimensions of both criminology and criminal justice social work.

[9] Throughout this paper the term 'critical' is used to refer to the broad range of critical research, theory and practice that embodies empancipatory and empowering values, is done for explicitly political purposes, and privileges issues of gender, race, class, equity and social justice (see for example: Denzin and Lincoln 2008; Grande 2008; Smith 2000).

[10] 'Standpoint encapsulates our position, who we are and how we see ourselves in relation to others and to society. Within this, our perceptions and world views are not neutral, objective understandings but moulded by the filters of our experiences and circumstances and our social, cultural, economic and personal identity location' (Walter 2010: 53).

[11] For a detailed discussion of the differences between these four paradigms, see Lincoln et al. (2011: 97-128).

[12] Moreton-Robinson and Walter (2009: 98-99) construct a table that identifies some of the different philosophical assumptions underpinning Indigenous and Western methodologies.

[13] For a detailed account of Western and Indigenous ontological differences, and an important conceptual framework from which to forge 'bridges of understanding' between these differences, see Kincheloe 2006.

[14] See Cunneen (2010) for a discussion of the role of Indigenous art in understanding the long-term impact of colonialism, and as a source of criminological knowledge.

[15] On the notion of 'problem' populations in criminology, see Spitzer (1975), and more recently in connection to Indigenous people as a problem population, see Tauri (2012b: 220).

[16] 'The default norm of Indigenous data is its comparison with data from the non-Indigenous population. This research practice, so entrenched in the statistical pictures that pervade our lives, operates to place the Indigene as the 'Other' before the data are even examined' (Walter 2010: 51).

[17] As an approach to Maori research, Smith (2000) explains that Kaupapa Maori draws upon Maori knowledge and cultural values, principles, priorities, and emancipatory aims to structure assumptions, values, concepts, orientations, and priorities in research with Maori. Importantly, the author notes that while this position is based on the specificities of Maori peoples' history and politics, it does not preclude those who are not Maori from participating in research that has a Kaupapa Maori orientation.

[18] See for example Coker's (2000) research of Navajo peacemaking in cases of domestic and family violence exemplifies some of the problems of coercion through forcing victim participation.

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