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STUDY OF THE PROBLEM OF DISCRIMINATION
AGAINST INDIGENOUS POPULATIONS

Final report (last part) submitted by the Special Rapporteur,
Mr. José R. Martínez Cobo

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CHAPTER XIII

EDUCATION

A. International provisions

1. The International Bill of Human Rights includes, under a number of headings, provisions relating to education. The Universal Declaration of Human Rights contains specific references to education in the following provisions:

"Article 26 (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

"(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

"(3) Parents have a prior right to choose the kind of education that shall be given to their children."

2. The International Covenant of Economic, Social and Cultural Rights also deals with certain aspects of the right to education in the following terms:

"Article 13 (1) The States Parties to the present Covenant recognizes the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

"(2) The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

(a) Primary education shall be compulsory and available free to all;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

(e) The development of a system of schools, at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

"(3) The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

"(4) No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State."

3. Article 27 of the International Covenant on Civil and Political Rights, the text of which is reproduced below, contains implicit references to cultural, religious and linguistic aspects of the right to education of members of the ethnic, religious, and linguistic minorities with which the article deals in the following terms:

"Art. 27. In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

4. Other international declarations, agreements and conventions contain provisions referring to education and to discrimination in education. The United Nations Declaration on the Elimination of all Forms of Racial Discrimination states that:

"Article 3 (1) Particular efforts shall be made to prevent discrimination based on race, colour or ethnic origin, especially in the fields of civil rights, access to citizenship, education, religion, employment, occupation and housing.

"(2) Everyone shall have equal access to any place or facility intended for use by the general public, without distinction as to race, colour or ethnic origin.

"Article 4. All States shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination."

5. Similarly, the International Convention on the Elimination of All Forms of Racial Discrimination provides that:

"Article 7 States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes

and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention."

6. The Indigenous and Tribal Populations Convention, 1957, adopted by the General Conference of the International Labour Organisation on 26 June 1957, provides that: 1/

"Article 21 Measures shall be taken to ensure that members of the populations concerned have the opportunity to acquire education at all levels on an equal footing with the rest of the national community.

"Article 22 (1) Education programmes for the populations concerned shall be adapted, as regards methods and techniques, to the stage these populations have reached in the process of social, economic and cultural integration into the national community.

"(2) The formulation of such programmes shall normally be preceded by ethnological surveys.

"Article 23 (1) Children belonging to the populations concerned shall be taught to read and write in their mother tongue or, where this is not practicable, in the language most commonly used by the group to which they belong.

"(2) Provision shall be made for a progressive transition from the mother tongue or the vernacular language to the national language or to one of the official languages of the country.

"(3) Appropriate measures shall, as far as possible, be taken to preserve the mother tongue or the vernacular language.

"Article 24 The imparting of general knowledge and skills that will help children to become integrated into the national community shall be an aim of primary education for the populations concerned.

"Article 25 Educational measures shall be taken among other sections of the national community and particularly among those that are in most direct contact with the populations concerned with the object of eliminating prejudices that they may harbour in respect of these populations."

7. The Convention against Discrimination in Education contains a number of provisions which may be quoted here: 2/

"Article 1 (1) For the purpose of this Convention, the term 'discrimination' includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

1/ ILO, Conventions and Recommendations adopted by the International Labour Conference, 1919-1960, Geneva, 1966, pp. 901-908.

2/ Adopted on 14 December 1960 by the General Conference of the United Nations Educational, Scientific and Cultural Organization in Paris. This Convention entered into force on 22 May 1962 (article 14).

(a) Of depriving any person or group of persons of access to education of any type or at any level;

(b) Of limiting any person or group of persons to education of an inferior standard;

(c) Subject to the provisions of article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or

(d) Of inflicting on any person or group of persons conditions, which are incompatible with the dignity of man.

"(2) For the purposes of this Convention, the term 'education' refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.

"Article 2 When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of article 1 of this Convention:

(b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions, offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level;

(c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

"Article 3 In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

(a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;

(b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;

(c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;

(d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;

(e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

"Article 4 The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

(a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;

(b) To ensure that the standards of education are equivalent in all public education institutions of the same level, and that the conditions relating to the quality of the education provided are also equivalent;

(c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity;

(d) To provide training for the teaching profession without discrimination.

"Article 5 (1) The States Parties to this Convention agree that:

(a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; it shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace;

(b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their conviction;

(c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:

(i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and

language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;

(ii) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and

(iii) That attendance at such schools is optional.

"(2) The States Parties to this Convention undertake to take all necessary measures to ensure the application of the principles enunciated in paragraph 1 of this article."

B. Equal access to all types and levels of education, and to training, employment and remuneration as teachers

8. With regard to non-discrimination in the access to all types and levels of education, the information available shows that the general principles which have been set forth above appear to have been adopted as such in all the countries covered by this report.

9. All the Governments which have provided information on this subject have stated that there are no limitations or restrictions on the access of indigenous persons, groups or communities to all types and levels of education, or on the training, employment and remuneration of indigenous teachers. 3/

10. In all the countries covered by the report, all persons have free access to State schools on a basis of equality, and education, particularly primary education, is free and compulsory.

11. In some countries, the constitution and other fundamental laws contain provisions designed to exclude discrimination against indigenous and other groups in the matter of access to education. 4/

12. In Burma, for example, and with reference to certain "minorities", section 22 of the Constitution provides that "no minority, religious, racial or linguistic, shall be discriminated against in regard to admission into State educational institutions, nor shall any religious instruction be compulsorily imposed on it". In Panama, article 80 of the Constitution provides that: "No educational institution may refuse to admit students by reason of ... social or racial ... differences. Violation of this rule by private educational institutions will lead to loss of the official subsidy in the case of institutions which receive a subsidy, loss of the right to have degrees and certificates recognized by the State in the case of institutions which enjoy this right, and, in cases of contumacy, loss of the right to continue providing education".

13. In other countries penalties are provided for those who deny certain persons access to education by reason of the ethnic group to which they belong. Thus in Brazil, Act No. 1395 of 1951 5/ regarding Race, Colour and Prejudice, provides in article 5 that: "The penalty for refusing instruction to a pupil in a teaching establishment of any type or level for reasons of racial or colour prejudice shall be imprisonment for three months to one year or a fine of CR\$500.000 (five thousand Cruzeiros). In the case of an official teaching establishment,

3/ Australia, Finland, Guatemala, Guyana, Malaysia, Mexico, New Zealand, Norway, Panama and Sweden.

4/ Argentina, Bangladesh, Bolivia, Brazil, Burma, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, India, Malaysia, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru.

5/ See United Nations document E/CN.4/Sub.2/L.92/Add.23, pp. 6-7, the summary of information relating to Brazil prepared in connection with the Study of Discrimination in Education (United Nations publication, Sales No.: 57.XIV.3, and Conference Room Paper No. 2, the summary of information relating to Brazil prepared in connection with the Study on Racial Discrimination (United Nations publication, Sales No.: E.76.XIV.2).

the penalty shall be loss of the agent's position once his responsibility is ascertained by means of a regular inquiry. 6/

14. In Malaysia, the Aboriginal Peoples Ordinance (1954, amended 1967) stipulates:

15. "17. (1) No Aboriginal child shall be precluded from attending any school by reason of his being an Aborigine.

"...

" (3) Any person who acts in contravention of this section shall be liable to a fine of five hundred dollars."

16. Some countries 7/ have provided information to the effect that there are no limitations or restrictions on the access of indigenous students to private schools where these exist.

17. The Constitution of India mentions minorities in this connection when it provides:

"30. Right of minorities to establish and administer educational institutions.--

"(1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice".

"(2) The State shall not, in granting aid to educational institutions, discriminate against any educational institutions on the ground that it is under the management of a minority whether based on religion or language".

18. The Constitution includes among its Directive Principles of State Policy, the following provisions:

"45. Provision for free and compulsory education for children.-- The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.

"46. Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.-- The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

6/ See para. 67 below.

7/ Australia, Norway.

19. In Pakistan, article 22 of the Constitution provides:

"(3) Subject to law,

- (a) no religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and
- (b) no citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth.

"(4) Nothing in this Article shall prevent any public authority from making provision for the advancement of any socially or educationally backward class of citizens." 8/

20. In other legal systems, the constitutional provisions which prohibit discrimination and those which establish the right to education complement each other so as to guarantee equal access to education for all.

In Guatemala, the Constitution provides as follows:

"Article 98. Every person has the right to an education. Technical training and professional education are open to all on equal terms.

The State shall maintain and increase centres for basic education and diversified studies, as well as institutions designed to raise the cultural level of the nation; it shall grant scholarships for the training or specialization of students and professionals who, because of their vocation and capacity, are deserving of such assistance; it shall promote physical education and support all kinds of sports".

21. These constitutional provisions are supplemented by those of several articles of the National Education Act, among which the following may be cited:

"Article 6. Education is a right to which all Guatemalans are entitled and which is guaranteed by the State. Primary education shall be extended to the whole of the national territory so as to benefit all persons regardless of age, especially in rural areas. The educational system shall be subject to a permanent process of evaluation and over-all readjustment to keep pace with the needs of national development, and its organization and planning shall be adapted to the needs of the various regions.

...

Article 9. Education shall be imparted and culture shall be disseminated in the official language of the country and the indigenous languages.

8/ Similarly to paragraph 3(b) above, article 201 of the Constitution of El Salvador provides as follows: "No educational establishment may refuse to accept students by reason of the marital status of their parents or guardians, or by reason of social, racial or political differences."

The Ministry of Education shall issue regulations governing the incorporation of these languages into the educational curricula with a view to promoting their study, dissemination and use.

Foreign languages shall be taught in the manner specified in the appropriate regulations.

...

Article 60. The task of attending to the cultural needs of the indigenous inhabitants and their incorporation, without discrimination, into the educational system shall be considered matters of national interest." 9/

22. The Government of Panama states that: "The Constitution lays down the right of all citizens to free education; such education is compulsory until the age of 16. Article 87 of the Constitution is applied to all social strata and there is no discrimination regarding the admission of members of indigenous groups to schools, whether private or governmental.

23. The Government adds: "Nevertheless in practice, and because of serious limitations which are essentially of an economic character, indigenous groups are prevented from benefiting fully from the educational programmes. It is only among the Cuna group that wider access by school-age children to primary and secondary schools can be observed, because these schools are situated in the geographical area occupied by that group. In these schools, over 90 per cent, and sometimes even 100 per cent, of the pupils come from the indigenous population. The situation is very different with regard to the other groups (Guaymies, Chocoas, Turibe, Bokota) which, as a general rule, have access only to the first few grades of primary school.

All indigenous students have the right to attend any educational institute and, as pointed out in the foregoing paragraphs, they receive the same education as other persons and are subject like them to compulsory education from 6 to 16 years of age.

In order to pursue more advanced studies, an indigenous child will have to move to more densely inhabited areas, which in most cases are many kilometres away from his home and where he has neither a lodging nor any of the basic material requirements and still less the resources necessary to satisfy those requirements."

24. The Danish Government has stated that in Greenland the comments to Landstings Decree No. 6 of 16 October 1979 emphasize:

"that it is of decisive social importance to ensure that all of the pupils, during the period of compulsory education, be offered equal opportunities of education, and

9/ Ley de Educación Nacional, Publicaciones del Ministerio de Gobernación (Guatemala City, Imprenta Nacional, 1979), p. 6.

that voluntary education, beyond the age limit of compulsory education, be open to everybody, whether such voluntary education can be offered at the place of residence or otherwise".

25. Several States have made general negative declarations in this respect, remarking, as in the case of Costa Rica, that "There are no formal limitations, restrictions or exclusions for the indigenous communities. Any limitation or lack of opportunity there may be is due to such factors as the distance to the educational and economic centres".

26. The Government of Canada states:

"No regulations discriminate against access to education in Canada on a basis of race. Entrance to institutions of all kinds is open to native people, and they are eligible to receive scholarships and grants under general programs. In addition, registered Indians, and Eskimos, are provided with a free education as a federal right including education at the university and other post-secondary levels. This provision includes living costs; books, and transportation.

The chief adverse factor has been isolation, both socially and culturally, and also geographically. Indians on reserves or in remote communities have been under-educated, while Eskimos and Indians in the North have had only limited access to education until recent years.

The degree of parental support for education has varied. Often there was an initial desire on the part of parents in more primitive areas, where living was precarious, to put their children in residential schools because of the material advantage: at the same time there was indifference or skepticism about the value of the educational process which was regarded as alien and imposed. Those parents had in general a very limited education; the present generation on the other hand is almost entirely in school, and the generational rift has been very marked. Too often, however, the young native who went to school merely lost his own culture without gaining another.

It is among this maturing group of younger Indians that present leadership is forming to put forward proposals for alternative educational systems which would provide a greater degree of Indian participation, both in curriculum content and in control and administration. Not all Indians favour this trend, and the desire is expressed to create valid options, for parents who wish a child to begin his education in an Indian-oriented setting, or on the other hand see the value of education in a common school in the larger community. The question of maintaining equal standards is an important consideration in these plans. Some concern is also expressed about the wisdom of segregating indigenous and non-indigenous children".

27. Non-governmental information has been available on certain countries from non-governmental organizations. These data start with general negative statements similar to those quoted in the two preceding paragraphs, and then proceed to examine the situation further.

28. Thus, as regards Indonesia, the Anti-Slavery Society has communicated that

"There are no de jure restrictions on the access of isolated groups to education. By article 31 of the Constitution, every citizen is entitled to an education. This is of course interpreted as a discretionary power and the provision of education to selected communities has been a component of the government's development plans since 1968.

"Although there are no de jure restrictions, provision of even primary level schooling to isolated communities has been sparse. Where a government or mission school exists in the nearest non-tribal village, any attempts to persuade the community to send its children to such a school have usually resulted in failure. Where such schools exist as part of government development activities there is one school per settlement, the size of which is adapted to the size of the settlement. Although there are government plans to extend the system of education to include adult teaching programmes, they have not become widespread and usually consist of selecting one man who, once trained in fields of agriculture, husbandry, health, societal order, etc., returns to the village to initiate development plans. 10/

29. With regard to the access of indigenous persons to the various types and levels of education in Paraguay, the Anti-Slavery Society reports as follows:

"No racist limitations are imposed on indigenous access to education. At the primary school level, one indigenous group, the Western Guarani of the Central Chaco, is better off than the non-indigenous all Paraguayan average. This is due to combined military and mission efforts which provide a higher percentage of school assistance and of knowledge of Spanish than in the case of the non-Indians.

"However, at the secondary and higher level, indigenous participation is still very low. We know of no case of any indigenous university student, except some Aché who were educated as non-indigenous children. This deficiency is obviously due not to racist barriers, but to the low quality of much of the primary teaching especially in the mission schools, and also to linguistic and other cultural obstacles on the Indian side.

"Most of the religious missions attending indigenous settlements have schools, often providing lodging, food and clothing for the children. Education is usually provided free of charge. Other schools are installed by the army. It must be noted, though, that the schools are very irregularly distributed. Lack of schools is a problem in some indigenous zones of east Paraguay, and in very remote parts of the Chaco.

10/ John W. Henderson and others, Area Handbook for Indonesia (Foreign Area Studies of the American University, Washington D.C. 1970) pp. 194 and 195.

"Those groups under strict missionary control are often forced to send all children to school. Readiness to accept this is usually great on the indigenous side, with the exception of certain groups, mainly east Paraguayan Guarani, with the Paí as the most extreme example of this minoritarian refusal:

'They generally have a negative attitude towards learning Spanish, because they associate this language with colonialist attitudes and with the negation of their whole life system. This attitude, historically correct, implies also the refusal of the necessity of learning to read and write.'

30. Much importance has been attached to the existence and effectiveness of any form of aid granted to indigenous students for educational purposes, since special problems arise for indigenous populations due to their relative isolation from the market economy surrounding them.

31. With regard to specific forms of aid, such as scholarships and grants, or provisions for lodging, food, transport or clothing, whether or not education is provided free of charge, several countries have reported that indigenous children are eligible on an equal basis with non-indigenous children for the normal schemes that are available in these respects. 11/

32. It is deemed useful to quote here some data received on general schemes in several countries.

33. In Australia, for example, according to the Government, all states and the Commonwealth have schemes for financial assistance to students, mostly at the secondary (where, as tuition at government schools is free, assistance is usually in the form of maintenance allowances) and higher levels. Awards are usually made on the results of a competitive examination, and sometimes a means test is applied. Aboriginal students may seek to qualify for all such scholarships and bursaries. In addition the Commonwealth Government has established special grant schemes for Aboriginal students which are dealt with in some detail below.

34. The Government of Panama states that, "With regard to scholarships, fellowships, lodging allowances or such other educational services as may be required, no distinction is made and indigenous students receive the same benefits as other students, since the Ministry of Education is anxious to integrate them into the national development plans, while maintaining their cultural patterns".

35. The Mexican Government reports that it has established various types of assistance in the form of scholarships, lodging facilities, the provision of food and clothes and free education. The National Indigenous Affairs Institute (INI) grants scholarships to pupils who receive their primary education in the boarding

11/ Argentina, Australia, Canada, Denmark (Greenland), Guatemala, Mexico, New Zealand, Paraguay, Philippines, Suriname, Sweden and the United States of America.

schools or the schools with boarding facilities that have been established in 82 indigenous regions with the aim of solving the problem of the scattered pattern of small communities. There is also a system for indigenous students of secondary schools, pre-university institutions and polytechnics, as well as for persons being trained at the agricultural schools and centres situated in rural areas. The Directorate of Indigenous Education provides the necessary teaching, administrative and manual staff for the boarding schools, and this staff is assisted by the technical personnel of the National Indigenous Affairs Institute in the fields of health, agricultural engineering, economics and livestock farming and in the development of production programmes connected with the schools (poultry-breeding, beekeeping, pig-breeding, rabbit-breeding, vegetable-growing and fruit-growing). The boarding schools are distributed strategically over the indigenous areas and each of them is attended by 50 to 100 students from three, four or five neighbouring communities; the children are, in addition, housed and fed from Monday to Friday of each week for ten months of the year and return to their communities on Saturdays and Sundays to live with their families, so as to obviate any uprooting effect. There is in addition another type of institution: the Social Integration Centre. These centres have been converted now into secondary schools where young indigenous students receive a secondary education. In these centres, male and female students receive an academic education, are taught a number of handicrafts and get practical training in plant and animal husbandry.

36. According to an official source, in India:

"Scholarships to deserving scheduled caste and scheduled tribe students for studies in foreign countries have been awarded by the Union Government since 1953. The number of such scholarships every year is 21-11 for scheduled castes, six for scheduled tribes, one for denotified, nomadic and semi-nomadic tribes, and three for other backward classes. Tourist class sea passage is provided to students who receive foreign scholarships from other sources without travel grants.

"Also, 17½ per cent of merit scholarships granted by the Centre to students of the lower income groups for studies in the institutions which are members of the Indian Public Schools Conference are reserved for backward communities. Some of the state governments as also some public schools offer similar scholarships.

"Post-matric scholarships are given to eligible scheduled caste students. During the first three Plans, 5, 17, 511 such scholarships were awarded. The expenditure rose from Rs.1.58 crores #/ in the First Plan to Rs.14.88 crores in the Third Plan. During 1966-1969, Rs.15.96 crores were spent on 3.27 lakh #/ scholarships. During 1969-1973, Rs.35.38 crores were spent on providing 6.62 lakh scholarships. Since 1971 scheduled caste converts to Buddhism are also eligible for these scholarships.

#/ Ten million; one hundred lakhs (of rupees, units of measurement; persons, etc.).

"Post-matric scholarships are also awarded to eligible applicants belonging to the scheduled tribes. The number of such scholarships given during the first three Plans was 94,144. The expenditure rose from Rs.42 lakhs during the First Plan to Rs.2.63 crores in the Third Plan. During 1966-1969, Rs.3.11 crores were spent on awarding 65,676 scholarships. During 1969-1973, Rs.7.15 crores were spent on 1,28,000 scholarships.

"At present about 1,90,000 scheduled caste and 35,000 scheduled tribe students are receiving post-matric scholarships every year ...

"Under the scheme, financial assistance is given to state and Union Territory Governments for the construction of new hostels and to expand existing ones at any place where the facilities for girls belonging to these classes are inadequate. A sum of Rs.41.95 lakhs was provided for the scheme during 1972-1973." 12/

37. Some countries have added information concerning special scholarship and grant programmes for indigenous populations, which will be discussed below. 13/

Another special problem which affects more particularly the indigenous populations is the lack of teachers, or the absence of teachers with the necessary qualifications for the education of indigenous schoolchildren. In some cases, there are not enough teachers, while in others there are sufficient teachers but they do not have the training necessary for the proper performance of their job, training which differs - mainly from the linguistic and cultural standpoints - from that required for teaching urban and non-indigenous children. For a long time, it was believed that the best way to achieve equality in education was to give the same education to all, with teachers all trained in exactly the same manner. Today hardly anyone maintains this view. There is now almost universal recognition of the need to train teachers especially for the purpose of teaching pupils with different cultural backgrounds and different mother tongues. In addition, teaching materials and the training of the teachers who will use them must be especially directed towards these pupils for them to be adequate and effective. Accordingly, it is appropriate to state briefly here the contents of the declarations, and the general information, available with regard to the special training of teachers who are to work in schools for indigenous children.

38. With regard to the training, employment and remuneration of teachers, the Anti-Slavery Society states that, in Paraguay:

"There are some indigenous teachers at the primary level, who are paid and generally treated like non-indigenous teachers. But their number is still very limited. A sufficient number is only to be found among the western Guarani of the Central Chaco, and there only up to the primary 4th grade.

12/ India, a reference annual, Government of India, 1974, pp. 49 and 52.

13/ See paragraphs 265-281 below.

39. One author makes the following statement with regard to the need to formulate plans and programmes, and to train special teachers, for the education of indigenous students:

"It is necessary to adapt the plans and programmes to the various different requirements and to train indigenous teachers better qualified than the present ones, whose level of education is equivalent to no more than the second to sixth primary grades."

Side by side with literacy programmes, a whole series of subjects must be taught to them: improvement of agriculture, hygiene, nutrition, child care, handicrafts, carpentry, etc. etc.

Indigenous pupils are as a general rule extremely receptive and interested in assimilating our culture, especially in its material aspects, as this will help them to increase the earnings from their work and better themselves socially and economically." 14/

40. Evidence is available of some efforts to train indigenous teachers, such as those conducted in the schools of the locality of Yalve Shanga:

"The training course for the 30 indigenous teachers who work in schools at the locality of Yalve Shanga in El Chaco region has recently ended at the 'Saturio Ríos' Regional Educational Centre at San Lorenzo". 15/

41. The Government of Guatemala states as follows:

"The Ministry of Education is at present studying with special care the reform of teaching methods in accordance with a broader and more realistic philosophy, particularly as regards extra-mural education. ... The new educational trend envisages the improved training of indigenous teachers and more efficient use of their knowledge, taking into account their ability to communicate with indigenous pupils in their own mother tongue".

14/ Ramón César Bejarano, "Solucionemos el Problema Indígena", article published in the newspaper ABC Color, 24 December 1972 (copyright reserved by the author).

15/ "Capacitación de Maestros Indígenas", article published in the newspaper Tribuna, 3 January 1974.

42. The Government of Mexico states as follows:

"Indigenous students have access to the same educational institutions as non-indigenous students.

Teachers and instructors are trained by means of special courses, the ultimate purpose of which is to qualify them as bilingual educators, to impart a bilingual and bi-cultural education. The trainees in those courses are young persons drawn from the indigenous communities who have received a primary or secondary education.

There is already a substantial percentage of better-educated persons and they have been appointed as instructors, teachers, inspectors or headmasters, depending on their academic qualifications. Their promotion depends on their continuing and improved training, their formal efficiency, their dedication, their willingness to serve and their success as liaison agents with the community.

Such persons receive remuneration and allowances similar to those of non-indigenous teaching staff.

A bilingual instructor or teacher may be dismissed on grounds of repeated shortcomings, subject to review by immediate superiors, the educational committees, and the traditional, municipal and agrarian reform authorities. The final decision, on the basis of the documentation and evidence submitted, rests with the General Directorate.

There are no cases of exclusion: the only limitations which exist are budgetary limitations on the recruitment of trainees. These limitations contribute to restrictions and the obstacles arise when a candidate does not fulfil the requirements for admission, chief among which are regional bilingualism, good conduct and good health".

43. The Government of the United States has reported that

"Indigenous personnel may be trained as teachers ... and may obtain such education on a Federal grant. The choice of profession or training desired is up to the indigenous person himself.

"...

"The salaries for teachers of Indians is the equivalent of that for teachers of non-Indians."

44. As regards measures of protection against any impediments, limitations, restrictions or obstacles concerning access to the education and training of teachers, the Government states:

"The Congressional Committee concerned with Education makes frequent inquiries into the education of American Indians with testimony at great length from those interested in the problem and those involved in education. Indian teachers are protected by Civil Service regulations. Since Indian people are citizens they have access to the same machinery as non-Indians in correcting conditions - newspapers, radio stations, and their elected representation."

45. In 1969 a Senate Special Subcommittee on Indian Education, chaired first by Senator Robert Kennedy and then by Senator Edward Kennedy, on the basis of many pages of notes and testimony, submitted a report. The report read, in part, as follows:

"What concerned us most deeply, as we carried out our mandate, was the low quality of virtually every aspect of the schooling available to Indian children. The school buildings themselves; the course material; and books; the attitude of teachers and administrative personnel; the accessibility of school buildings - all these are of shocking quality.

A few of the statistics we developed:

- Forty thousand Navajo Indians, nearly a third of the entire tribe, are functional illiterates in English;
- The average educational level for all Indians under Federal supervision is 5 school years;
- More than one out of every five Indian men have less than 5 years of schooling;
- Dropout rates for Indians are twice the national average;
- In New Mexico, some Indian high school students walk 2 miles to the bus every day and then ride 50 miles to school;
- The average age of top-level BIA education administrators is 58 years;
- In 1953 the BIA began a crash program to improve education for Navajo children. Between then and 1967, supervisory positions in BIA schools increased 144 per cent; administrative and clerical positions in the BIA schools increased 94 per cent. Yet, teaching positions increased only 20 per cent;
- In one school in Oklahoma the student body is 100 per cent Indian; yet it is controlled by a three-man, non-Indian school board;
- Only 18 per cent of the students in Federal Indian schools go on to college, the national average is 50 per cent;
- Only 3 per cent of Indian students who enroll in college graduate; the national average is 32 per cent;
- The BIA spend only \$18 per year per child on textbooks and supplies, compared to a national average of \$40;
- Only one of every 100 Indian college graduates will receive a masters degree; and
- Despite a Presidential directive 2 years ago, only one of the 226 BIA schools is governed by an elective school board." 16/

46. As regards training, employment and remuneration of teachers, the Government of Canada states:

"There is no overt discrimination against natives in teacher selection and training. In fact, however, the educational system has been almost exclusively a white middle-class system.

"In an attempt to avoid the lowering of standards for native schools, academic qualifications have been maintained, but few native people have qualified. A system is now growing to train and hire education assistants who are native people with limited education. This is particularly widespread in the north among the Eskimos, where language and culture barriers are pronounced. Educational assistance programs are available to enable Indian or Inuit teacher-aides, or classroom assistants, to up-grade their qualifications. In addition, certain universities are prepared to admit teacher-aides who lack the academic qualifications as mature matriculants. At the present time, only a small percentage of teacher-aides have taken advantage of these programs of assistance and training."

47. The information relating to certain countries contains references to the bad geographical distribution of schools which is a problem for indigenous education.

48. In Bolivia the reasons for the far higher rural attrition rate are understandable. For most of the country children there are either no schools available that offer higher primary grades or the schools are available but discouragingly distant.

49. In the information available on other countries greater emphasis is placed on the realization of the existence of these problems and on action taken to overcome them. Thus, for example, it has been written that in Bangladesh the government is conscious of the need for suitable dispersal of educational institutions and preferential facilities in some regions. Increasing representation among the teachers from these regions is encouraged.

50. Special measures have been taken in India, where, according to a writer: 17/

"Almost every village has a primary school although the standards up to which education is imparted may vary from II to VII. The government in order to impart 'useful' education and at minimum cost has established Ashram schools all over the state. In Nasik district there are four such schools of which one is at Chinchawade about two miles from the Harsul-Nasik road. Even the age limit is relaxed in the case of the tribals. They are admitted to the first standard between the ages of 6 and 9, to the second standard up to the age of 10 and to the third standard up to the age of 11. These Ashram schools are organized through voluntary agencies. Each such school is a residential school with a hostel attached to it where the inmates are provided with free boarding and lodging and other amenities. The students are recruited from the nearby villages. Although the students are preferably tribals, non-tribals are also admitted as day-scholars. In addition to the usual instruction in the schools, arrangements for teaching of simple crafts like kitchen gardening

17/ M.G. Kulkarni. Problems of Tribal Development, A Case Study, Harsul Block, Nasik District (Maharashtra). Cokhale Institute of Politics and Economics, Bombay, India, 1968, pp. 206 and 207.

leading to agriculture, spinning and weaving, poultry farming etc., are made in the initial stages. Agriculture is the main craft taught in the school: for this purpose each such school is to have a farm of about 10 acres with a well, two cows and a pair of bullocks, agricultural implements etc. The government grant-in-aid to the tune of 90 per cent of the recurring expenditure and 90 per cent of the non-recurring expenditure is given to these schools. The recurring cost of each such school is estimated at Rs. 24,950. For the full development of an Ashram school the cost is estimated to be Rs. 71,200. The school is usually expected to grow to a capacity of 60 boys and 60 girls in the course of four to five years. The Ashram school at Chinchawade is run by the Adiwasi Sewa Samiti at Nasik, and opened on 11 October 1954. There were 70 boys and 50 girls enrolled. But this one school is obviously insufficient to meet the needs of all the villages in the area, though not all of them are willing to send their children to school."

51. The Government of Australia states that Government schools are provided throughout Australia on the basis of population. In more isolated areas, this means that children may travel some miles to school or, particularly in the post-primary years, board away from home; or use correspondence schools, in many cases supplemented by lessons conducted on the radio.

52. The Government of Chile stated in 1975:

"Although private schools abound [in Chile], they are deficient and inadequate, manned by teachers most of whom are unequal to their tasks. These schools generally provide tuition in the first, second and third grades of basic education and no more; the school-children then leave school and, in most cases, begin to work for a living and soon forget the little that they have learned.

State organs concerned with the problems of indigenous people are paying particular attention to improving education in this sector. To that end, school building has been considerably expanded with improvement of access roads. In addition, education has been extended up to the eighth basic grade, thereby increasing the school attendance by children of the rural and indigenous population".

53. The Government of Sweden has stated that:

"Schools for the Lapps have been established at seven places in the northern provinces. They are organized according to the principles of the ordinary comprehensive schools, with Swedish as the main language of instruction, while room is given for instruction in other languages, handicrafts and reindeer husbandry."

54. The Finnish Government has stated that basic school facilities are available in every commune, but that schools and, in particular, higher educational establishments are, for natural reasons, more widely scattered in the northern part of the country than in the south. Thus, all those residing in the north have this handicap.

55. In Peru, article 73 of the Constitution provides that there shall be at least one school in every place with a school age population of 30 and article 74 specifies that "schools operating in industrial, agricultural or mining centres shall be supported by the owners or owner companies.

56. Similarly, the Constitution of Guatemala provides for the establishment of schools by certain types of enterprises in the rural areas of the country, as follows:

"Article 97. Industrial and agricultural enterprises located outside urban centres, and the owners of rural property, are required to establish and finance, in accordance with the law, schools for their school-age population that will provide a minimum education according to special programmes".

57. The National Education Act repeats the terms of this constitutional provision, but refers to "official programmes" instead of "special programmes" and supplements it with the statement: "This education shall be free. Those failing to observe this provision shall incur the penalty to be laid down by the Ministry of Education, in accordance with the law" (Article 61, in fine, of the said Act). The Act provides in addition as follows:

"Article 62. Industrial and agricultural enterprises located outside urban centres and the owners of rural property who engage temporary workers have a duty to provide this migrant population with educational opportunities and literacy programmes in accordance with the rules laid down by the Ministry of Education".

58. The Mexican Government states that the relevant constitutional principle of the country specifies that "education ... shall contribute to the improvement of human relations ... through the care taken to foster ideals of the brotherhood and equality of all men and to avoid privileging any race, sect, group, sex or individual. ^{18/} The factors which hinder the fulfilment of this principle are more of a physical and social character: the remoteness and scattered pattern of many of the communities make it difficult to supply a service and the need, resulting from families' material requirements, to get children to work at an early age keeps them out of school. The rules and requirements for admission to schools of all kinds are the same for indigenous and non-indigenous children. Besides, there exist institutions devoted specially to the teaching of Spanish to monolingual children; naturally, children who already speak Spanish do not need access to these institutions. In terms of geographical distribution, the schools cover 82 indigenous regions and over 4,000 communities; they are of various types: full primary schools, agricultural technical schools and study centres, and boarding schools of the two types already mentioned.

59. The New Zealand Government has communicated that: "In the case of primary schools the State will provide a school wherever there are nine children or more. This means that there are very few children in the country who do not have reasonable access to primary schools. As already mentioned, those children are catered for by the Government Correspondence School. At the secondary level where no school is within easy reach, the Government correspondence courses are provided and, as mentioned above, there are special scholarships and grants to enable such children whose parents desire them to attend boarding schools. Technical institutes are either established, or are being established at present, in all of the main cities and there are universities at Auckland, Hamilton, Palmerston North, Wellington, Christchurch and Dunedin."

^{18/} Federal Constitution of Mexico, art. 3, subpara. I(c).

60. Obviously, these provisions cannot in themselves ensure full and equal access to education. This is recognized by a number of the governments which have submitted other information.

61. It should be made clear from the outset that formal systems of education are alien to indigenous cultures and considerable efforts are therefore required to bring such systems to the indigenous populations and make them acceptable by the latter.

62. This has been recognized in Malaysia where, according to one writer: 19/

"The Department is entrusted with ensuring that the Orang Asli population may gain the full benefits of the Education facilities of the country. All the Orang Asli children at schools all over the country are given free education at all levels. In places where the Ministry of Education cannot provide the normal school facilities, the Department constructs, administers and maintains its own schools. Currently the Department is directly responsible for the administration and staffing of 81 schools and 51 hostels in deep jungle areas.

"This policy has been maintained because it is realized that a formal form of education as a social institution is an alien feature in the Orang Asli society and culture. To gain their acceptance and thus to ensure success, the service must therefore be brought to them - physically, vigorously and at no cost to them."

63. Obviously there have been certain differences in all countries in the education available to indigenous groups and communities. Some of these difficulties affect entire rural populations or all the groups living in particular regions of the countries concerned. It will suffice to quote as an example the following comments by the Norwegian Government:

"Due to the great variations found between the areas of settlement and living conditions, caused by Norway's geographical position and topography, the compulsory school system in Norway is partly based on different conditions in the urban and rural districts.

"In the rural districts a large proportion of the population is scattered over a wide area, so that some of the pupils have long and difficult journeys to and from school. In an attempt to remedy this situation, in some places the authorities have erected boarding establishments in conjunction with the schools where the pupils have free board and lodging. Some of these boarding establishments are run and financed by the State, while others are run by the local authority with financial aid from the State. In recent years the need for boarding establishments of this type has shown a steady decline. For this there are three main reasons:

- "1. Compulsory elementary education has been decentralized, so that children and teenagers may be educated near to their homes.
- "2. Communications have improved considerably in the course of the last few decades, so that it is now easier for pupils to get to school.

19/ Idris, Jimin Bin, A Brief Note on the Orang Asli of West Malaysia and their Administration. A publication of the Department of Orang Asli Affairs, Kuala Lumpur, March 1972, pp. 9-10.

"3. The municipalities receive substantial Government grants to help cover the cost of school transport."

64. Other difficulties arise, of course, from the language and culture of these groups, which are different from those on which the educational system of the country concerned is normally based. This too has been recognized by the Government of Norway, which states that:

"As already mentioned, Norwegian law contains no restrictions specifically applicable to Lapps as compared with those of Norwegian stock where access to education and employment is concerned, nor any which would mean different terms of remuneration for the same work. The obstacles Lapps may encounter can be difficulties connected with geography, socio-economic causes and/or language. To assist anyone having problems of this nature, there are study grants under local Government schemes (often by a means test), as well as grants from the Government Loan Fund for Education.

"The obstacles and problems which the Lapps encounter appear to be mainly connected with language and culture. As early as the primary school stage, Lapp children must use two different languages. This can delay their general progress at school in comparison with other children who use only one language, and affect their further school career. The Ministry of Church and Education is endeavouring to combat this tendency by allowing fewer pupils per teacher in schools with Lapps, and in addition by giving Lapps priority of admission to a number of schools of further education with restricted entry."

65. As an example of other difficulties which have occurred in all countries to a greater or lesser extent, we reproduce below some comments on these difficulties in Australia. An organization states that: 20/

"As Aboriginal and part-Aboriginal people settled on Mission Stations, Government Settlements or became fringe dwellers, the responsibility of providing some education for them was undertaken by either the missions concerned or by Government authorities. However, facilities provided have been completely inadequate and coupled with environmental problems, including unsatisfactory housing, lack of incentive, language difficulties and failure to provide pre-school education, hostels, and sufficient scholarships, have resulted in only a very few of these children proceeding to secondary schools and only a handful ever having completed a university course. In addition there has been only a very limited attempt to provide them with any specialized trade training.

"In effect, between the neglect of the States and the constitutional prohibition of the Commonwealth, the Aboriginal and part-Aboriginal children of Australia suffered educational discrimination. This led, in consequence, to other forms of discrimination and hence to the denial of fundamental rights".

20/ World Confederation of Organizations of the Teaching Profession, Education Panorama, vol. X, No. 4, 1968, p.4.

66. The Australian Government states that:

"Although there is no legal or administrative discrimination against Aboriginal children in the education system, there is considerable evidence that many Aboriginal children begin school at a disadvantage because of their socio-economic and cultural background. This is compounded in many parts of Australia by the problems of living in remote areas. Their consequent retardation becomes increasingly marked in the later years of schooling. Until recently few Aboriginals had progressed through secondary school or entered tertiary education. Only a handful have qualified for open-scholarships or bursaries.

"Special measures are being taken in an attempt to remove the handicaps preventing Aboriginal children from taking full advantage of the Australian educational system."

67. The actual situation in Brazil, despite the provisions of article 5 of Act No. 1395 (1951), which have been quoted earlier, can be taken as an example of the situation which arises in all countries in similar circumstances. The following comment has been made: 21/

"Yet, it is a generally recognized fact that the white population starts with the advantage of a better education. The statistics on school enrolment are not classified according to the racial characteristics of the students, but the ratio of Negro, Mestizo and Indian pupils in the primary grades is probably smaller than the ratio of these groups within the total population. This, it is pointed out is chiefly due to economic conditions and to the cultural level of the parents rather than to any discrimination on grounds of race, colour, or national or ethnic origin. Although by law primary education is universal and compulsory, there are not enough public schools in most areas to meet the needs of the entire school-age population. On the other hand, the attendance of children at school entails a certain economic hardship for the parents, as the children, even when young, frequently help their parents in the less strenuous farm work or in domestic tasks. Although all classes of the population want their children to be educated at school, the desire is stronger among the better-educated classes, who are also better able to dispense with the economic assistance of their children of school age. This means that the number of children attending school from the poorer and economically under-privileged classes of the population is proportionately smaller. Accordingly, in the population of twenty years of age and over, literacy is much higher among the whites than among the peoples of mixed blood and the Negroes."

68. Inequalities of opportunity for education affecting indigenous populations are complex. They stem from a conjunction of human, cultural, social, economic, historic and geographical circumstances.

69. As part of the rural populations - which most indigenous populations are - they suffer all the disadvantages affecting those groups of population. In rural areas schools are fewer per capita, they are not as adequately distributed, the premises

21/ See United Nations document E/CN.4/Sub.2/L.92/Add.23, the summary of information relating to Brazil prepared in connection with the Study of Discrimination in Education (United Nations publication, Sales No. 57.XIV.3). The above quotation is taken from paragraph 330 of the Study on Racial Discrimination, United Nations publication, Sales No. E.71.XIV.2. See paragraph 13 above.

are not as well suited, the materials are not the best, or not enough, and the teachers are not as well qualified as those available in urban centres. In the latter years, an unusual concentration of services has sprung up in urban centres as an offshoot of the contemporary trend toward industrial development, which requires a certain degree of concentration of facilities and services.

70. Very often these inequalities or disparities are not the product of intentional processes, but the result of a complex set of circumstances favouring urban development as a more urgent consideration. While the authorities may be remiss in the fulfilment of their duties towards rural areas in this respect, it is true that it is not always easy to impute disparities in development to deliberate planning. It is nevertheless imperative that all those concerned devote more attention to the specific problems confronted by rural groups of population, and more particularly to the difficulties of indigenous communities, as these groups are known to be confronting the most acute combination of problems in the field of education.

71. Indeed, in addition to all inequalities that have been found to affect rural populations, indigenous populations have many linguistic problems and cultural difficulties that make their case even more complex. While monolingualism is often present, it is not indispensable to have this extreme case in order to realize that serious handicaps and unusual difficulties lie in the path of persons who do not have a full command of the language of instruction. In addition, cultural differences that go far beyond the extremes of the urban folk continuum affect indigenous people who have a radically different approach to life and a distinct world view. Furthermore, formal education is often completely new to them, as it sharply departs from the traditional communal ways of transmission of knowledge.

72. Socio-economic considerations have to be added to all this. Children are often needed - be it merely on a seasonal basis or on a more continuous manner - to help in family or community endeavours, with consequent absenteeism from school.

73. In this connection it should be mentioned that nomadic or semi-nomadic populations are affected in an even more acute manner by these problems. These groups live away from towns and are almost constantly on the move, and therefore, there is a basic incompatibility between their mobility and the usually stationary character of established schools. The basic question then arises as to whether the pupils should be made to stay where the school is, and where the teachers live and school materials and facilities exist, or whether the school, the teachers and the educational materials and facilities should travel with them, wherever the community moves.

74. In the latter case, mobile classrooms or schools have to be put together and materials and facilities created, with high mobility in mind. This is not as difficult as solving the human problem of "town teachers" who have been found to have great difficulties adapting to the special conditions of "nomadic life". It has been suggested that training nomads as teachers would probably be a solution but, in the past, it has sometimes happened that the teachers-to-be get attracted and accustomed to urban life and desert the project.

75. Another suggested solution would consist of establishing special boarding schools for the children of nomadic or semi-nomadic groups, and providing regular systematic elementary and subsequent education for them at fixed places lying within the path of their migrations. This proposal has been objected to by the parents and the communities concerned as, in the long run, the children go through their early age - which includes their best years for absorbing traditional ways - away from their parents and their communities. This situation of a lack of contact with

the traditional culture and way of life, and the constant exposure to other cultural trends and ways, would nurture a tendency to move away from nomadism and to get accustomed to settled life. "Temporary schools", "fixed seasonal schools" or "itinerant schools" have been suggested as an intermediary solution. In this age of electronic devices that are apt to bring education to places heretofore foresaken, this aspect of the problem can be solved with increasing ease, but funds and technical assistance are needed. The State has many important functions in this connection and can help in many ways to overcome certain aspects which affect the community as a whole, like illiteracy.

76. In several of the countries of relevance to this study, illiteracy is a national problem affecting the level of general education in large sectors of the population. In all these countries the problem is far more acute in the country than in the towns.

77. Illiteracy among indigenous populations has its own particular aspects which are not always given full consideration in assessing the real extent of the problem.

78. Illiteracy has always been measured in relation to the official language or languages which are used for compulsory basic education and as the sole factor in determining in specific cases whether the instruction being given is the minimum required for ensuring that a person can read and write.

79. This entirely disregards the importance of languages other than the one accepted for the purpose in question, which is simply to determine whether the person concerned can read and write in the official language. This illustrates the lack of importance attached to indigenous languages in the past, even to the point where someone who was fluent in two or more indigenous languages and used them in everyday life but did not know the official language was traditionally classified as monolingual. People were also classified as "illiterate" for making spelling mistakes in the official language, even though their standards of reading and writing in the official language were higher than those of non-indigenous persons, and even though they could also read and write in several indigenous languages.

80. In some regions, in the past, indigenous persons have been given severe tests, which were often more exacting for them than for non-indigenous persons from the same regions.

81. Although these phenomena are not always present, State decisions on illiteracy are generally based on two calculations: on the one hand, it is acknowledged that State education is confined to instruction in the official language; and on the other hand, and as a consequence, it is assumed that if a person cannot read or write in the official language, he is even less likely to be able to do so in another language or dialect. Generally, there has been some foundation for this, in the fact that until very recently many indigenous languages and dialects had no written form.

82. In some countries, simple tests were originally selected to determine whether a person could read and write and these were used indiscriminately throughout the country. Later it was felt that requirements should be raised, and the same tests were established for use everywhere without any kind of adjustment - but still only in the official language or languages. Indigenous languages will not be accepted as valid for the purpose of literacy tests until they are recognized as languages of instruction - which is generally the case today, however, only in the initial stages of education - though teaching of the official language must not be neglected either, as we shall point out later on. These matters are related to others which are to be dealt with in the chapter on language, and will be discussed at greater length there.

83. Lastly, it must be stated that there is no precise information on the incidence of illiteracy among indigenous populations, although it is known to be higher than among other population groups. In all countries, the available information is for the whole population, without any distinction between indigenous or non-indigenous groups and is, for the most part, not recent.

84. In short, information on the incidence of illiteracy among indigenous populations is inadequate. The Special Rapporteur, being aware of the importance of this question, sought to obtain reliable and more up-to-date information on this important aspect, in order to include it in the final report on the study, as one of the problems of the education of indigenous persons, and describe its particular impact on indigenous populations. This, however, proved not to be possible.

85. It is known that illiteracy is linked to several factors including: (a) inadequate geographical distribution of schools to the detriment of rural areas and particularly areas where indigenous people live; (b) the language of instruction, which in the past was only the official language that was largely unknown to indigenous populations; (c) educational materials and programmes, which until recently were not adapted to the special needs of indigenous populations, their concepts and values; (d) the socio-cultural shortcomings of these materials and programmes as well as of the organization and management of school institutions and of past educational activities as a whole. These same reasons were largely responsible for the backwardness, repetition of grades and absenteeism from school that affected indigenous pupils in a much larger degree than even other rural school children.

86. Accordingly, the Special Rapporteur sought to illustrate with current examples drawn from the situations prevailing in the countries covered by the study the reasons why indigenous children stay away from, or drop out of, school. No systematic and balanced account of the incidence of these phenomena can be given from the data available.

87. For these reasons, and in order to avoid creating a false impression by concentrating on the few countries for which data is available while saying nothing about the situation in others for which it is not, it has been decided that, while the importance of these phenomena cannot be ignored, they themselves will not be discussed in this report.

88. We shall now consider the major special measures of various kinds which should be taken in the field of education in order to solve the particular problems of indigenous populations in this regard.

C. Special arrangements for indigenous schoolchildren

91. School facilities in the indigenous community itself, or in an area within easy reach for the indigenous school population

89. It is important that educational facilities for indigenous communities should, as far as possible be accessible to pupils without their having to leave their homes, families and communal life, or the environment of the indigenous community. Formal education, to which they are not accustomed, and which involves a major break with the freedom of movement and decision that they have enjoyed before entering school causes sufficient problems in itself. Ideally, the solution would be to establish a school in each indigenous community, to staff it with teachers from the community, and to equip it with material suited to communal needs, so that schooling took place within a single environmental setting and in institutions open to the influence of community leaders and of indigenous cultural elements.

90. This part of the report sets out to study these various aspects, and the first section will deal with problems of geographical distribution, i.e. the physical location of schools. As already stated, schools should ideally be situated either within the community or nearby, or at least in a general area within easy reach; in the case of nomadic or semi-nomadic communities, they should accompany the community as it moves. The difficulties which may arise in this connection have been noted in general terms above. We must now analyse the difficulties that have arisen in specific cases in the countries covered by this report, and the practical solutions that have been found to each of them.

91. According to information furnished by the Government of Malaysia, efforts are being made to provide all Orang Asli groups with schools. To this end, whenever Ministry of Education schools are not available, the Department of Orang Asli Affairs is to build, and has been building, schools for Orang Asli children in many parts of the country and particularly in deep jungle posts. During his official visit to West Malaysia in June 1973 the Special Rapporteur was informed that most deep jungle posts have schools or were getting them under the Second Malaysia Plan. He understood, however, that "post schools" covering the first two grades were available in most Orang Asli deep "jungle posts". In certain of these posts, "area schools" covering the other grades within primary education have been established and hostels have been built there to accommodate children from other communities. Secondary education is available in Malaysian schools established for the general population in urban and rural areas outside the jungle. University education is available in the established universities in the country.

92. The Special Rapporteur found "post schools" covering the first two grades in all communities he toured during his official visit to West Malaysia in June 1973, and an "area school" in one deep jungle post. He visited the schools, and the hostel in the last mentioned post, and found school and hostel installations to be quite adequate for their purposes.

93. The Special Rapporteur was informed that attendance at "post schools" was improving and was near to becoming satisfactory, but that several children dropped out every school-year from "area schools" and their hostels, and returned or asked

to be returned to their own communities. He was also informed that few Orang Asli children were attending secondary school, where drop-out rates were high. Although the situation was improving, it was far from satisfactory. Extremely few Orang Asli had reached university level.

94. In this connection, the Government has stated:

"(1) Attendance at deep jungle schools is improving and it is estimated that during 1974 an additional 500 deep jungle Orang Asli children will receive a primary education compared to the figures for 1973.

"(2) A few children do drop out of deep jungle primary schools for limited periods, i.e. during the fruit season or jungle clearing season, but return later. These should more properly be regarded as absentees rather than drop-outs. It is estimated that 95 per cent of the children attending deep jungle primary schools complete their primary education up to Standard 6.

"(3) The major drop-out rate takes place at the end of the primary stage where only 60 per cent of the children from deep jungle primary schools who are eligible to receive a secondary education do in fact obtain this. The 40 per cent drop-out rate here reflects the continued reluctance of some deep jungle children and their parents to allow them to leave their homes for an urban environment where a lower secondary education is available.

"(4) 252 Orang Asli children are attending lower and upper secondary schools in 1974. In 1973 67.2 per cent of children in lower secondary schools failed to obtain their Lower Certificate of Education (L.C.E.) while 32.8 per cent obtained their L.C.E. and were promoted to form 4 for a 2 years course and to sit for their Malayan Certificate of Education (M.C.E.) in form 5.

"(5) Considering that the education system operated by this Department has only been functioning adequately since 1962 it is not surprising that there are so few Orang Asli at tertiary level. It takes 11 years to complete a pupil's education at primary and secondary levels up to that of M.C.E. It is only now that the efforts of this Department in the field of education are beginning to produce Orang Asli qualified to proceed to the tertiary level. From now on the number of Orang Asli obtaining a tertiary level education should show a steady increase".

95. As has been mentioned before 22/ the Government of New Zealand has stated that primary schools are provided by the State wherever there are 9 school-age children or more. Free transport is provided in Government buses for children living at a distance from school. Children in very isolated communities who are unable to

22/ See paragraph 59 above.

attend primary school are catered for by the Government correspondence school which is free of charge, in case of primary school. In cases of students who should attend secondary school, bursaries are made available to enable them to board at secondary school.

96. Efforts seem to have been made in Norway to have school facilities for Lapp children at least in the general area within their easy reach. In this connection it has been reported that in Norway some boarding schools are run exclusively for children of approximately 2,000 Lapps who still maintain themselves as herders of reindeer and live as nomads.

97. In Brazil the Indian Statute (Act No. 6001 (1973), article 51) provides that "assistance for educational purposes shall be rendered to minors, as far as possible without alienating them from the family or tribal way of life". From these provisions it may be presumed that the intention is to provide a school in each community "as far as possible". 23/

98. In Venezuela, in accordance with the Organic Law of 14 September 1948 for the Federal Territories, municipal councils are required to give preferential attention to the maintenance of rural schools established in indigenous centres.

99. In Guatemala, article 97 of the Constitution specifies that "Industrial and agricultural enterprises located outside urban centres, and the owners of rural property, are required to establish and finance, in accordance with the law, schools for their school-age population".

100. With regard to the need for school facilities near agricultural enterprises, see articles 61 and 62 of the National Education Act reproduced in paragraph 57 above.

101. With regard to rural schools, one author states:

"Many of the rural schools in Guatemala are supported entirely by the owners of plantations. This is due to the Guatemalan law which requires that wherever there is a resident population on a finca containing at least ten families, the finquero must establish and maintain at his own expense a rural school for the children of school age belonging to these families. In 1956, there were 711 of these private rural schools with a total enrollment of 18,860 pupils. This means that 26.6 per cent of the rural schools were maintained by private landowners and these schools accounted for 20.7 per cent of the total rural school enrollment of the nation."

23/ The Special Rapporteur requested but did not receive confirmation of this assumption, or correct information in this regard.

"For understandable reasons, the finqueros have not supported these schools with any degree of enthusiasm, but have regarded them as unnecessary expenses which should be borne by the government. Children of school age may help with the work of the finca and one can easily see why it would be to the finquero's interest to permit the children to work on the plantation rather than to send them to school, especially during rush seasons.

"The author has visited schools on lineas containing several thousand inhabitants and almost invariably they consisted of one room, with one teacher and an attendance of from ten to thirty pupils. Obviously, several hundred pupils of school age were living on the finca but were not in attendance. Government inspectors visit the finca schools at examination time and give advice to the teacher but rarely do such visits result in improved classroom performance. Occasionally, one finds a finquero who takes pride in his local school and makes it somewhat better than the average.

"...

"Generally speaking, however, for the country as a whole, the finca schools are poor and it is unlikely that they will ever become efficient educational institutions until they are given official public support. Perhaps it should be mentioned that poor quality has not been confined to the plantation schools. Schools maintained by the government have also been inadequate. In recent years, however, the Government has given more attention to public education but has continued to neglect the plantation schools." 24/

102. In Finland, basic school facilities are available in every commune, but they are more widely scattered in the northern part of the country affecting all those that reside in the north (see paragraph 54 above).

103. As 30 per cent of the Lapp school population live beyond the road network, and 27 per cent more than 40 kilometres away from school, 59 per cent of Lapp children live in boarding-homes during the school week, while the others need motor sleighs or rowing boats for transportation. A relatively small number of Lapps are enrolled in secondary and higher educational institutions; 10-11 per cent of the total of secondary schools are vocational schools; 10 students are at higher education institutions, 3 of which, as well as the Summer University of Lapland, offer possibilities for studies in the Lapp language.

104. The Government of Chile reports as follows on the geographical distribution of schools:

"There is ... an alarming lack of rural schools providing complete basic courses and of consolidated schools, whose pupils can, on leaving, continue their education at the middle-school level.

24/ Nathan L. Whetten, Guatemala, The Land and the People, New Yale University Press, 1961, p. 267.

"Existing consolidated schools are very few in number and, in the vast majority of cases, are in cramped, dilapidated buildings that are frequently without adequate sanitation, heating, etc. The children arrive tired out, and in winter, wet and chilled after walking distances of four or five kilometres. How can order, cleanliness, discipline, concentration and effort be expected from these poor children? To complete the picture, one needs only to think of the dust of the North, the snow and the mud of the South, and the inadequate and generally untarred roads.

"In spite of all these difficulties, the number of indigenous young people from rural areas going on to secondary studies in towns and cities is constantly increasing."

105. As to the special measures taken to ensure that indigenous children have school facilities available in or near their communities, the Government stated in a subsequent communication that: "Among the indigenous communities, schools are being established in the population centres. In 1974, 184 classrooms were built and 104 others were added in the first six months of 1975. Construction is also under way of 'socio-economic development centres'; these consist of schools, health outposts, Carabinero stations, handicraft workshops and other assistance and community service facilities. So far, 54 such development centres have been set up, all of them in indigenous rural sectors".

106. With regard to the setting up of new rural schools in Guatemala, a Government publication states:

"The Primary Education Extension and Improvement Project has been set up to strengthen the national education system within the framework of education policy for the period 1971-1975, by making a significant and permanent impact on the qualitative and quantitative aspects of that system. It represents the culmination of several years of study by leading Guatemalan educationalists and of research carried out by the Office for Over-all Educational Planning (OPIE), the Secretariat of the National Economic Planning Council, the UNESCO technical assistance mission and the International Development Agency (IDA). OPIE carried out detailed studies on the state of primary education and prepared a draft project for the extension and improvement of this type of schooling which served as a basis for the submission in April 1967, through the Ministry of Finance and Public Credit (Ministry of Public Finance), of an application for external financing." 25/

107. Pursuant to this project, the first regional rural school was set up by Government Decree No. 41 of 5 July 1973. The setting up of a further 26 such schools is provided for by Government Decree No. 39 of 28 May 1974. 26/

25/ Report on the work of the Primary Education Extension and Improvement Project, 1 July 1970-30 June 1979. Ministry of Education, Guatemala.

26/ Ibid.

108. In Bolivia, the Agrarian Reform Act makes provision for the setting up of schools for campesino communities:

"Article 140

Campesino communities should found schools, controlling them through school boards (Juntas Escolares) composed of community members.

Article 141

Such communities should maintain schools which ex-landlords heretofore maintained.

Article 142

The community is responsible for cultivating and exploiting the school field to provide produce for student breakfasts and luncheons; such land may be used for no other purpose".

109. The information available on certain countries focuses on the very bad distribution of schools, which tend to be concentrated in certain areas of difficult or impossible access to indigenous populations.

110. For example, according to information given to the Special Rapporteur during his visit to Paraguay, schools in that country "are very unevenly distributed. A problem of shortage of schools exists in some indigenous areas in eastern Paraguay and in the very remote parts of the Chaco region".

111. Similarly, it has been reported that, in Honduras, primary and secondary schools and university departments are concentrated in and around the capital or in certain of the larger towns. The same report describes the geographical distribution of primary schools in rural areas as inadequate. An attempt has been made to lay down an obligation to establish and maintain schools in certain areas. Article 38 of the Constitution provides that "The law shall determine which enterprises and entrepreneurs shall, in view of the number of their workers and the volume of their capital, be obliged to provide for their workers ... schools".

112. The following should be noted with specific reference to the Jicaque indigenous groups:

"No attempt has ever been made to open a school for these indigenous people. In 1959, the nearest functioning school was that in the locality of Rio Arriba some 12 kilometres away from the Jicaque village. Previous to that, the school was even further away, at a place called Hoya del Quebracho". 27/

27/ Jesús Núñez Chinchilla: "Datos generales para la etnografía de los jicaques oturrapanes de la Montaña de la Flor (Honduras)", América Indígena, vol. XXIII No. 2, April 1963, para. 151.

113. Regarding the existence in the Lao People's Democratic Republic of school facilities for children from an indigenous background, one author writes: "The number of schools available to Khmu, Mee, and other hill peoples is today negligible, although those Khmu, for example, who live in proximity to urban centers are not unaware of the value of an education and have in a few cases requested the services of a Lao teacher." 28/

114. Moreover, according to another author: "Greater value was placed on education by dwellers in the few urban areas than by the rural people at large, mainly because formal educational facilities of a modern sort were more readily available and the benefits they offered were more discernible in the towns than in the villages.

"Local communities were required, and very often were willing, to supply materials and labor for school construction and to maintain the established schools, but often they lacked the necessary facilities and expertise to establish an effective educational program. The Government was not in a position to fulfill its own legal obligation by making a school site and other school facilities available for all.

"Many families have consequently had to wait for a school to be built before they could send a child to school, and many pupils, particularly in rural areas, did not start school until they were eight or nine years old." 29/

115. The Government of Costa Rica states that, although the Ministry of Education has in fact organized schools in nearly all the 54 indigenous communities, the structure of the curricula is not suited to the people's needs. The Government adds that the distance from educational and economic centres has meant a de facto limitation or lack of opportunity in that respect.

116. The following information is contained in a publication:

"As part of the improvement and assistance plans for the indigenous inhabitants of the Talamanca area, the Ministry of Public Works has begun the construction of five new schools for the communities of that mountainous region.

Owing to the difficult conditions of access to that area, helicopters have been used to carry the materials for the construction work. Until now, most of the children of the Bribri indigenous population of Talamanca have been obliged to travel great distances in order to attend classes in one of the nearest schools."

28/ T.D. Roberts and others, Area Handbook for Laos, Washington D.C., American University, 1972, p. 78.

29/ T.D. Roberts and others, op.cit., p. 77.

117. The Government of Bangladesh simply states that it is "conscious of the need for suitable dispersal of educational institutions and preferential facilities."

118. The Canadian Government indicates some of the measures it has taken to cope with this problem and states that in order to "overcome the handicaps of isolation, free bus, train or plane transportation is provided to bring children to integrated schools. Boarding-homes are made available in urban centres for Indian and Eskimo children who leave their home communities to attend secondary schools, and transportation is provided where needed."

119. Other countries, while describing some of the main expenditures on indigenous education, also mention boarding-homes and boarding-schools as one device used to solve these problems.

120. In Mexico, the National Indigenous Affairs Institute (INI) allocates a large part of its budget to the construction of schools built by the Co-ordinating Centres. The community concerned supplies the site, the unskilled labour and the regional materials: sand, stone, chalk, palm leaves, and mud for the walls and roofs in the warm areas and wood for benches, desks and the teachers' chairs. This procedure continues in use because it ensures that the communities concerned will take an interest in looking after their schools.

The Federal Government possesses an organ set up to act as the executive body at the national level for school construction policy. This body, the Management Committee for the Federal School Construction Programme, has, in recent years, allocated some 60 per cent of its budget to rural areas and has invested over 200 million pesos in the construction of schoolrooms, workshops and annexes, including boarding houses, in indigenous areas. All these buildings are intended to bring full primary school facilities to small and diverse communities. In the next five years, it is planned to invest 1,000 million pesos in the setting up of educational facilities in marginal areas, particularly indigenous areas. The system of boarding schools has been surprisingly successful and constitutes the best means of providing communities, even the most isolated ones, with educational facilities at the primary school level and of ensuring control over the attendance records and the application to their studies of pupils of either sex. As of 1977, there were 628 boarding schools and a total enrolment of 32,500 children. This service began in 1971 with five units and 250 scholarship holders. The Management Committee for the Federal School Construction Programme, the National Indigenous Affairs Institute and the Public Investment Programme for Rural Development have built 177 boarding units; there remain 451 to be built to replace the present temporary premises. The extraordinary demand on the part of communities for this type of service has until now exceeded the public authorities' budgetary possibilities.

121. Australia also mentions that in addition to expenditure on Aboriginal children in the normal state education systems, the Commonwealth Government provides special funds to meet a variety of Aboriginal education needs. A substantial component of the annual grant to the states from the Aboriginal Advancement Trust Account is allotted to education - some \$2,887,000 has been provided in the financial year 1972/73.

122. With these funds, and with funds made available to voluntary organizations by direct grant from the Aboriginal Advancement Trust Account, pre-schools and primary and secondary schools are built and equipped in Aboriginal or predominantly Aboriginal areas. Over the past two years a special effort has been made to develop pre-schooling facilities for Aboriginal children, so that they will be better able to cope with entry into the formal education system. (In most states in Australia, pre-schooling is not as yet widely available to the general community.)

123. Special grants are available to schools with substantial Aboriginal enrolments, so that additional educational equipment, library books and so on may be purchased. Normally these items are provided by Parents' and Citizens' Associations but in predominantly Aboriginal areas these associations may be short of funds. Funds are also available for the purchase of special aids for Aboriginal students, such as language laboratories to facilitate their learning of English as a second language.

124. The salaries of Aboriginal teaching assistants and of special consultants or advisers on Aboriginal education are provided. Salaries of teachers in Aboriginal schools conducted by some missions are also subsidized.

125. Residential hostels are established in some urban areas so that Aboriginal children from rural or remote areas may attend secondary or higher education institutions. These hostels are usually operated by non-government voluntary organizations.

126. The Government of the United States of America has stated that:

"There is, today, emphasis upon day-schools as opposed to boarding schools so far as the Bureau of Indian Affairs is concerned, since this is what Indian people have said they prefer. However, boarding-schools still exist because reservations are often in remote areas where the population is sparse and roads few in number. A popular way of lessening the separation between boarding-school students and parents is frequent visits from parents. In some cases the parents of boarding-school students have formed clubs and make visits en masse to the school from time to time."

127. In connection with the use of boarding-schools in the United States it has been written:

"It is not true that Indian children are sent to boarding-schools solely for geographic reasons. Often children are sent to boarding-schools because they are determined by a federal official to present problems which make them

unacceptable in a local day-school. The boarding-school to which they are sent, however, is neither staffed nor equipped to handle children with special problems, so the sole accomplishment is to remove the children from their homes. In the celebrated case of the Intermountain school, children were sent off the reservation to attend the school when there were sufficient spaces in local school facilities. The sole apparent reason for sending the children away from their homes was to fill the Intermountain school so that it would not have to be closed.

"None of the many Indian people contacted had ever heard of any 'club' of relatively affluent Indian parents who could afford to visit their children in boarding-schools. Despite the attempt of the United States to make federal Indian boarding-schools sound like a lighthearted middle-class experience, the fact remains that Indian children are being separated from their families to attend federal boarding-schools. A federal policy which allows this device in the context of an assimilationist goal should be immediately suspect under international standards". 30/

128. It has also been written that:

"Forty-nine out of sixty schools run by the Bureau of Indian Affairs on the reservation are boarding-schools. Alcoholism, even in grade schools, is considered a serious and growing problem.

"Last year, about 1,500 Navajo children ran away from elementary boarding-schools." 31/

129. A more categorical criticism and rejection of some of these adverse results is contained in information regarding certain boarding-schools in Venezuela. In this respect it has been written that the boarding-school is indubitably the essential instrument of religious missions. Children

"Children are torn from their families and brought to school at a very tender age. The hunt for these children used to be carried on openly, but now it is done in a more subdued way, by promises, deceptive inducements and

30/ American Indian Law Newsletter, vol. 7, No. 11, Special Issue containing the American Indian response to the response of the United States of America, pp. 39-40.

31/ "Civil Rights Commission looks at Navajo Nation", Akwesasne Notes, vol. 6, No. 1, 1974, p. 27.

blackmail. The children trained in the mission centres turn into typically uprooted people, who belong neither to Indian nor to the national society.

" ...

"In the [Church] boarding-schools the Indian child receives instruction up to the third grade, which, according to some missionaries, is the limit of an Indians' mental capacity; physically he is not well-treated, and the food is very bad". 32/

130. The alternative of bringing the school to the children rather than the other way around has taken on special characteristics in the case of nomadic populations. In this case it has meant that the school travels following the movements of the community. In this connection it has been written that in Sweden,

"During the first half of the 18th century boarding-schools were set up in the principal centres of the lappmarks. The Lapps acquired a governing board for church and school matters in the 'Administration for Lappmark's Ecclesiastical and Educational Affairs'. These Lapp schools in the church villages educated a small number of pupils who, it was hoped, would spread a knowledge of the Scriptures and the ability to read among the other members of their herding units. Their tuition was rewarded and it soon became tuition by catechism. Permanent schools and ambulatory schools were in existence from then until the 1950s.

"After a time warning voices were raised: the permanent schools were taking the children away from the reindeer herding. On the other hand, the scant efficiency of the ambulatory schools was all too plain. Until 1913, when a school reform was carried out, first one and then the other type of school received the most attention. The 1913 reform was intended to make the nomad schools the chief type of school for the Lapps. The argument in favour was to 'furnish an opportunity of the best possible tuition for all the children of nomad Lapps' and also to 'order the tuition in such a way that it does not make the children unused to nomad life.'

"...

"... association with nomad culture, which took the form of a special subject, nomad lore - a kind of Lapp sociology - has been developed in the modern nomad school and combined with Lappish into a subject called 'the Lappish language and culture'.

"...

"Under the energetic leadership of the nomad school inspectors, the nomad school system developed ..." 33/

32/ Esteban E. Mosonyi. "The Situation of the Indian in Venezuela. Perspectives and Solutions". The Situation of the Indian in South America, World Council of Churches, Geneva, 1972, p. 52.

33/ Ruong Israel, op.cit., pp. 77-78 and 80.

2. Teachers with a fluent command of the children's mother tongue, or of the vernacular which prevails in the area

131. One foreseeable way of solving the linguistic and cultural problems of indigenous pupils is to train teachers from the community itself, selected from among persons who wish to be so trained in order to remain in or return to their indigenous communities as teachers. In the general section, mention has been made of some of the problems encountered by some countries in training indigenous teachers for nomadic or semi-nomadic peoples. Such teachers drawn from the communities would be extremely useful since the human problems encountered by teachers from outside, who are accustomed to the ways of a non-nomadic population, would be avoided. The advantages, from every point of view, of having teachers from the communities concerned are obvious. For this reason, in many countries efforts have been redoubled to train such teachers. The limited information available on this subject will now be examined below.

132. The Government of Bangladesh has communicated that it is encouraging an increasing representation of teachers from the regions concerned among those assigned to the different tribal areas. It adds that all over the country and in a uniform manner, Bengale is the only recognized medium of instruction in all the educational institutions.

133. In the Orang Asli jungle posts visited by the Special Rapporteur in Malaysia during his official visit to that country he found that children received instruction from teachers coming from outside their communities who, as a rule, did not command the aboriginal languages and therefore communicated with their students in Malay. 34/

134. The Government of Chile reports that "tuition is given by teachers of indigenous or non-indigenous origin, but using only the Spanish language". Similarly, in the report furnished by the Government of Costa Rica, it is stated that the educational programmes are the same for the whole country, so that no distinction is made with respect to language and other cultural factors of the indigenous inhabitants.

135. In Australia, until recently almost all instruction in government schools in Aboriginal areas has been in English, although the Commonwealth Government has provided funds towards the production of teaching materials in the local Aboriginal languages and towards the construction of schools and teachers' salaries on some missions where teaching is in the local Aboriginal language. Training colleges for teachers at all levels are open to Aborigines throughout Australia. Some Aborigines have graduated as fully qualified teachers. Many able and intelligent young Aborigines however, because of their cultural and socio-economic background or the remote communities in which they live, are unable to meet the academic requirements of teacher training colleges. To enable Aborigines to be employed in schools with substantial Aboriginal enrolments, most states and the Commonwealth have developed special training courses for Aboriginal teaching aides and assistants.

136. With regard to the use of indigenous languages in the education of indigenous schoolchildren, the Anti-Slavery Society has stated that, in Paraguay:

"A language problem also exists in non-indigenous rural primary schools, as many non-indigenous children only understand Paraguayan Guaraní and not Spanish. The official school system provides teaching in Spanish from the very first day on, which is a frequently irreversible handicap for those

34/ See paragraph 59 below.

children who do not understand Spanish. Their learning is often limited to repeating by heart whole Spanish sentences without understanding their sense. As Spanish is not considered a foreign language (although, in fact, it is exactly that to many children), no Spanish lessons are ever given to the children. As a consequence, they never learn Spanish except for some mechanically repeated sentences which they do not understand, and they never learn to understand the subject matters taught. As a solution, reformers propose teaching in Paraguayan Guaraní in the first grades, accompanied by the teaching of Spanish as a foreign language, and gradual change to Spanish in the later years of the primary level. This system is now tentatively introduced in some schools on the private initiative of teachers who thus disobey the official regulations. A textbook for the first grade has been edited in Paraguayan Guaraní. For indigenous children, the problem is the same in so far as they belong to groups which speak Paraguayan Guaraní (perhaps 15 per cent of the Paraguayan Indians). It is more complicated for those who are Guaraní speaking, not Paraguayan Guaraní, but 'pure' indigenous Guaraní (perhaps some 25 per cent of the indigenous total). As Paraguayan Guaraní is intelligible to them, it facilitates their understanding of the subject taught and means that they do not have to repeat by heart sentences they do not understand; but precisely because Paraguayan Guaraní is so similar to their own language, it also could easily supplant it through school influence and thus deprive the Indians of an essential part of their culture. In the case of children belonging to non-Guaraní indigenous groups (perhaps some 60 per cent of the indigenous total), neither Spanish nor Paraguayan Guaraní solve the problem in the first years of school. The Indians of this majority group, if given the choice, mostly prefer their children to be taught in Spanish, as Guaraní does not prepare them for access to the secondary and higher school level and to higher culture in general.

"Theoretically, all schools with indigenous children (except in the Mennonite zones) follow the official curriculum prescribing the use of Spanish from the first day on. But in practice the absurdity of teaching in a language the children do not understand leads many teachers to compromises. Thus, the Guaraní Indian teachers at Santa Teresita, Chaco, only speak Spanish in the first and second grade classes 'when the Director comes in', and Paraguayan Guaraní the rest of the time. This facilitates learning for the Guaraní Indian children, but not for non-Guaraní Indian children. As a consequence, in 1968-1972 23.5 per cent of the Guaraní, but only 3.5 per cent of the Nivaklé Indian children passed beyond third grade. Generally, readiness to use Paraguayan Guaraní is greater for indigenous than for non-indigenous children. Paraguayan Guaraní is often taught to non-Guaraní Indian children. But all this depends much on each teacher's individual decision. Teaching in indigenous languages (except in Paraguayan Guaraní which is not really indigenous) is rare and depends mostly on the initiative of the few non-Guaraní indigenous teachers.

"In short, official regulations favour school teaching which is of little use either to Paraguayan or to Indian children. Individual teachers have developed initiatives that could serve as a basis for more generalized use of Paraguayan Guaraní and more systematic learning of Spanish. But this solution is adapted only to the case of the Indians speaking Paraguayan Guaraní, and therefore implies the risk of creating first and second class Indians.

"The North American missionaries of the 'To the New Tribes' and SIL groups, on the contrary, follow a policy of teaching in the languages of each Indian group. For instance, in Ayoreo at their Ayoreo mission, whereas the Roman Catholic missionaries at another Ayoreo mission teach in Spanish.

"A special exception are the schools in the Mennonite zone, where perhaps 15 per cent of the indigenous total live. The schools for indigenous and non-Mennonite Paraguayan children have a 2-year curriculum, at the end of which a second grade certificate is furnished (in other words they go no further than the second grade of primary school). In 1970, 48 per cent of the indigenous pupils did not obtain the final certificate. Indigenous children are usually taught in their own languages, by indigenous teachers, at the beginning, then gradually change to Spanish, which is used exclusively in the second year. Only a minority of indigenous children are admitted to the Mennonite schools for Mennonites, where it is possible to pass beyond second grade primary. High admission fees are required (fees are required also for the schools for indigenous children). In the Mennonite schools 80 per cent of the teaching is in German (a language not spoken by anyone in the area in daily life, as even the Mennonites usually speak not High German but a Low German dialect). The happy statement of a German newspaper that the Indians in these schools 'sing German folksongs even more passionately than the children of the Mennonites' documents the absurdity of a policy which has so far prevented the access of any Indian child to the secondary level of these schools.

"Aché: Although the reservation Colonia Nacional Guayakí is controlled by 'To the New Tribes' missionaries, teaching here is not in Aché (none of the missionaries speaks the language). A school has been operating since the beginning of 1974, in Paraguayan Guaraní. This language is understood by most of the Aché children there, and might, in the long run, threaten the indigenous Aché language."

137. The Anti-Slavery Society states that, in Indonesia, because the entire educational programme is restricted by the lack of trained personnel, especially personnel who speak the local language, any commitment to dual language teaching is nearly always impractical.

138. The Government of New Zealand has stated that: "By far the greatest proportion of Maori children use English in the home. In some fairly isolated areas there are children who are bilingual in English and Maori, but there would be very few children indeed who go to school without some knowledge of English. In all teachers' colleges a course in Maori studies is a compulsory requirement and optional courses for three years are available for teacher trainees wishing to take Maori studies in depth or the Maori language. All teachers graduating from teachers' colleges in the future should have some knowledge of Maori.

139. The Citizens' Association for Racial Equality states that "very few teachers are fluent in Maori", and that "instruction at all levels in the educational system is in English".

140. In the Lao People's Democratic Republic, children from certain autochthonous ethnic groups receive their basic education in their mother tongue from teachers with the same ethnic backgrounds. Furthermore, according to the Government, ethnic groups are to receive their basic education in their mother tongue parallel to their education in the national language, Lao being used as a medium of instruction in the majority of elementary schools.

141. In Brazil, FUNAI is said to be involved in a project to train indigenous persons to teach in their communities. Some of these bilingual "promoters" will be prepared to become active in the field of education; others will be trained in areas of health and agriculture. In Norway, at the Teacher's College in Alta, a separate department has been established for the training of Lapp teachers and the development of teaching materials in Lappish.

142. The Finnish Government states that in primary schools, oral instruction is given in Lappish, if possible to all those whose mother tongue it is. Certain difficulties are caused by the fact that Lappish is very little cultivated in written form. Besides, there are several dialects and vernaculars spoken in different regions, and the spelling used by the Lapps in Finland is different from that used in the neighbouring countries. Further difficulties are due to the lack of teachers with a fluent command of Lappish ... Instruction is the same for all pupils. Thus, the elements of the indigenous culture in the instruction are deficient. As mentioned above, there is also a lack of teachers with a fluent command of Lappish. On the other hand, the Lappish pupils receive sufficient instruction in speaking, reading and writing the official language of the country correctly.

143. The Government of Panama states that, pursuant to the new guidelines embodied in the 1972 Constitution, the Ministry has taken particular care to appoint indigenous teachers in the indigenous communities, since those teachers are the ones who are most familiar with the inhabitants' needs, knowledge and usages.

144. Article 27 of the Constitution of Ecuador states that: "In schools established in areas with a predominantly indigenous population, Quechua or the respective indigenous language shall be used, if necessary, in addition to Spanish." It would therefore be reasonable to assume that teaching in these schools is entrusted to teachers who know the languages in question. Nevertheless, it has been reported in this respect that in Otavalo, an area with a large indigenous population, "language constitutes a great barrier to the education of indigenous children; they go to school speaking and understanding only their own language and they receive their literacy training and their education in general in Spanish - a process which creates the problem of backwardness and that of dropping-out of school. All this is the result of the dominant economic-social and political structure of the country". 35/

145. In two countries (Guatemala and Peru), legislation has been enacted providing for the use of indigenous languages in the education given to indigenous school-children; these laws specify the arrangements made to ensure that the indigenous children are educated by teachers fully conversant with their mother tongue and refer in particular to the training of bilingual teachers from among indigenous candidates who wish to teach in their own communities. For Peru, mention may be made of the statement by the Ministry of Education relating to the training of bilingual teachers as an essential prerequisite for ensuring tuition in the vernacular languages in school:

"One of the first requirements for the education of monolingual indigenous children is to train bilingual teachers who are also indigenous. These teachers are, for cultural and linguistic reasons and because they are accepted by their own group, those who perform their tasks with the best results.

"Applicants for posts as bilingual teachers who come from new groups or areas generally lack the minimum educational standards required; owing, however, to the urgent need to establish schools in those areas, they are admitted to the courses for trainee teachers which are given during the school year at Yarinacocha whenever the need arises. Subsequently, those who have been successful are admitted to the bilingual teacher training course which is given during the vacation period at the same place.

"In the bilingual teacher training course, those students who are admitted without having a full primary education, but who have finished at least the second grade of primary school, complete their primary education after receiving pedagogical training during two vacation periods. Those students who already have a full primary education, or an incomplete secondary education, receive only pedagogical training in two vacation courses.

"All these courses are adapted to the special situation of the indigenous inhabitants concerned and conform with the legislative provisions enacted by the Ministry of Education.

"Students who have completed their training at Yarinacocha are given an opportunity to enter the specialized secondary education vacation courses for teachers. This summer, 185 bilingual teachers attended the first year, benefiting from special provisions enacted by the Government and aimed at facilitating the integration of the indigenous population in the Peruvian nation. In addition, six bilingual teachers completed the fifth year and 20 attended the third-year and fourth-year courses.

"Within a few more years, the serving bilingual teachers who have completed their secondary education vacation courses will be able to take the teacher training and advanced courses and obtain the title of graduate teacher. At the same time, however, young indigenous persons who have attended secondary school regularly and wish to become teachers will be able to obtain admission to any teacher training college or any faculty of education at a university centre.

...

"During its early years, the training course for literate indigenous inhabitants of the Peruvian Amazon region, which was initiated in 1953, supplied indigenous youths with the rudiments of general culture and pedagogical practice for their work as teachers. Later, however, it became a training course for bilingual teachers of the Selva region, with more systematic aims and organization, so as to provide a full primary education as well as the necessary pedagogical training.

"In 1953, 11 indigenous youths qualified and began to teach. In 1969, 256 bilingual teachers of the 300 who qualified were working as teachers. A further 25 youths qualified this summer." ^{36/}

146. Decree Law No. 21156 of 27 May 1975, which recognizes Quechua on the same footing with Spanish as an official language of the Republic (article 1), contains in addition the following provisions: ^{37/}

^{36/} Ministerio de Educación, La educación bilingüe y la integración socio-económica del aborigen de la Selva, Lima, Peru, 1970, p. 5.

^{37/} Report submitted by the Government of Peru to the Committee for the Elimination of Racial Discrimination (CERD/C/R.65/Add.7).

"Article 2. From the beginning of the school year of 1976, the teaching of Quechua shall be obligatory at all levels of education in the Republic. The Ministries of the Army, Navy, Air Force, Interior and Education shall be responsible for carrying out the present provisions, the whole of the provisions of Decree No. 19326 remaining in force.

...

"Article 4. The Ministry of Education and other sectors shall be responsible for ensuring the preparation and publication of the dictionaries, texts, manuals and other documents required for the full implementation of this Decree.

"The institutions engaged in research into, teaching of and propagation of the aforementioned language shall also give all necessary support."

147. It will be seen that article 2 of Decree Law No. 21156 refers in its concluding portion to Decree Law No. 19326 - in other words, the General Education Act - which includes the following provisions: 38/

"Article 12 - Education shall take into account in all its activities the existence in the country of several languages constituting means of communication and of expression of culture and shall ensure that they are preserved and developed. The teaching of Spanish to all the population shall be effected with due respect for the cultural identity of the various groups which constitute the national community and using the languages of these groups as a vehicle of instruction.

"Article 98 - Learning of the vernacular languages shall be fostered. The educational centres shall provide facilities for studying these languages and their influence on the national language and culture."

148. The Special Rapporteur has requested - without obtaining it - information on any arrangements made to ensure that indigenous children are educated by teachers with a fluent command of the children's mother tongue, the vernacular language most used in the community or the predominant one in the region. Nor was he able to obtain any information on the current practical effects of the provisions of Decree Law No. 21156.

149. In Guatemala, there are two rural teacher-training schools, one of which - the Rural Teacher-Training School of the Western Plateau at Santa Lucía Utatlán, Selolá - is dedicated to training teachers who speak indigenous languages. For that reason, applicants who do not speak any indigenous language or dialect are eliminated, as are candidates who are unable to show, in a special oral and written examination, their command of their own indigenous language. Another requirement is for the candidate to come from the Western Plateau region and to be bilingual, in the sense of being able to speak Spanish as the national language and the indigenous dialect of his place of origin. 39/

38/ Ministry of Education, Ley General de Educación, Decree Law No. 19326, Lima, March 1972, p. 42.

39/ Texts supplied to the Special Rapporteur by the headmaster of the Regional Teacher-Training School of the Western Plateau during his official visit to Guatemala in 1977. These texts describe the principles and criteria governing the selection process and their application in the School.

150. The rules governing the operation of the Rural Teacher-Training School of the Western Plateau include the following:

"In addition to the study of the Spanish language, which is of particular importance, the School shall have a Department of Indigenous Languages whose activity shall take the form of a permanent seminar, inasmuch as each of the students speaks one or other of the languages of the Western Plateau; this seminar shall, among other aims, pursue the following:

1. To ensure that the students practise and do not abandon their vernacular language;
2. To ensure that they improve their knowledge of their native language from the point of view of its grammatical structure and that they gain an awareness of its value;
3. To promote comparative studies by the students with a view to identifying similarities and differences between languages and determining thereby an improved technique of communication among the various language groups in the country;
4. To ensure that they improve the use of those languages for the purposes of oral and written communication.

It is worth noting that the study of indigenous languages will strengthen the cohesion between the members of the local communities and the national community as a whole, that it will open unsuspected horizons and perspectives to future teachers for research in various fields and that it will in any case improve our knowledge of ourselves as a social entity and as a nation and reinforce the spirit of patriotism." 40/

151. In Colombia, Decree No. 1142 of 19 June 1978 41/ provides as follows:

"Article 11. The selection and training of teaching personnel for the indigenous communities shall be governed by the following rules:

1. Wherever possible, teachers shall be selected by the indigenous communities from among the members of the community concerned;
2. The teacher shall be bilingual or shall be tested, apart from his suitability as a teacher, for basic knowledge of the mother tongue of the community and of Spanish;
3. The Ministry of Education, Directorate General for Training, Curricula and Educational Facilities, shall prepare the curriculum for training teachers in indigenous communities in the light of the provisions of the preceding articles and shall include all elements of non-formal education which may contribute to the development of the communities."

152. According to information furnished by the Canadian Government, the formal teaching of indigenous languages in written or spoken form is rapidly becoming more common. An important consideration is that English (or French) is considered essential to equal opportunity both economically and socially, while the use of any

40/ Ibid.

41/ See CCPR/C/1/Add.50, pp. 112-116.

one native language or dialect is restricted to a very limited social application. There are 10 linguistic groups of Indians in Canada speaking 54 related languages or dialects. There are three distinct Eskimo dialects. However, particularly at the kindergarten and early elementary level, there is considerable use of these languages in play, in singing and in instruction, employing the services of native teaching assistants.

153. Indigenous representations have insisted for years that

"The need for teachers who are fluent in the local language is dramatically underlined by ... concern for the preservation of Indian identity through language instruction. Realization of this goal can be achieved in several ways:

Have teacher-aides specialize in Indian languages;

Have local language-resource aides to assist professional teachers;

Waive rigid teaching requirements to enable Indian people who are fluent in Indian languages, to become full-fledged teachers." 42/

154. The Government of the United States has stated that

"There are Indian preference regulations in the hiring of teachers for Bureau of Indian Affairs schools. However, not enough Indian people are qualified for teaching positions to fill the openings. Qualifications for teachers are similar to those for non-Indian schools. As a result, non-Indians often teach Indians but in the primary grades there is often an Indian teacher-aide who is a member of the tribe - or one of the tribes - served by the school and speaks the language of the tribe if a tribal language is still in common use."

3. Use of the mother tongue in teaching a child to read and write

155. This aspect is of vital importance when the indigenous populations do not know the official language or have only an inadequate knowledge of it. It has been systematically demonstrated that, even if this circumstance is not present, the initial process of teaching is much quicker and easier both for the pupil and for the teacher when the mother tongue is used. Some countries which use indigenous languages as the educational medium have adopted them only for the first stages of education. Others use them at more advanced levels, although with decreasing emphasis as the level of education rises.

156. In order to give an approximate idea of the importance of this aspect, it may be useful to quote the following statement by experts on the subject concerning the use of the mother tongue in teaching: 43/

"It is axiomatic that the best medium for teaching a child is his mother tongue. Psychologically, it is the system of meaningful signs that in his mind works automatically for expression and understanding. Sociologically,

42/ Indian Control of Indian Education, Policy Paper, National Indian Brotherhood, p. 16.

43/ UNESCO, The Use of Vernacular Languages in Education, Monographs on basic education, No. ED.53.III.8 S, Paris, 1954, p. 11.

it is a means of identification among the members of the community to which he belongs. Educationally, he learns more quickly through it than through an unfamiliar linguistic medium. But, as was said earlier, it is not always possible to use the mother tongue in school and, even when possible, some factors may impede or condition its use."

157. The Special Rapporteur had hoped to be able to give an account of the various systems that are at present used in different countries, and of the difficulties and problems which have been encountered in different parts of the world in this respect. He had also proposed to make a study of the political, linguistic, educational, socio-cultural, economic, financial and practical factors which have arisen in the actual use of those languages in education in the various countries concerned.

158. In the present report, however, it is possible to include information only on those countries which are covered by the study, and only to the extent that such information is available.

159. In Malaysia students learn to read and write Malay. In the Orang Asli posts visited by the Special Rapporteur during his official visit to West Malaysia in 1973 instruction was imparted in Malay, as confirmed by all teachers he interviewed. A similar situation seems to obtain in Bangladesh where, according to information provided by the Government "all over the country" in a uniform manner "Bengali is the only recognized medium of instruction in all the educational institutions". The Government adds, however, that "In exceptional circumstances, English is used as the medium of instruction in some higher educational institutions."

160. The Panamanian Government communicates that "teaching of the indigenous languages is not contemplated and, with regard to the official language (Spanish), the official curricula have been prepared for the Spanish-speaking population".

161. The Government of Chile similarly reports that "students learn to read and write in Spanish".

162. As we have seen above, in Costa Rica, education is as a general rule given in the official language, i.e. Spanish. Nevertheless, there appears to have been one exception. A publication reports "the very exceptional fact that the natives of Boruca felt the need to recover their own language as a cultural value". As a result, official teaching of the Brunka language began in 1973. 44/

163. The Special Rapporteur points out that all the indigenous groups and individuals consulted during his official visit to Bolivia in June 1974 complained that there was no recognition, and no adequate utilization, of the indigenous languages by the State or by the private or public entities involved in action programmes for the indigenous population. According to these complaints, there was no such recognition or utilization in any sector of activity and this was due to lack of interest or to a deliberate policy of disregard for those languages. According to a statement made by persons interviewed in their community in the Bolivian Plateau region, the Aymará language was not being used for purposes of school education in that community because there were ministerial instructions prohibiting it. The members of the community present at the interview stated that they were, however, very anxious that the Aymará language should be used in schools and that communities should, as far as possible, be assigned Aymará teachers, preferably drawn in each case from among the local inhabitants. In this respect, special reference should

be made to the efforts of a number of members of another Aymará community of the Bolivian Plateau who have adopted a phonetic alphabet elaborated by an Aymará linguistic expert and used it to prepare literacy primers in Aymará, as well as a number of pamphlets for the general information of the community and the vocational training of Aymará-speakers.

164. The Anti-Slavery Society states that in Indonesia "At lower grades, local languages are used to supplement the teaching of Bahasa Indonesia which occurs from the third grade upwards" becoming the only language used in school from then on.

165. As regards Sweden, it is merely stated that the Lappish language is at present used in the Lapp Nomad Schools, and that some instruction in Lappish culture is also imparted in those schools.

166. In other countries, the question as to whether an indigenous language will be used when teaching a child to read and write seems to be, in certain districts, a matter for parents or guardians to decide. Thus, for instance, the Government of Norway has stated that in the Lapp districts parents or guardians who so wish may choose primary education in Lappish for their children. In these cases, the children learn to read and write Lappish before learning Norwegian (Grades 1-3, ages 7-9).

167. In New Zealand, courses in the Maori language seem to be available as optional courses. Maori does not seem to be the language of instruction at any school, at the present time. In this connection, the Citizen's Association for Racial Equality states that "instruction at all levels in the educational system is in English not Maori. The Maori language is taught as a compulsory subject in some church secondary schools, and as an optional subject in some (probably less than 10 per cent of the state secondary schools)."

168. According to the Government it is an aspect of Government policy that "the Maori language should be available to all school pupils who desire to study it". The Government adds that "Maori is being taught in primary schools and intermediate schools which contribute pupils to secondary schools where there is already a Maori language course established".

169. This Maori instruction in primary schools is an optional course, freely to be taken by anyone, Maori or non-Maori, who wishes to take such a course; but no instruction is given on school subjects in Maori language to Maori children when they first come to school and who learn to read and write in English in all cases. In this connection, the Government has stated that there are few (if any) Maori children who now commence school without some knowledge of English, and those who would be more at home in Maori than in English would also be a tiny proportion of the total Maori school entrants. The Government has also communicated that:

"The New Zealand Council for Educational Research is at present carrying out an extensive survey of the language of Maori primary school entrants and the result of this survey is being awaited to see if there are some areas where the use of Maori in instruction would be advisable."

170. There is little more information on the specific use made of indigenous languages for teaching purposes in other countries. Nevertheless, reference may be made to the statements concerning the Lao People's Democratic Republic, quoted above. Further, the Government of the Philippines has stated that the languages of

the National Cultural Communities are used "as auxiliary languages" in kindergartens and elementary schools; are "not recognized" but "are used" in secondary schools and "may be used" in institutions of higher education as "support languages"; and are not recognized but "are normally used as support auxiliary languages" in vocational and other special schools. In Brazil, Act No. 6001 (1973), containing the Indian Statute, merely provides:

"Article 49. The Indians shall be taught to read and write in the language of the group to which they belong, and in Portuguese, safeguarding the use of the former tongue."

171. It has been written that in Canada:

"The Indian people are expressing growing concern that the native languages are being lost; that the younger generations can no longer speak or understand their mother tongue. If the Indian identity is to be preserved, steps must be taken to reverse this trend.

"While much can be done by parents in the home and by the community on the reserve to foster facility in speaking and understanding, there is a great need for formal instruction in the language. There are two aspects to this language instruction: (1) teaching in the native language, and (2) teaching the native language.

"Funds and personnel are needed to develop language programs which will identify the structures of the language: i.e. syntax, grammar, morphology, vocabulary. This is essential, not only to preserve the language, but to encourage its use in literary expression. Serious studies are needed to adapt traditional oral languages to written forms for instructional and literary purposes.

"In places where it is not feasible to have full instruction in the native language, school authorities should provide that Indian children and others wishing it, will have formal instruction in the local native language as part of the curriculum and with full academic credit.

"While governments are reluctant to invest in any but the two official languages, funds given for studies in native languages and for the development of teaching tools and instructional materials will have both short and long term benefits.

"Systems of syllabics for the Cree and Eskimo languages were originally conceived by missionary teachers and are still preferred to a system of orthography devised under the aegis of the Eskimo Linguistics Section of the Education Division, Department of Indian Affairs and Northern Development. The Olivetti Company has devised a standard western Cree syllabic keyboard, and is now working on an eastern Cree syllabic keyboard."

172. According to information furnished by the Government of the United States:

"The indigenous languages were not written but oral languages prior to the coming of the Europeans. Some Indian languages have been put into a written form by scholars and that written form is used to teach indigenous children the correct form and the written form of their own language."

173. The Government of Guatemala has reported that teaching of reading and writing to children in their own languages began in 1958. The symbols used to write the languages in question have been standardized, taking into account the language's phonetic peculiarities. Literacy campaigns are carried out in the relevant mother tongues, although this cannot be done in all instances because the indigenous languages are very numerous.

174. The Special Rapporteur was able to see an official publication containing the officially recognized alphabets of 13 of the main indigenous languages of Guatemala 45/ as well as a document which deals with "Writing systems of unwritten languages in Guatemala". 46/

175. The Special Rapporteur was also shown a number of publications in the Cakchiquel and Quiché languages, as well as educational material in indigenous languages. Among that material, mention should be made of pamphlets which contain the following: Primers 1 and 2 in Mam; first, second, third, fourth and fifth primers in Pokomchi, a language in which the Special Rapporteur saw also first and second readers; first primer in Cakchiquel; first primer in Quiché of Joyabaj; first primer of San Sebastián Coatán; first primer in Aguacateco; introductory reader in Kanj'ot'al, etc.

176. The Special Rapporteur requested - but did not obtain - information regarding the current use of indigenous languages in primary education, either for literacy classes for the pupils or for tuition purposes i.e. for teaching the indigenous language and teaching in that language the subjects forming part of the school curriculum. He also requested information on the question whether a thorough training in the indigenous language is supplied or whether that language is used as a bridge to pass on to the official language, and on the scope of the use of indigenous languages in the various primary grades and, where appropriate, at the secondary and higher levels.

177. An official Peruvian publication reports, concerning efforts on behalf of the indigenous populations in general that:

"One of the efforts at present under way, and successfully so, is directed towards facilitating the education of, and the teaching of Spanish to, the school-age and adult population ... in areas where indigenous languages prevail; this effort is conducted under the denomination of 'bilingual education' and is based on the use of the vernacular language to teach reading, writing and basic knowledge, together with the simultaneous and progressive teaching of Spanish."

178. The same official Peruvian publication states that bilingual education in the Selva region, i.e. for indigenous forest dwellers, covers, among other educational programmes, primary education and social integration, which is especially relevant there.

179. The bilingual schools provide primary education, a characteristic feature of which is the fact that in the transitional and primary grades education is bilingual, so as to combine training in the native language with a simultaneous

45/ Alfabetos oficializados de trece principales idiomas indígenas de Guatemala, Dirección General de Cartografía, Guatemala City, 1962.

46/ E/CONF.69/L.8.

and progressive teaching of Spanish, until the point is reached when Spanish is used alone and the native language, which has been decreasingly used, becomes a reference element; as from the second grade, tuition is basically carried out in Spanish, which thus becomes the pupils' second language (see annex No. 1).

This type of tuition, using methods and materials specially prepared in accordance with the plan and programmes in force and conducted by specially trained bilingual teachers, avoids psychological, social and pedagogical upheavals for the vernacular-speaking children and facilitates their integration into the regular educational system.

In this manner, the bilingual school serves as a bridge to enable the monolingual indigenous child to become integrated in the active life of the country and benefit from the modern cultural elements to improve his living conditions.

180. The social integration programme includes educational activities and activities connected with citizenship and civic life. The educational activities are relevant to the subject-matter of this section. On this point it has been said that:

"Considering that education constitutes a fundamental factor for the integration of indigenous persons into the nation, the bilingual education in the Selva areas has been established for the following basic purposes:

The teaching of Spanish, or linguistic integration, which is effected simultaneously with literacy training in the native language, using the oral method and special materials prepared in accordance with appropriate linguistic and cultural criteria;

The provision of educational services, by means of programmes adapted to the culture and physical environment of the persons concerned;

The training at the elementary level of social leaders and bilingual instructors (teachers, agriculturalists, public health workers, carpenters, mechanics, merchants and female home educators) who come from the communities concerned and thus serve as liaison agents between the indigenous community and 'Western' culture." 47/

181. In Mexico, the Federal Education Act states in its article 15, in fine:

"The national educational system includes, in addition, the special education - or the education of any other type or kind - provided in accordance with the educational needs of the population and adjusted to the particular characteristics of its constituent groups."

182. Pursuant to the guidelines which governed its policy as regards indigenous peoples, the Mexican Government has organized a system of bilingual and bicultural education. Bilingual education involves the maximum utilization of the indigenous language and of the national language as vehicles of instruction, since the original language is obviously essential for education at the elementary level. The teaching of the Spanish language is gradually expanded as the student gains command of it, until functional bilingualism is achieved.

47/ Ministry of Education, La educación bilingüe, op. cit.

183. This type of education makes for greater efficiency in elementary education, since between five and seven years of age the use of language progresses and speech becomes a tool for learning and for dealing with the problems of life. Moreover, the fact that the student uses his own language as a tool for learning gives him greater confidence and enhances his capacity for communication; moreover, to the extent that he works in the two languages, he will acquire and develop a greater ability to utilize concepts and will be better able to communicate.

184. In Colombia, the above-mentioned Decree No. 1142 of 1978 provides as follows:

"Article 9. Literacy programmes for the indigenous communities shall be carried out in the mother tongue and shall facilitate gradual acquisition of the national language, without detriment to the mother tongue." 48/

48/ See CCPR/C/1/Add.50.

4. Instruction in the essential elements of the indigenous culture

185. It is essential that formal education, as imparted to indigenous school children, should not alienate them from indigenous culture. Furthermore, it is highly desirable that instruction in the essentials of indigenous culture be included in formal education. This will not only avoid unwanted alienation processes, but will also make formal education acceptable to indigenous persons, groups and communities. The formal education of these children will be all the more useful to them, to their community and to national society as a whole, if they are allowed to remain in contact with their cultural background. While at school, and at the very least at the initial stages, it is inadvisable to disrupt their cultural world and highly desirable, on the contrary, to allow them to remain within the framework of known values and standards. This is one of the foreseeable advantages of including in the school personnel indigenous teachers and administrators since, it is presumed, they will bring with them their cultural heritage and their indigenous basic attitudes and outlook and reflect them in their teachings and actions at school.

186. Information on this aspect is scarce and fragmentary, and whatever data are available are couched in general terms. The following paragraphs discuss all available information on this matter.

187. For several countries no information is available in this regard.

188. In some countries, according to the available information, instruction in the essential elements of indigenous culture is either non-existent or has been reported to be very unsatisfactory.

189. The Government of Malaysia simply states that "teaching aboriginal culture is left to the community".

190. During his visit to Bolivia (in June 1974), the Special Rapporteur was told that, on the whole, the education provided by the State or by the local authorities did not make sufficient use either of indigenous languages or of indigenous cultural patterns. Almost all the teaching staff came from outside the indigenous communities and were insufficiently acquainted with those communities' languages, traditions and culture. Teaching material took inadequate account of the particular needs of indigenous pupils since it was frequently designed for the school population in general without the necessary degree of specialization. Moreover - as in other countries with indigenous populations in other parts of the world - neither in the material nor in the education of the non-indigenous sectors of the population was there sufficient emphasis on the importance of the local indigenous population or on the desirability of acquaintance with, and the essentiality of respect for, indigenous culture and traditions.

191. In some countries there are no legal provisions for the instruction of essential elements of indigenous culture to indigenous children in school. While in most of these countries there do not seem to be de facto arrangements for such instruction, in a few of them there are some efforts to impart this kind of instruction, particularly in non-State schools.

192. For example, the Anti-Slavery Society states with regard to Paraguay that:

"Normally, instruction is not given in the essential elements of the indigenous culture of the community in which the school is located. On the contrary, the prevalent tendency is to replace, with the help of schools, the indigenous by the non-indigenous Paraguayan culture, or even by a European culture considered more 'civilized' than the Paraguayan mestizo traditions. This tendency derives from the general policy regarding indigenous peoples sought by the competent authorities and religious missions, as explained above. Minority efforts to combine 'civilized' teaching with respect for 'primitive' cultures are hindered by the lack of appropriate textbooks and methods".

193. In his visit to Paraguay (in June 1974), the Special Rapporteur was informed that there was widespread dissatisfaction on this subject because not enough account was taken of indigenous cultural patterns in State action of any type and the non-indigenous elements of society appeared not to recognize the importance to the indigenous elements of certain traditions and customs. It was emphasized that the teachers appointed to indigenous communities should have more knowledge and appreciation of the indigenous culture of the community they served, which it was pointed out, would, inter alia, make their work as teachers easier and more effective. 49/

194. It was reportedly said in a debate held in the Faculty of Education of the University of Costa Rica "that one of the most unsatisfactory aspects of the situation of the indigenous population was that of the education of the children, who were studying texts and pictures at variance with the surroundings in which they were growing up. The illustrations in the text books they used were often unrecognizable to the children". 50/

195. Ecuador, too, lacks satisfactory arrangements for imparting to indigenous pupils instruction associated with the essential elements of their community's culture. Take, for example, the following statement:

"In rural areas we saw that, owing to the national structure and to the existence of school programmes which did not relate to the reality of the countryside, its needs and requirements, schools were not fulfilling their pre-eminently social and educative function.

Furthermore, there were teachers who were unaware of social and economic realities in the place in which they were working. On the other hand, there were also teachers who, with real dedication and self-sacrifice, had succeeded by personal initiative in identifying the school with the community and achieving work of true social value. Some teachers interviewed in the survey denounced the domination and exploitation to which the Indians in the area are subject. Many of them,

49/ The Special Rapporteur requested, but did not obtain, information as to whether adequate arrangements were being made in this respect.

50/ "Noticiero Indigena", loc.cit., vol. XXXVI, No. 1, 1976, p. 187.

however, as members of the dominant group, accept the situation and consciously or unconsciously offer Indians a lifeless education which in no way liberates their pupils or stimulates their curiosity; to do otherwise would be for them to run counter to their own interests of those of their group. Thus the Indian remains in his inevitably demoralizing state of subordination and education offers him neither new horizons nor new opportunities.

Illiteracy, the typical problem of the countryside, affects a high proportion of the indigenous population and nothing or almost nothing is done to remedy it, in spite of the existence of pilot schemes, experimental programmes which hardly reach the level of the canton or the parish and never attain that of the community in which the majority of the indigenous population live.

It is significant that all educational programmes are planned without any knowledge of the social realities in the towns and still less in the countryside; this lack of knowledge leads to abstract programming, inappropriate practices, wastage of time and energy and an increase in the problems of the peasant and of the Indian in particular." 51/

196. In other countries efforts are being made or planned with varying degrees of success. According to the Government of Australia, "the present Government is also seeking to ensure that all Australian children will be taught more effectively the history and culture of Aboriginal and Islander Australians".

197. A team of the World Council of Churches which visited Australia in 1981 has reported, however, that:

"Traditional Aboriginal society required co-operation and sharing based on distinct cultural values and a distinct form of social organization. Because of this distinctness of Aboriginal history, the Aboriginal child approaches schooling and education with a radically different outlook. The dominant white culture places the Aboriginal child at a severe disadvantage often with feelings of low self-esteem and embarrassment. Our attention was drawn to the insensitivity and inflexibility of the education system which has resulted in statistics that indicate: [the team sites statistical data]

At a high school in Taree, NSW, one team member sensed a lot of tension amongst the Aboriginal pupils because they have no-one to emulate; they know no black heroes such as Martin Luther King. Children in the Taree schools (as in schools around Australia) do not study Aboriginal culture, nor any other black cultures yet know much about ancient Rome and Greece.

51/ Gladys Villavicencio R., op.cit., p. 278.

Only through a more balanced, less biased, curriculum will white and black Australians come to understand the different but complimentary gifts they have and so be able to contribute to a more harmonious multi-cultural society.

...

A strong feeling expressed to the team was the desire for Aboriginal children to learn their own culture and history." 52/

198. The Canadian Government states that "Native Canadian people still possess a variety of cultures. The formal teaching of native traditions is increasing, and as control of school programmes is increasingly assumed by local groups it is anticipated that better materials will be developed. Programmes especially for the native student in science, math, outdoor education, current events, and arts and handicrafts are also being developed".

199. A policy statement by an important indigenous organization in Canada contains the following:

"Indian children will continue to be strangers in Canadian class rooms until the curriculum recognizes Indian customs and values, Indian languages, and the contributions which the Indian people have made to Canadian history. Steps can be taken to remedy this situation by providing in provincial schools special auxiliary services in cultural development, curriculum development, vocational guidance, counselling, in-service training of teachers, tutoring and recreation. Evidently many of these services can be provided under the regular school programme. However, if services are introduced especially for the Indian children, the school board should have financial support from the Federal Government." 53/

200. The same statement continues as follows:

"The time has come for a radical change in Indian education. Our aim is to make education relevant to the philosophy and needs of the Indian people. We want education to give our children a strong sense of identity, with confidence in their personal worth and ability. We believe in education:

as a preparation for total living;

as a means of free choice of where to live and work;

as a means of enabling us to participate fully in our own social, economic, political and educational advancement.

52/ Cited by Elizabeth Adler and others in Justice for Aboriginal Australians, report of the World Council of Churches team visit to the Aborigines, 1981 pp. 43 and 41.

53/ Indian Control of Indian Education, Policy Paper, National Indian Brotherhood, p. 15.

Unless a child learns about the forces which shape him: the history of his people, their values and customs, their language, he will never really know himself or his potential as a human being. Indian culture and values have a unique place in the history of mankind. The Indian child who learns about his heritage will be proud of it. The lessons he learns in school, his whole school experience, should reinforce and contribute to the image he has of himself as an Indian.

The present school system is culturally alien to native students. Where the Indian contribution is not entirely ignored, it is often cast in an unfavourable light. School curricula in federal and provincial schools should recognize Indian culture, values, customs, languages and the Indian contribution to Canadian development. Courses in Indian history and culture should promote pride in the Indian child, and respect in the non-Indian student.

A curriculum is not an archaic, inert vehicle for transmitting knowledge. It is a precise instrument which can and should be shaped to exact specifications for a particular purpose. It can be changed and it can be improved. Using curriculum as a means to achieve their educational goals, Indian parents want to develop a programme which will maintain balance and relevancy between academic/skill subjects and Indian cultural subjects.

To develop an Indian oriented curriculum for schools which enrol native children, there must be full scale co-operation between federal, provincial and Indian education people:

(1) In the federal Indian school system, funds must be made available for Indian people to work with professional curriculum planners. Together they will work out and test ideas for a relevant curriculum, utilizing the best from both cultures.

(...)

Some other measures for improving the quality of instruction for all students, both Indian and non-Indian, are recommended to provincial and private school systems:

(a) appointment of native people to the curriculum staff for the purpose of supervising the production and distribution of Indian oriented curriculum materials for provincial schools, complete with the manpower and other resources to accomplish this task;

(b) removal of textbooks or other teaching materials which are negative, biased or inaccurate in what concerns Indian history and culture;

(c) augmenting Indian content in curriculum to include Indian contributions to Canadian life through supplementary courses in: economics, science, medicine, agriculture, geography, etc., as well as special courses in Indian culture, music, art, dance, handicraft, language;

(d) co-operating with Indian people in developing Indian studies programmes at all levels;

(e) eliminating the use of I.Q. and standardized tests for Indian children. It has been shown that these tests do not truly reflect the intelligence of children belonging to minority, ethnic or other cultural backgrounds.

Textbooks are needed which emphasize the importance of the Indian's role in Canadian history. Material for reading classes must be developed: material which is relevant to the experience of the Indian child living in isolated or northern areas. Federal and provincial governments must be ready to respond to the native people and support their legitimate wishes for improved texts. Indian people should be commissioned to work with historians and educators for the development of proper textbook material." 54/

201. The Government of the United States has communicated that:

"Indian studies courses are offered in many major universities and colleges, particularly those close to Indian reservations. The three Indian junior colleges have a particularly strong emphasis on these. Federal money is available to fund special efforts to introduce Indian culture to elementary and secondary schools with an all or predominant Indian enrolment. This includes paying Indian elders to tell folk-tales in dormitories for Indian children unable to live with their families and attend day schools.

Instruction in the elements of the indigenous culture has varied over time. At present it is offered in many schools in Indian country, especially Federally operated schools. There has always been an emphasis on speaking reading, and writing the official language of the United States - English."

202. In connection with the Government information on bilingual and bicultural education in the United States it has been written that:

"Only a very few preliminary programs exist, and they have been adopted only most reluctantly by the Bureau of Indian Affairs branch of education. Although the statistics are slowly improving, the Indian...

people are the poorest educated in the nation. It is an insult that the Bureau of Indian Affairs can only point with pride to an Indian pen-pal program 55/ and distort its feeble efforts at bilingual and bicultural education rather than facing its many education problems with candor." 56/

203. On action needed to bring Indian culture and language into the educational process in a better way, it has been written:

"Native children, like all children in all cultures, acquire the attitudes, values, and behaviours of the culture in which they grow up.

At the present time, most native children are 'socialized' by European forces: the media, the schools, the churches, the police - even by health officials. Experts who study the way children are brought up by native parents often say that native children have a 'pathological upbringing' when contrasted with the 'normal practices' of whites.

Nothing less than a total reorganization of the schools in native communities is likely to have a dramatic effect on the educational process to bring about positive change for native peoples.

We must re-think all of the traditional requirements for school personnel, and determine what are the necessary requirements for those who will influence our children's lives." 57/

204. Mention should be made here of the Native American Alternative Education Programmes and the Survival Schools discussed in paragraphs 393-399 below.

205. In other countries, although this instruction is not clearly established in law or in fact, efforts seem to be made to bring indigenous culture into the teaching provided at school, with varying degrees of success.

206. The Government of Norway states that many Lapps are of the opinion that arrangements concerning the teaching of the Lappish language and Lapp culture in grades 4 to 6 are still somewhat deficient, and that one of the main obstacles has proved to be the difficulty in obtaining textbooks. In this respect it should be noted that as Lapps are being trained as teachers, for teaching "adapted to local conditions", it is to be assumed that this will bring the essential elements of Lappish culture into the instruction available to Lappish children attending school in Lapp regions of the country.

55/ See paragraph 345 below for the pen-pal programme mentioned here.

56/ American Indian Law Newsletter, loc.cit., p. 40.

57/ "Who will educate our children?", Akwesasne Notes, vol. 5, 1973, p. 33.

207. From information available on certain countries, it may be presumed that indigenous culture is present in teaching in one way or another. In this connection, the information provided by the Government of the Lao People's Democratic Republic seems to indicate that it is possible to acquire, simultaneously, the essentials of the autochthonous ethnic culture and of the dominant culture in the country. On the one hand, it seems that all Laotians are enrolled in the same schools, where the Lao-Loum culture is presumably dominant. On the other hand, teachers from certain ethnic groups probably pass on to their pupils the essentials of their own ethnic culture.

208. A similar situation would appear to prevail in other countries using indigenous teachers (Finland and Sweden, for example).

209. A publication contains the following statements:

"The Lapps who work with reindeer and the youngsters attending Swedish nomad schools are and will continue to be the principal guardians of Lapp culture. In Sweden they number 3,000. The time spent in the nomad school is of great importance in determining the children's attitude towards the culture they will inherit from their fathers, and also towards the Swedish culture around them. If we wish to maintain Lapp culture, the nomad school must become a really effective institution. The subjects to be taught are Lappish, a knowledge of herding and handicrafts. The years spent in the nomad school cannot give children a thorough insight into Lapp and Swedish culture; at that age children are too young to have a clear view of their own or other people's living conditions.

...

When the nomad boarding-schools were built, the investment was such that it could not be contemplated without several basic assumptions and guiding principles. For instance, at the University of Uppsala there is a chair for the protection of Lapp culture; this would not have been created had the State no definite aim in view.

If continuity is to be maintained in the system to-day, then nomad children must be educated in the present conditions. But while the nomad inspection system has to be retained, we must be careful that the nomad school does not become too Swedish or isolated.

This last fact is particularly important as many nomad children have to accept work other than reindeer-keeping. The nomad schools are obliged to follow other schools in their development, having, for instance, a co-ordinated syllabus for nine years, with special instruction in reindeer-herding being introduced in the ninth form...". 58/

58/ The Lapps today in Finland, Norway and Sweden, Conferences of Jokkmokk 1953 and Karasjok 1956, edited and compiled by Rowland G.P. Hill on behalf of the Nordic Lapp Council. Mouton and Co. Paris, 1960 pp. 39 and 44-45.

210. In New Zealand, the Government states, "all school children in New Zealand have instruction in the basic elements of Maori culture. There is some instruction in schools on Maori culture and a few of the better schools, primary and secondary, have Maori cultural clubs - but virtually nothing in most schools on contemporary Maori sociology.

211. The Government has added:

"It is not denied that for many years there was insufficient attention given to Maori culture in New Zealand schools. This lack was recognized some years ago and there has been a constantly expanding programme to correct the situation. The Education authorities are making a whole-hearted effort on several fronts to ensure that Maori culture has its rightful place in the curriculum. As already mentioned, Maori experts in this field have been appointed as full time lecturers in teachers' colleges to enable future teachers to acquire a proper background of Maori studies. The Maori language is being taught in schools at a rapidly increasing rate. Maori experts are also being used to help teachers in the schools. The social studies syllabus has been overhauled to place much greater emphasis on contemporary Maori social and cultural institutions. Native speakers of Maori are being recruited to undergo training in teaching methods with a view to increasing the number of teachers of the Maori language and Maori culture ..."

212. In this connection the statements of the Citizens' Association for Racial Equality, quoted in paragraph 139 above, should be borne in mind.

213. During the Special Rapporteur's official visit to New Zealand (June 1973) he was repeatedly told that one of the main problems was Maori students who left after the first years in secondary education without qualifying examinations, thus neutralizing whatever education they had received. The reasons mentioned most frequently for this school leaving were language difficulties, different cultural background and orientation and, in the words of persons giving information, the realization that school education was alienating them from Maori culture, which they now fervently wished to preserve.

214. The Government has stated in this regard that:

"... an extensive review of the problems of Maori education has been carried out in the last few years and many different measures have been put into effect and are still being put into effect for the very purpose of getting over the difficulties mentioned in this paragraph. An intensive effort is being made to give real recognition to Maori culture in New Zealand schools to encourage the learning of the Maori language and to overcome the language difficulties of Maori children."

215. On the other hand, the Government of Panama states that, while such instruction is not yet given, there are legal provisions that apply to it:

"The authorities of the Ministry of Education take an over-all approach to the problem of education. Hence, there are no special measures of any type for the education of the indigenous population and everything is included under a general plan and general policy.

The schools situated in indigenous areas are subject to the same official plans and curricula as all the other schools in the country. Consequently, their programmes are not adapted to the reality of the indigenous environment and contain no provision for special instruction in the elements of culture peculiar to each group.

The teaching of indigenous languages is not envisaged and with regard to the official language (Spanish), the official curricula have been designed for a Spanish-speaking population, so that both the approach and the material used are consistent with the methodological requirements of tuition in a mother tongue and not as would be the case with a Spanish curriculum specially prepared for the indigenous population, in a second language. This is the main reason for the marked lack of mastery of Spanish observable in indigenous students leaving primary and even secondary schools.

The textbooks, reading matter and other teaching materials encourage cultural contact in one direction only: the indigenous groups must familiarize themselves with everything relating to the culture of the dominant group, but not the other way round".

216. The Government reports, however, that appropriate measures are being planned to implement the new constitutional provisions by means of new approaches. It states:

"There is concern in the Ministry of Education to develop programmes of formal and community education that will lead indigenous groups to participate actively in civic life, while maintaining their own cultural patterns. This is in keeping with article 102 of the Constitution. Furthermore, the Ministry is co-operating with the Indigenous People's Affairs Institute in any activities they desire to promote".

Article 102 of the 1972 Constitution provides that:

"In order to ensure their active participation in civic life, the State shall develop for indigenous groups having their own cultural patterns programmes of formal and community education".

217. In chapter V of the Constitution, on "Education", the State commits itself to the implementation of specific programmes adapted to the situation of indigenous populations, with the object of promoting such people's participation in civic life.

"Thus it is that in chapter IV of our Constitution the State guarantees respect for traditional cultures and the promotion, through scientific research, of the study of vernacular languages and cultural patterns in order duly to conserve and disseminate them and to guarantee the integral development of the indigenous populations".

218. In some countries there are relevant legal provisions and the information would indicate that indigenous culture is taught in school to indigenous children or is at least present in one way or another in the teachings at school. The Indian Statute (Act No. 6001, of 1973) in Brazil, contains certain provisions which show preoccupation with this aspect of formal education, although there is no indication as to how far this concern has been carried into further provisions and suitable arrangements for the implementation of these principles. It is deemed useful, nevertheless, to quote here the relevant parts of article 47 which assures "respect for the cultural heritage of the native communities" and article 51, which provides that "assistance for educational purposes shall be rendered to minors, as far as possible without alienating them from the family or tribal way of life". There is, as already stated, no information of a specific character on whatever instruction may be available to indigenous school children in the essential elements of the indigenous culture of the community to which they belong.

219. The information available about Peru indicates the existence of a situation similar to that described in the preceding paragraph. Paragraph 147 above reproduces article 12 of the General Education Act, which provides that, in teaching the population Spanish, care shall be taken to respect the cultural identity of the various groups which make up the national community. The same paragraph also reproduces article 98 of the Decree-law, which provides that resources shall be made available to investigate the influence of the vernacular languages on the national language and culture. The Special Rapporteur requested but did not receive information on how the principles of this law had been developed and how its provisions were implemented in practice.

220. Paragraph 21 above quotes articles 9 and 60 of the National Education Act of Guatemala, which provide that education and the dissemination of culture shall take place in the official language and in the indigenous languages (article 9) and that attention to the cultural requirements of the indigenous population and their integration without discrimination into the educational process are to be regarded as being of national importance (article 60). No information is available about how these provisions are implemented in practice and, in particular, in the light of article 139 of the Constitution, paragraph 23 thereof provides that the functions of the President of the Republic are, inter alia, "to create and maintain a directing and co-ordinating body and the necessary government departments to organize and develop plans and programmes designed to achieve in an effective and practical manner the integration of the indigenous population into the national culture".

221. According to the Government of Mexico, bicultural education in that country means that the indigenous population will, starting from their own values adopt national culture and society.

222. The purpose of the education system for the indigenous peoples is to stimulate a mental change conducive to critical and analytical awareness of national and indigenous society and to the individual's participation therein. In view of the pressing need for educational services in the indigenous areas of Mexico, the sixth plenary assembly of the National Council of Educational Experts (Consejo Nacional Técnico de Educación) was held in Mexico City in November 1963 and the decision was taken to set up a national service of bilingual teachers and educators.

223. This service bases its activities on the successes of the National Indigenous Affairs Institute, on resolutions from specialist conferences and from the Mexican Council for Indigenous Languages and on the views of UNESCO, which asserts that the use of the vernacular language is a bridge towards achieving national unification more rapidly than when attempts are made to teach the national language directly to a monolingual community.

224. To begin with, the action programme of the national service of bilingual teachers and educators consisted in the teaching of spoken Spanish to monolingual indigenous children who were attending classes for the first time. The idea was to prepare them to embark on their primary education. The resulting experience and successes showed the importance of continuing the education of indigenous children at all levels of basic education and giving them skills that would promote change in marginal communities.

225. The service has, therefore, been taken to the community: the teachers and educators come from the region in which they are employed, they speak the same language and share the same culture, thus identifying themselves fully with those living in the communities.

226. The teaching activities of the indigenous staff are based on the current plans and curricula for primary education, adapted to regional conditions. In applying them, use is made of special teaching material and textbooks designed for the region concerned. These activities are subject to special regulations.

227. The educators, men and women over 16 years old, are prepared by a year's course in teaching methods, sociological and development techniques and practical activities. After three years' satisfactory service to the benefit of the communities concerned and in keeping with their training, they are given the rank of bilingual teachers, with pay and benefits similar to those of all the teachers in the country.

228. The regional directorates function as support centres for the service and the curricula are worked out in accordance with the needs of each region and implemented in co-ordination with Federal, State and municipal departments, with decentralized bodies and with the communities and their traditional agrarian, political and administrative authorities.

229. At the end of the latest school year, there were in service 2,000 bilingual educators and 15,000 teachers; 287 bilingual headteachers and 125 supervisors, with a total staff of 14,082, were engaged in teaching groups of pupils and in carrying out development and education projects for the benefit of 1,264,560 inhabitants. In the 1975-1976 school year, the number of pupils totalled 289,380. Twenty per cent of the staff were working in boarding schools, social integration centres, indigenous improvement brigades and local government offices or in health, economic, agricultural development and animal husbandry programmes. One thousand educators are employed under the national plan to promote the teaching of Spanish.

230. The service has surpassed the goals originally set for it. Its first aim was to teach Spanish to groups of monolingual six-year-olds and to adult members of indigenous communities. In extending its functions, it has entered the field of global community education, running educational units covering the first cycles of primary education and adult literacy and vocational classes; undertaking tasks in the spheres of agriculture, improvement in environmental and living conditions, first aid, hobbies and sporting activities and the promotion of thrift. It now provides facilities covering the first to the sixth year of primary education, in the form of a basic system of bilingual education which has succeeded in overcoming the problems of primary rural education in regions with mixed populations.

231. Up to 1970, the service of bilingual educators and teachers covered 12 indigenous regions. Between 1971 and 1977, it was extended to 60 further regions, making a total of 72 regions in 21 of the Mexican States.

232. In Colombia, Decree No. 1142 of 19 June 1978 contains the following provisions:

"Article 6. The educational programmes for the indigenous communities must be in keeping with the environment, the process of production and the entire social and cultural life of the community. Consequently, the curricula shall ensure respect for, and promotion of, their economic, natural, cultural and social heritage, their artistic values, their means of expression and their religious beliefs. The point of departure of the curricula shall be the culture of each community, the purpose being to develop the various individual and group skills required in the community's social environment.

Article 7. The Ministry of Education shall promote research into various aspects of the indigenous communities in support of educational programmes in such communities and arrange for the training of indigenous researchers and their participation in such research.

Article 8. The educational programmes arranged for the indigenous communities shall include the essential elements of basic education (primary and secondary levels), in keeping with the specific characteristics of each community.

Additional clause. The curricula, despite their diversity, must instruct pupils at educational establishments in the indigenous communities at the basic level of education, so that they may proceed to the higher levels of formal education.

Article 10. The educational programmes for the indigenous communities shall help to develop indigenous technologies, encourage creative innovations and train the indigenous communities to select other cultures to which they have access to the skills and techniques suited to their needs and to genuine development in their environment." 59/

233. The Chilean Government states that indigenous children generally receive instruction on the most characteristic aspects of indigenous culture which does not vary from one community to another. No information is available as to how such instruction is imparted.

5. Familiarization with the elements of the dominant culture without alienation from the indigenous cultural background

234. This topic is directly related to certain aspects of the policy to be followed with regard to indigenous populations, and also to the desire to create or strengthen feelings of national unity. The understandable desire to achieve this end should not in any circumstances result in a deliberate cultural alienation of the indigenous child. This is obvious, when one considers that national unity does not necessarily imply cultural uniformity and the disappearance of different cultures, which can in fact enrich this unity by giving it many different shades and facets and strengthened and deepened contributions since each individual and each group would participate on the basis of his or its own identity and cultural patterns. It is therefore desirable, and even necessary, to respect and strengthen the indigenous culture simultaneously with the efforts to provide a better knowledge of the dominant culture with which the indigenous culture is to be combined. The aim should not be deliberate cultural alienation, even in cases where a diametrically opposite policy is adopted. Even where a policy of complete cultural assimilation has been adopted, where indigenous cultures are totally disregarded, and where it has been considered necessary to sacrifice these cultures on the altar of a "total" unity, it would be absurd to aim deliberately at the cultural alienation of the indigenous pupil. If the school is envisaged as an instrument for effecting cultural change, it should act in clear awareness of what it is trying to do, of the way in which it should try to achieve this objective, and of the risks which it is running and to which the indigenous child is exposed as well. Every effort should be made to mitigate the difficulties which the indigenous pupil will already be experiencing in his attempt to adapt himself to the requirements of the formal education which the school provides; and which differs so much from traditional community education. It is essential to bear in mind the dangers involved in arbitrarily undermining the basic values and beliefs of these pupils even when it is felt that suitable substitutes can be offered immediately and even when the community has expressed its willingness to accept the substitutes proposed. Without this willingness in principle on the part of the community, and in the absence of total certainty regarding the suitable nature of the substitutes, no attempt should ever be made to alienate these children from their cultural environment as part of the process of familiarizing them with the dominant culture. It must always be possible to provide the one without excluding the other; otherwise the children may well become cultural pariahs without ties or roots of any kind. Those dangers should be constantly borne in mind in the education of children with a different culture; and this indeed is what indigenous children are.

235. It has not been our intention here to make any suggestions regarding the content of education in this respect, since this is obviously a matter for each State to determine in the light of its human and cultural realities and in accordance with the policies adopted; but it has been considered necessary to draw attention to the well known dangers involved in these procedures, and also to the possibility of undesirable results. Cultural alienation should be avoided under all circumstances. The pupil's attachment to his culture is a delicate bond between him and the world, and must be treated with the utmost care and consideration.

236. In the light of these preliminary considerations, the limited and not very clear information available on these topics will now be examined.

237. Information available for Malaysia on this aspect, merely indicates that Orang Asli students get acquainted with Malay culture. There is no information on any concerted efforts to prevent the alienation of their community from Oran Asli culture. This was conveyed to the Special Rapporteur during his visit to West Malaysia in 1973.

238. The Anti-Slavery Society has stated that in Indonesia:

"In addition to the teaching of Bahasa Indonesia, the educational programme is ostensibly aimed at 'promoting the national culture' (art. 32 of the Constitution) and therefore at fostering an understanding of Indonesian culture. As teaching is always carried out by personnel recruited from outside these communities, the culmination of all these factors produces an extreme reluctance on the part of these communities to allow their children to go to school if such a school is away from the village, since it necessitates boarding, and is felt to undermine local custom."

239. In Brazil, Act No. 6001 provides:

"Art. 50. The education of the Indian shall be oriented towards integration in the national community by means of a process of gradual comprehension of the general problems and values of the national society, as well as development of their natural aptitudes.

"Art. 51. Assistance for educational purposes shall be rendered to minors as far as possible without alienating them from the family or tribal way of life."

240. In this connection, Act No. 6001 provides for respect for the cultural heritage of the native communities (art. 49) and for the extension of the current system of education throughout the country to the native population with the necessary adaptations (art. 48). It also provides that the education of the indigenous populations shall be oriented towards integration in the national community by means of a process of gradual comprehension of the general problems and values of national society as well as development of their natural aptitudes (art. 50).

241. In the light of the provisions mentioned in the preceding paragraph the Special Rapporteur requested but did not receive information as to whether indigenous children gained an understanding of the essential elements of the country's dominant culture in such a way that they were not estranged from their own cultural background.

242. The Government of Norway states that "it is difficult to make an objective assessment of the degree to which Lapp children learn to understand the cultural mainstream in Norway without becoming alienated from their own cultural background. While some people believe this to be so, others disagree. However, the authorities feel that the cultural minorities represent cultural values which it is a public duty to protect and promote by suitable means in the same way as the cultural forms of larger groups of the population. The Ministry of Church and Education attaches importance to this view when allocating available resources and in its work of expanding the organizational structure and grant schemes in the field of cultural affairs."

243. The Australian Government has stated that "the aim in Aboriginal education is to enlarge opportunities and to increase understanding of the majority culture without estranging students from their own cultural background ...".

244. In New Zealand, the Government states that "with the emphasis being placed on biculturalism in the education system, Maori children are being helped to understand the dominant culture and to value their traditional culture".

245. During the Special Rapporteur's official visit to New Zealand (June 1973) many persons mentioned their belief that not enough emphasis was being placed on Maori culture in New Zealand's schools, and their desire that true biculturalism would come to be the guiding criterion in official and unofficial education in the country. Some persons felt that the policy of "assimilation" formerly espoused by the Government was still in operation, although in an admittedly weakened form. According to this last group, notions of the superiority of "Paheka" culture would have to be abandoned before true biculturalism could have a chance to take over.

246. In this connection, attention is drawn to current efforts to give adequate attention to Maori culture in the educational processes in New Zealand.

247. The Government of Sweden states that:

"Sweden has ratified the UNESCO Convention against Discrimination in Education. The States parties to this Convention agree that it is essential to recognize the right of members of national minorities to carry out their own educational activities ... [and] the use or the teaching of their own language, provided, however:

'that this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty ...'"

248. The Government of Costa Rica states that efforts are being made to improve the education given to the indigenous population. The National Commission for Indigenous Affairs (CONAI) has proposed that "the principles for determining guidelines with the Ministry of Public Education" should include the rule "that the teaching of indigenous schoolchildren shall be in keeping with their environment and shall not alienate them from their own cultural background".

249. According to information furnished by the Government of the United States:

"It is evident that in tribally-operated Indian schools efforts are being made to combine indigenous and dominant culture. Some Indian languages have been put into written form - although they were originally oral - and considerable stress is put on bicultural and bilingual education."

6. Instruction in speaking, reading and writing the official language of the country correctly

250. The problem here is not simply whether indigenous persons, groups or communities are being given instruction in the official language. This problem has two aspects. First, indigenous communities and their members should not be abandoned in a linguistic and cultural isolation in which they would remain as a kind of "tourist curiosity for the benefit of others, and would thus be deprived of opportunities of every kind which should in no circumstances be denied to indigenous populations. Secondly, they should receive suitable instruction which will provide them with a complete and thorough knowledge of the official language and not merely with basic elements which will not, in fact, enable them to use the language correctly and effectively. The instruction should be such as to offer a reasonable expectation that a person of average intelligence will achieve sufficient command of the official language for all the theoretical and practical purposes considered necessary for all population groups in the country concerned.

251. In all the countries for which information is available, instruction in the official language is given in all schools.

252. In Brazil, the Federal Constitution provides that "elementary education shall be given only in the national language" (art. 176 (3,I)). Article 49 of Act No. 6001 of 19 December 1973, however, establishes that "the Indians shall be taught to read and write in the language of the group to which they belong as well as in Portuguese". [Emphasis added.] The Special Rapporteur requested but did not receive information on how these provisions are implemented in actual practice today.

253. The Government of Chile states:

"Instruction in speaking, reading and writing correctly shall be conducted solely through the medium of Spanish, which is the official language of the Republic".

254. The Canadian Government has stated that "English or French is taught to all native children".

255. According to the Anti-Slavery Society, in Indonesia teaching in all schools is conducted in Bahasa Indonesia (the official language of the country by Act 36 of the Constitution) from the third grade upwards. In such schools the teaching of the official language is the major part of the course.

256. The Australian Government states that: "Emphasis has also been placed on instruction in English as a foreign language for Aboriginal children. Teaching staff, including Aboriginal teachers and assistants, are given training in special techniques of instruction. All children are taught to read and write English".

257. The New Zealand Government has stated that "all Maori children are taught to speak, read and write English, the official language of the country".

258. This, in the past, does not appear to have been a fully successful process, as the Government acknowledges that in many Maori homes a "not very high" standard of English prevails and that this affects Maori children coming from their homes in their first school years.

259. The Government states in this regard:

"Research into the lower level of achievement of Maori school children has shown that one of the difficulties is the fact that although English is almost universally used in Maori homes, the standard of English is not very high and vocabulary tends to be limited. This creates problems for Maori children in their earlier school years which cannot be overcome without special measures. A great deal of attention is being paid to this facet of Maori education at the present time. Great emphasis is being placed on pre-school education and the number of Maori children attending such institutions is growing fairly rapidly. At present about 35 per cent of Maori children in the three and four year age group attend pre-school institutions, but there is a steady rise in the percentage every year. Secondly, special emphasis is being placed upon the teaching of English to Maori children. Itinerant language instructors have been appointed to help teachers in classes with numbers of Maori children and special instruction is now being given at teachers' colleges to prepare future teachers to recognize and correct the language faults made by Maori pupils."

260. In the Lao People's Democratic Republic, children of autochthonous ethnic groups are taught to speak, read and write correctly the Lao language, which is the official language of the country.

261. In 1972 it was reported that "Lao was used in most elementary schools as the medium of instruction although students also studied French. In secondary schools however, except for the comprehensive high schools, the language of instruction was French. Lao occupied a position similar to that of a first foreign language in Western nations, and English was second". 50/

262. The Government of Norway states that Norwegian is the main language in the schools, as is also the case in the Lapp districts. The clever pupils will therefore acquire a proper command of Norwegian, while those who are not so clever will make mistakes to a greater or lesser degree in their use of the language all through their lives. All children, however, will learn to understand and to make themselves understood in Norwegian.

263. In some countries, like the Philippines, the official language and language of instruction varied for some time, until Tagalog was adopted as the language of instruction. On certain historical aspects of this question it has been written: 61/

"For many years one of the controversies in education has been the problem of determining the language of instruction ... The Americans ... introduced English as the medium of instruction in the schools. Children were confronted simultaneously with a new language and new subject materials, and the use of English during school hours and the local language at home did nothing to bring school and home closer together. In the 1967-68 academic year, grades one and two were taught in the local language; Filipino and English were introduced in grade three ... In 1940 Tagalog had been required to be taught in secondary and normal schools ..."

"Character education, good manners and proper conduct were stressed, as well as the study of Filipino family customs and traditions ... Language arts included spelling, reading, phonetics and writing in the local languages and Filipino, and from grade three on, English."

264. In accordance with information provided by the Government of the United States:

"There is considerable emphasis on learning correct English. English is taught as a second language in Bureau of Indian Affairs schools on the Navajo Indian Reservation. In other schools, such as those in Alaska, native speakers are involved in a bilingual education program. In many cases Indians, Eskimos Aleuts learn English from reading folk-tales or legends translated from the native language."

60/ T.D. Roberts and others, op. cit., p. 80.

61/ F.H. Chaffee and others, Area Handbook for the Philippines. Foreign Area Studies, the American University, Washington, D.C., 1969, pp. 124-125.

7. Plans covering the provision of assistance, scholarships, allowances, grants, lodging, transport, clothing, etc., for indigenous persons

265. The information available on this subject contains details which are considered essential by the Governments transmitting the information. It would seem, therefore, that the only way to do justice to these contributions is to reproduce them in extenso. The texts on this subject are therefore set out below.

266. In Finland, according to Government information, Lapp children benefit only from general schemes available to all pupils.

267. In Panama, there has been for a number of years a programme of grants for indigenous students:

"With the object of obtaining teachers for schools in the San Blas district, the Government has given scholarships to various indigenous students to pursue their studies at the Juan Demóstenes Arosemena Teachers Training College. At least one place is reserved for an indigenous student at the Divisa National Agricultural Institute".

268. A writer states that in India:

"Educational programmes intended specially for members of backward classes can help a great deal in raising their living standards. Besides the award of scholarships at various levels, assistance given since the first plan has taken the form of grants to students to buy textbooks, payment of boarding fees, and the establishment of special schools in remote areas. About 4,000 schools were established during the first plan period for the children of scheduled tribes, and about 45,000 received grants for books, boarding fees, etc., more than 8,000 scholarships were granted to tribal students, nearly 37,000 to scheduled caste students and about 28,000 to students from other backward classes. The scope of assistance was enlarged during the second plan and continued in the third plan as a supplement to the development programmes for these groups. The educational concessions to members of the backward classes include special scholarships, residential facilities at educational institutions, exemption from school fees, financial assistance to needy students, reservation of places, lowering of minimum qualifying marks and raising of the maximum age limit for admission to technical and educational institutions.

The educational programmes are considered necessary to prepare young men from the backward classes to play their part in the life of the country on the same footing as members of other communities. Education is the key to advancement to a level where nothing can stand in the way of equality of opportunity. This idea was underlined in the third five-year plan, which stated that education was 'the most important single factor ... in creating a social order founded on the values of freedom, social justice and equal opportunities.'" 62/

62/ P.M. Menon. "Towards equality of opportunity in India"; International Labour Review, October 1966, pp. 367-368.

269. As regards the provision of scholarships, grants or special allowances for indigenous communities, the Government of the Lao People's Democratic Republic states that the Government has always encouraged the mountain or minority peoples to send their children to school by offering them scholarships and installation grants.

270. The Government also states that the Ministry of Education has prepared special admission lists, in favour of the various nomadic ethnic groups, for entry into teachers' training colleges.

271. In Malaysia, the Department of Orang Asli Affairs gives all necessary assistance, lodging, food, transport and clothing to children attending primary grades outside their own communities and staying at the established hostels. In connection with whatever scholarships, grants or aid may be given to Orang Asli students in secondary schools and at university levels, the Government stated that:

"1. Orang Asli pupils requiring assistance to attend secondary schools, and this means almost all doing so, are given the following assistance by this Department:

1. Payment of school fees including special fees such as those for sports, library, and others;
2. Free school uniform and clothing;
3. Free textbooks, exercise books, etc.;
4. Free hostel accommodation, and food;
5. Extra tuition if necessary;
6. Payment of bus fares;
7. Pocket money.

2. Orang Asli attending university or colleges would do so by means of State or federal scholarships, which when necessary include not only tuition fees, etc., but also support grants. In the case of Orang Asli requiring assistance outside the normal arrangements this would be given sympathetic consideration based on individual circumstances."

272. As regards the formal availability of assistance by way of scholarships, allowances, etc., the New Zealand Government has pointed out that approximately 400 special Government scholarships for Maoris are granted per annum, and that these are quite separate from those granted by the Maori Education Foundation. The Government states:

"Maori children are eligible for all of the usual scholarships and grants that are available to other children. State schools, which are attended by the great majority of Maori children, are free. For children living at a distance from school, free transport is provided in Government buses. Children in very isolated communities who are unable to attend a primary or secondary school are catered for by the Government correspondence school which is free of charge, or bursaries are available to enable the children to board at secondary school. At all schools, State and private, primary and secondary, textbooks

are provided free of charge. In addition certain special scholarships and other financial grants are available for Maori children. These include some of the measures adopted following the 1959 survey and are specially designed as interim measures to help the present generation of Maori school children to overcome handicaps while other long-term measures are taking effect. The Maori Education Foundation was established in 1962 with funds provided by the State and other sources. From this fund bright Maori children may receive whatever finance is necessary to enable them to proceed to the full extent in education which is warranted by their ability. The Foundation also assists with clothing grants in deserving cases. Apart from the Maori Education Foundation, the Government provides 140 scholarships annually to enable Maori children in rural areas to attend boarding-schools where there is a wider range of courses than is available at the small rural schools. At the tertiary level 15 Government scholarships are allocated to Maori students in addition to normal bursaries which enable students to attend technical institutions or universities. At the post-graduate level Maori students are eligible for all the scholarships generally available and in addition special scholarships are available for Maoris."

273. On the effectiveness of these schemes, the Citizens' Association for Racial Equality states:

"Maoris are eligible for (though seldom gain) the ordinary scholarships and educational grants. In addition there are a number of special Maori scholarships and grants, most of them provided by the Maori Educational Foundation which is funded by Government and private sources (including Maori sources)."

274. In Australia two Government schemes of assistance for Aboriginal students at the secondary, post-secondary and tertiary levels have recently been introduced. The general intention of both these schemes is to reduce the present scholastic and vocational disparity between Aboriginals and other Australian citizens, by encouraging Aboriginals to continue their studies as far as their interest and ability permits, free from any financial burden. Both schemes are administered throughout Australia on behalf of the Department of Aboriginal Affairs by the Commonwealth Department of Education. The Aboriginal Secondary Grants Scheme was introduced to encourage Aboriginal children to stay at school beyond the statutory school leaving age. Benefits include a living allowance or boarding costs, school fees, an allowance for textbooks and clothing, three return fares per annum between the child's home and school where the child must live away from home to attend school, and a small allowance for the student's own personal needs. As the Scheme is intended to raise the general educational level of Aboriginals the only academic standard required is that the student should benefit educationally by attending school. The Aboriginal Secondary Grants Scheme came into operation at the beginning of the 1970 school year. The number of Aboriginal children receiving grants has risen from 2,379 in 1970 to 4,266 in 1972. There has also been a steady increase in the number of Aboriginal children at Senior Secondary level. Initially the Scheme applied only to Aboriginal children aged 14-21 years. A trend towards younger Aboriginal children entering secondary school has highlighted the need for financial assistance and encouragement at an earlier stage. On 10 January 1973, the Prime Minister announced that from the beginning of the 1973 school year, benefits of the Aboriginal Secondary Grants Scheme would be available to all children of Aboriginal descent attending secondary school. It is expected that up to 3,500 additional students will now become eligible for grants, and that the total number of students assisted in 1973 could reach 8,500. The Aboriginal Study Grants Scheme

enables Aborigines to continue their studies after leaving school. Benefits include all compulsory fees, an allowance for textbooks and equipment, a living allowance including components for dependents, and up to three return fares per annum for students who must live away from home to take a course. Awards may be part-time or full-time, and are held subject to the students' satisfactory attendance and progress in the course. The Aboriginal Study Grants Scheme came into operation in 1969. The numbers of Aboriginal students holding awards has risen from 115 in 1969 to 552 in 1972. Award-holders in 1972 included 29 university students, 30 teacher-trainees, 121 technical college students, and 284 at secretarial or typing schools.

275. The Norwegian Government states that:

"The Lapps do not have the benefit of any special advantages such as free accommodation, free transport or similar facilities which are not likewise available to other Norwegians. There is, however, a grant scheme for young people from families whose chief means of support is reindeer-breeding, or from families who have previously supported themselves by reindeer-breeding and have not found any other satisfactory alternative means of subsistence. The scheme is confined to Inner Finnmark. As already stated, the Lapps will usually be taught in smaller classes and be given priority for admission to certain schools to make up for the fact that Norwegian is not their mother tongue."

276. The Government of Chile has stated that:

"As regards education, the Development of Indian Affairs (Departamento de Asuntos Indigenas -- DASIN) has granted a great many scholarships for basic, secondary and university education ... In 1972, the number of scholarship holders totalled 8,945, in addition to students who had obtained scholarships from the Junta de Auxilio Escolar y Becas (Educational Assistance and Scholarship Board). Assistance was also given in the form of school equipment, clothing and footwear to more than 15,000 students during the period 1964 to 1972. This assistance also included teaching material, materials for the repair of schools, and agricultural implements and carpentry tools. This programme covered 25 schools in the oases in the foothills of the Andes in the Department of Arica, almost all of them situated in the region bordering on Peru and Bolivia. Moreover, DASIN's activities were not limited to assistance of this kind, for it also intervened in obtaining the land necessary for the construction and/or equipment of 63 rural schools built in co-operation with the Sociedad Constructora de Establecimientos Educativos (Society for the Construction of Educational Establishments) and the Servicio Militar Voluntario del Trabajo (Voluntary Military Labour Service)."

277. In its most recent statements to the VIII Inter-American Indian Conference in November 1980, the Government said:

"The Ministry of Education distributes to the rural sector, through its ministerial secretariats in Regions VIII, IX and X, a comprehensive system of grants earmarked for students of indigenous origin.

It should be noted that the largest number of Mapuche settlements are to be found in region IX and for that reason most assistance is given in that region. The grants are of the following kind:

Accommodation in student hostels;

Money grants;

Provision of school supplies.

In region IX, a total of 2,850 grants for school supplies are given in the rural sector, where 80 per cent of the population are of indigenous origin; they include grants covering the first to eighth year of primary education and, recently, type 'A', which take the form of the provision of accommodation and money.

The provision of a larger number of grants to university students is under study.

It should be added that, year by year, the education infrastructure is extended both in the urban and rural areas of the regions mentioned and in the country generally, with the building and bringing into operation of new schools". 63/

278. The Government of Canada stated that one of the primary objectives of the Department of Indian Affairs and Northern Development at the present time was "to encourage Indian students to complete their secondary school education. During 1979-80, 34,083 students were enrolled in federal and band schools and 47,184 in provincial and private schools - a total of 81,267 students from the pre-primary to the secondary school level. In addition, there has been a continued growth of kindergarten programmes in communities where the student population and community interest warrant them. College and university enrolment in 1979-80 exceeded 4,200, and more than 4,500 students were enrolled in various vocational programmes. The Economic and Social Development Directorate provides financial and counselling assistance to Indians and Inuit who are enrolled in post-secondary and vocational programmes".

279. The Government of Costa Rica has stated that "the National Commission for Indigenous Affairs (CONAI) as well as other public and private bodies, has plans for scholarships and other assistance for indigenous students at the secondary and university levels".

63/ Government of Chile, National Report for Chile, VIII Inter-American Indian Conference, (Mérida, Yucatán, Mexico), 17-21 November 1980, OAS Doc. No. OEA/Ser.K/XXV.1.8/CII/doc.11, p. 12.

280. The Government of Mexico stated in its national report to the VIII Inter-American Indian Conference that:

"January 1980 saw the signing of the SEP-COPLAMAR ^{64/} agreement relating to the implementation of the programme to set up boarding schools for children in the zones marginadas (depressed zones). These will be equipped for the housing, feeding and integral development of children from very small, scattered communities whose families earn less than the minimum salary or who migrate seasonally in search of work. The programme covers children from 9 to 14 years of age. This year, 35 residential schools are being built. Each of them will be able to house an average of 276 children, so that it will be possible to accommodate a total of 7,560 children from about 200 very small communities.

The Co-ordinating Board of the National Plan for Depressed Zones and Marginal Groups has provided 370 million pesos through its system of programme budgeting; next year the operating costs will be incorporated into the education budget". ^{65/}

281. The Government of the United States declared that:

"The total number of Indian college students is not known, but has been estimated at 20,000. About 14,000 Indian students received scholarship grants from the Bureau of Indian Affairs to further their education activity. In addition, young Indian people get special help in attending elementary and secondary schools - without which they presumably would be unable to attend and learn skills needed to participate in American life. Enrolment in Bureau of Indian Affairs school was nearly 51,000 in the 1971-72 school year."

^{64/} SEP-COPLAMAR: Secretaría de Educación Pública-Coordinación General del Plan Nacional de Zonas Deprimidas y Grupos Marginados (Ministry of Public Education, Co-ordinating Board of the National Plan for Depressed Areas and Marginal Groups).

^{65/} National Report for Mexico, VIII Inter-American Indian Conference (Mérida, Yucatán, Mexico), 17-21 November 1980, OAS Document No. OEA/Ser.K/XXV.1.8.CII/doc.8, pp. 35 and 36.

D. Educational material and programmes1. Initial remarks

282. It is obvious that, in every case, educational material, methods, techniques and programmes must to a certain degree be suited to the pupil if they are to be successful. Among the urban and rural sections of the population respectively, there are certain aspects and phenomena of life which are closer to the knowledge that the child brings with him when he arrives at school, and the initial material should therefore be adapted in order to relate it to the experience of life which the pupil brings with him. It is essential to stimulate the interest of the pupil, to reach his mind simply and directly and to bring into play his physical and emotional resources, in order to begin the educational process successfully. The initial material and techniques must therefore take into account the environment in which the child has lived until his arrival at school and the environment in which his first school years are to be spent.

283. In general, educational material and programmes have been prepared, and techniques and methods developed, on the basis of the fundamental values of the dominant culture of the country concerned, and are suited to pupils from population groups which belong to that culture. Very often, also, they are based on contemporary life in the urban centres. Consequently, certain adaptations should be made to render them suitable for use in educating groups from the rural areas and especially indigenous population groups.

284. It is therefore of vital importance that material and programmes intended for indigenous populations should be prepared in the light of appropriate ethnological studies so that the methods and techniques used are in harmony with the cultural environment and take into account the indigenous population's closeness to or remoteness from the dominant culture of the country. At the same time, the educational process in its initial stages should of course be made easy and attractive for the pupils, and they should not be left isolated in a kind of deliberate rusticity. In order to interest them in formal education, it is essential to reach their centre of motivation so as to offer them a better opportunity to profit from their school attendance. Also the introduction of alien cultural elements should be avoided unless there are strong reasons for adopting such procedures, and unless it is clear that the alien elements are not harmful to the indigenous groups concerned, and the methods and techniques must fit in with the cultural environment of the various groups, and must incorporate their own cultural patterns and standards.

285. This approach, which is useful and desirable at all stages as a way of preventing the school from being transformed into an instrument of abusive cultural penetration, is particularly essential in the initial stages of formal education in order to avoid giving rise to undesirable feelings of cultural alienation and estrangement in very young schoolchildren. Educational subject-matter and methods should be adapted to the child who comes from a different cultural environment, in order to start him on the way towards a school life which will be full of significance for him and will provide him not only with information, but also with an effective opportunity to develop his personality and reach the highest educational levels which he is capable of attaining. Once the child is in school, it is not enough to give him merely a particular type or level of education. The pupil must have access to all types and levels of education available; and, in order to ensure that he is actually able to move on to other levels of education, he must be given suitable stimuli and incentives from the moment of his arrival on the first day. Once he has become interested in the educational process, he will map out his own course, and his teachers and the school will simply have to provide him with constant encouragement to go further and attain higher levels based on his own free choice.

286. However, some special problems sometimes arise when the child arrives at school for the first time. Pupils from indigenous population groups often encounter the linguistic and cultural problems to which reference has been made above; and the teaching material must therefore take due account of these problems. There are other aspects too which must be taken into account in preparing educational material and in devising techniques, plans and programmes in order to find the best way of accomplishing the task having due regard to the personality of the pupil and to his cultural world.

287. Attention must be paid to the essential aspects of the content of the teaching material. In countries in which various ethnic groups live side by side children should obtain, from the school they attend, the clearest possible idea of the different population groups in the country. Thus, indigenous schoolchildren must be correctly informed about the non-indigenous groups; and non-indigenous pupils must be provided with information - which is free from prejudice and preconceived notions - about the indigenous groups. Teaching material is the main source of the information which children receive from their earliest days at school, when they are most impressionable. Teaching and information provided at school must therefore avoid the dissemination of prejudices and false ideas, and they must also contain arguments to refute any false ideas which may reach the children from other sources of information. It is important that teaching material should incorporate the most accurate and reliable information available and that this information should be kept up to date by constant revision. Knowledge of the realities of each population is the best way of eradicating arbitrary and distorted versions of reality.

288. In this connection, it is of the highest importance that the information given to each group regarding its own situation in the context of the rest of the country's population should be as realistic as possible and should be free from the emotional overtones of excessive ethnocentrism. It is essential not to propagate, among the members of a given group, any ideas regarding the "inferiority" of that group vis-à-vis others in the nation. This sometimes happens indirectly when indigenous and non-indigenous groups are being taught together on the basis of fundamental elements in the dominant culture which are alien to indigenous pupils. In such cases, the teaching should include adequate information on the history, traditions, customs, culture, arts and handicrafts of indigenous populations; and those aspects should be studied by all pupils not only to provide a better understanding of their real nature, but also to illustrate correctly their importance for all sections of the country's population. There may have to be some difference of emphasis depending on the group concerned, but this aspect must always be present. It is necessary also to stress the right of indigenous groups in a minority situation in the national society to preserve, develop and hand on their distinctive culture as long as they wish to do so.

289. Educational material and programmes should foster in all the various groups a knowledge of each person's rights and obligations as individuals, and of the rights and obligations of each group within the national society. They should place sufficient emphasis on the value of friendship among the various segments of the population, and should promote understanding and appreciation of the culture of other groups. To this end, as has already been mentioned, they should also contain the necessary elements to combat and eliminate prejudices and preconceived notions about other ethnic groups, and to provide the most accurate possible information about all groups of the population.

290. We shall consider first the educational material and programmes prepared and developed for the indigenous populations and, secondly, those which have been prepared for the non-indigenous populations.

2. Educational programmes and material prepared for the indigenous populations

(a) Preparation of programmes and material in the light of appropriate ethnological studies and with sufficient emphasis on indigenous culture, traditions, history, arts and handicrafts

291. For some countries, ^{66/} the information available on this subject is very limited. In some of these cases, however, it can be deduced from the little information available that teaching programmes, methods, plans and material do not vary, or vary only very slightly, and that they are used throughout the country for all schools and pupils irrespective of the region and of the linguistic or cultural group to which the pupils belong.

292. The information available for certain other countries covered by this report reveals that, in general, the teaching material, methods and programmes used for educating indigenous populations are very similar to those prepared for the other sections of the population, whether urban or rural. In some cases they are exactly the same, without changes or adaptations of any kind.

293. Thus, for example, the Government of Finland has communicated in unambiguous terms that "there are no educational programmes especially prepared for the Lapps, since the schools are common to all".

294. Similarly, the Government of Malaysia has stated that:

"The curriculum followed in all departmental primary schools is identical to that followed by all Ministry of Education primary schools. It has not been considered necessary to develop separate curricula for Orang Asli since it cannot be said that they represent a completely separate socio-cultural entity. In many areas their way of life contains many elements in common with the Malay community, especially that part of it which lives in the more remote rural areas. In this context the Orang Asli can be said to represent the edge of a spectrum rather than a separate and distinct entity. Another factor here is of course the great need for welding the major racial groups in Malaysia into a national community and ensuring national unity at all levels. Separate or greatly modified curricula for Orang Asli in the field of education would, it is felt, have a divisive rather than a unifying effect, especially so at primary level. It should be pointed out here that in Malaysia children of all communities i.e. Malay, Chinese, Tamil, Eurasian etc., all use the same curriculum at primary level.

...

"As has been stated previously great emphasis is placed by the Government on the integration of all communities at all levels, as this is essential for national unity. In view of Malaysia's varied racial make-up this question receives far more attention than in most countries. The Department considers the efforts of both itself and the central Government as very satisfactory in this field."

^{66/} Argentina, Bangladesh, Bolivia, Burma, Colombia, Denmark, Ecuador, El Salvador, France, Guatemala, Guyana, India, Indonesia, Japan, Lao People's Democratic Republic, Nicaragua, Norway, Pakistan, Panama, Peru, Philippines, Sri Lanka, Suriname and Venezuela.

295. Sometimes these programmes and material are designed for the urban school population and completely ignore the different general environment of schoolchildren from rural areas, in which they have spent their whole life until the moment they arrive at school for the first time. Much less do these school texts and material incorporate any elements of the indigenous culture (and, in particular, the language), which would make them more accessible to indigenous pupils during the initial stages of their school life.

296. With reference to this lack of suitable teaching material, methods and programmes, the Government of Chile has transmitted the following information which is quoted in full:

"Unfortunately teaching methods in rural schools, whether private or state-run, are based on patterns developed in Santiago and for urban children. This causes difficulties in teaching children in rural areas. A young Mapuche boy from the Cho-Chol region will certainly find it easier to understand that one cow plus another cow makes two cows, than that one orange plus another orange makes two oranges. He is familiar with cows and interested in them because they belong to his environment. As for oranges, he has never seen them growing, he is unfamiliar with the tree which produces them and he therefore finds it difficult to picture them. Pythagoras's theorem will be almost impossible for these children to understand if the explanation is given merely in geometrical and arithmetical terms; but they would certainly understand it much more quickly if they were told that, and how, it is used to measure land and determine its area. Teaching material should be adapted to suit rural areas: rural areas cannot be adapted to suit the material".

297. The Government has also transmitted the following ideas regarding the steps which should, in its view, be taken to organize the education of indigenous pupils on better lines:

"Greater importance should be paid to manual work. Each child in a rural school should be taught to use agricultural implements and should learn when the various kinds of vegetables and cereals are sown, what fertilizers they require, how to apply them, etc. But this kind of teaching should be practical, with crops grown on the school's own land, even if only on a very small scale. The pupil should be taught at school how to handle a saw, a plane, a hammer, an anvil, a vice, a file, a drill, etc., by carrying out small jobs. It is inconceivable that a pupil in the eighth basic year should still not know what a fuse is or how to repair one; if he does not know, it is not his fault but a gross defect of his education.

"A young person completing his basic education in a rural school should know how to vaccinate an animal against foot-and-mouth disease, and what are the most urgent measures to be taken in cases of epidemics affecting cattle. The teaching on all these aspects of day-to-day work in the fields should not be theoretical, but practical and in vivo; this is the only way to ensure that the pupil will never forget it. If this course were adopted, there would soon be an end to all those sterile discussions of linguists concerning the indigenous child's difficulties of comprehension.

"We say that these arguments are sterile and even senseless because, if there were any real lack of intelligence, it would be inconceivable that Mapuches could succeed in becoming good stock farmers, cobblers, industrial workers, etc., or that the army could succeed in giving them military training. The education given by the army is generally practical and not theoretical: hence the results it produces ...".

298. The Government adds:

"Programmes and teaching materials are the same for all pupils in Chile. This is due to the fact that Chile does not have indigenous populations or peoples as is the case in other Latin American countries. There are only groups of indigenous people who are living side by side with non-indigenous people, who attend the same schools, without discrimination of any kind. For this reason, there are no educational programmes designed for indigenous children".

299. In Brazil article 53 of Act No. 6001 provides that:

"Handicrafts and rural industries are to be encouraged with a view to raising the Indian's standard of living by suitable adaptation to modern technical conditions."

300. There appears to be no specific provision in educational programmes and materials for emphasis on the culture, traditions, history, arts and handicrafts of the indigenous populations. Article 47 of Act No. 6001 provides "respect for the cultural heritage of the native communities, their artistic values and means of expression is hereby assured". As already noted in paragraph 239, in article 50 of the same Act it is provided, however, that "the education of the Indians shall be oriented towards integration in the national community by means of a process of gradual comprehension of the general problems and values of the national society as well as development of their natural aptitudes."

The Special Rapporteur requested but did not receive information on the actual operation of these provisions.

301. Different groups of indigenous populations are taken into account for the preparation of educational programmes and materials.

In that connection an official publication reports:

"The tribes are divided into various categories, which include:

"(a) Groups living in economically marginal areas or areas being developed economically where individuals from elsewhere appear sporadically, which have contact with few white men (FUNAI staff, missionaries, gold diggers, rubber workers); certain changes are already apparent in such groups' language and customs with the emergence of new needs (iron instruments, nylon, etc.) but these do not compromise their autonomy, their physical vigour and joie de vivre being characteristic traits;

"(b) Groups living in national development nuclei and therefore in continuous co-existence with Brazilian society. Changes may be noted in their social structure, command of Portuguese and level of dependency on the national society, particularly as regards satisfying their requirements in manufactures;

"(c) Groups whose members act as a reserve labour force or as specialized producers of certain goods for consumption in Brazilian society which have lost most of their tribal customs, sometimes even their native language, which live almost in the same manner and look the same as the Brazilian rural population around them, but which even so continue to think of themselves as Indians." 67/

302. According to one source, however, this is interpreted to imply that:

"To integrate means to substitute the values of a culture in favour of another.

"On integrating himself in our culture, the Indian must stop polygamy, adhere to an economy based on profit and also abdicate his mythical beliefs. However, the Indian comes from a millenary culture that is solid, rich and deep. If cultural adaptation introduces elements of another culture, integration is all the more damaging." 68/

303. The Government of Costa Rica states: "There are no programmes or teaching material for the indigenous population. It would be desirable to adopt special measures, including all the points mentioned under this heading".

304. According to information submitted by the Government "The structure of programmes does not meet existing needs ...".

305. In 1975, the establishment of an "indigenous education unit" in the Ministry of Public Education was announced. 69/ In 1979, in reply to a question from the Special Rapporteur, the Government stated that this unit was in operation and was primarily concerned with a project, headed by an indigenous primary-school teacher, for programming and using of teaching material in indigenous schools. The Government added that there were also plans to undertake, in co-operation with the Ministry of Public Education, the improvement of the regional education system by adapting national plans and programmes to the interests and requirements of the indigenous population.

"However, owing to the lack of supervision in introducing these new educational methods they have so far been unsuccessful because they have not secured the conscious participation of the indigenous population and there has been no sustained and methodical process in keeping with their own cultural patterns. There has been neither interest nor personal commitment on the part of the indigenous population for they have not been sufficiently motivated and outmoded paternalistic approaches have been followed in the isolated attempts to apply programmes in their communities".

67/ O que é a FUNAI, Assessoria de Relações Públicas da Fundação Nacional do Índio, (Brasília, D.F., April 1973) p. 4.

68/ News from Survival International, October 1974, No. 8, p. 29.

69/ "Noticiário Indigenista", loc.cit., vol. XXXV, No. 4, 1975, p. 878.

306. The Anti-Slavery Society reports that in Paraguay: "... normally no effort is made to take into account the traditional indigenous cultures. The textbooks officially recommended are not even appropriate to the non-indigenous environment, as they are based on the image of a non-existent white society of European culture. A typical example is the textbook for adult literacy officially recommended in Paraguay:

"It carries the deceptive name of 'Guarani', although it is drafted exclusively in Spanish. As it was elaborated in Venezuela, it contains many expressions and names completely unknown in Paraguay. Thus, it could only be used with many restrictions even among Paraguayans who speak Spanish correctly, but since the group of illiterates is not composed of persons with Spanish as their own language, we consider it practically useless".

307. While various countries are silent whether or not they are contemplating the possibility of developing methods or preparing special programmes for indigenous populations, some have indicated that they do not intend to do so for various reasons. ^{70/} In other countries, although no special programmes and material existed in the past, they are now being prepared and developed. Thus, for example, the Government of Australia writes:

"Educational policies and programmes for Aborigines are being developed taking account of Aboriginal cultural traditions. Where Aboriginal communities are least acculturated, programmes are developed in close consultation with the community leaders and incorporate such elements of the local culture and traditions as are determined by the Aborigines. Aboriginal instructors in traditional arts and crafts are employed in most schools in remote communities."

308. In various countries, however, ad hoc programmes, plans, methods and material of this kind already exist and have done for some time. On the basis of the information available to date, it is not possible to undertake a comparative analysis of their contents and orientation. The information contains no direct reference to these aspects, although there is some indication of the methods used for the adoption of programmes and plans and the preparation of material. Thus, for example, the Government of New Zealand states, without referring to their actual contents, that:

"The special programmes and materials prepared for Maori pupils have been recommended by the National Advisory Committee on Maori Education This committee includes a number of Maoris with special expertise in different facets of education. In the Education Department there is a division responsible for putting into effect the recommendations of the committee. The four senior officers in this division include three experienced Maori teachers and a non-Maori teacher with wide experience in Maori education. All of these officers have an intimate knowledge of Maori society and Maori attitudes and aspirations. In the School Publications Branch of the Education Department the teacher in charge of special textbooks for Maori children and printed material in the Maori language is an experienced Maori teacher."

^{70/} See in this connection, the statement by the Government of Malaysia in para. 294 above.

309. The Government points out, however, that suitable emphasis is placed in schools on the indigenous culture, traditions, history, arts and handicrafts. It states that:

"The social studies syllabus in both primary and secondary schools has for a number of years included material on culture, traditions, history and arts of the Maori. The syllabus has recently been revised to place greater emphasis on these matters and to increase the quantity of material on contemporary Maori society.

"...

"As mentioned above there is growing emphasis upon the nature, characteristics and importance of contemporary Maori social and cultural institutions in order to give Maori children an awareness of, and non-Maori children a respect for, such institutions.

"The present school curricula place great emphasis on the fact that New Zealand is a bicultural country which demands respect and understanding between Maori and non-Maori."

310. According to information furnished by the Norwegian Government, it would appear that special educational materials for Sami students are being developed:

"The development work now in progress in connection with the present situation of the Lapps is based on relatively comprehensive research and fact-finding work ... carried out by experts. The active support now so evident in the local population will facilitate the continued improvement of these measures. According to the majority of Lapp educators, material, techniques and methods to improve the situation of the Lapps remain to be developed. The next stage of the work on Lapp questions will proceed on the basis of Recommendation No. 196 (1962-1963) to the Storting concerning cultural and economic measures of special interest for the Lappish-speaking population, and report No. 13 to the Storting (1974-1975) on the Plan of Action for the Main Lapp Settlement Areas. Report No. 33 to the Storting (1973-1974), concerning a Development Programme for Northern Norway, proposes a separate Lapp Schools Council. In addition the Ministry of Church and Education has established a separate Select Committee, which includes representatives of the northern Lapp and southern Lapp population, whose mandate is to report on the facilities for further education for Lapps."

311. According to the statement from the Mexican Government, special materials are available in that country. It has been the bilingual educators and teachers who, with advice from experts in indigenous education, have devised teaching materials and curricula based on research by professional ethnologists. These curricula and materials are adapted to the cultural environment of the indigenous community and to its degree of proximity to, or remoteness from, the dominant culture. In order to consolidate what has so far been achieved as regards curricula and teaching materials for indigenous populations, there is a comprehensive programme which takes into account indigenous traditions, history, arts and crafts and ensures that valuable elements in indigenous oral culture are not destroyed when they are set down in written form.

312. The targets of objective III (education, justice and employment) in the work programme of the National Indigenous Affairs Institute in the educational field are to help ensure that the education imparted in indigenous communities incorporates the cultural characteristics of these human groups; to uphold the values of these communities in order to strengthen, at the regional level, the sense of ethnic belonging and, at the national level, the awareness of forming part of a multi-cultural society; to ensure that ethnic groups acquire an awareness of the reasons for their marginal status and are enabled to overcome them by organizing themselves and to contribute thereby to national development; to make the best use of the educational resources provided for the indigenous population by the organization of programmes in terms of the communities, the technological knowledge and practices and the socio-cultural characteristics of the ethnic groups and by marrying theoretical systems to practical requirements so as to achieve a many-sided effect that will enhance the transforming powers of reality; to ensure that the national language fully fulfils its role as a link between all Mexicans and as an instrument to protect the interests of the indigenous communities.

313. The Special Rapporteur requested information about the efforts made and the results obtained in pursuance of the plans and programmes mentioned by the Government in the report referred to in the preceding paragraph. In that connection, the Government stated (1980):

"Indigenous education received substantial budgetary allocations and it was therefore possible to expand educational services. To that end, it was necessary to increase the number of schools and permanently increase the number of bilingual staff.

As a result of the foregoing, the programme of boarding schools (1,019) was extended in the 70s and, in 1978, with the support of the National Fund for Social Activities (Fondo Nacional para Actividades Sociales - FONAPAS), an experimental programme was undertaken to reorient the functions of such schools, with the result that 19 of them became production schools. Also in 1978, the Ministry of Public Education, acting under the national plan "Education for All" charged the Directorate General of Indigenous Education and the National Indigenous Affairs Institute with the implementation of a large-scale programme for pre-school tuition in Spanish. The National Indigenous Affairs Institute, in conjunction with the Directorate of Popular Culture of the Ministry of Public Education, organized courses to train bilingual experts in indigenous culture with the object of familiarizing members of the communities with the social sciences that would enable them to protect their cultural heritage. Six courses were held, attended by 140 indigenous scholarship holders.

As part of the integral Training Plan for Bilingual and Bicultural Teaching Staff, the Ministry of Public Education, the Centre for Advanced Research of the National Anthropological and Historical Institute (Centro de Investigaciones Superiores del Instituto Nacional de Antropología e Historia - CISINAH) and the National Indigenous Affairs Institute are hoping to train at least a generation of graduates in vernacular linguistics with a knowledge of the language and culture of their own ethnic groups."

314. According to the Government of the United States: "For many years the emphasis in the culture of the United States was on conformity with the majority European population. However, increasing value is being given to minority cultures including Indian cultures. There has long been considerable interest among all Americans about American Indian culture and efforts have been made by the United States Department of the Interior to encourage its manifestation in crafts such as basketry, rug weaving, jewellery manufacture. Indian militants are increasingly bringing to the attention of the main population interpretations of Indian culture or the lack of attention to it that is offensive to the indigenous people."

315. It has been communicated that:

"Perhaps one of the best pieces of legislation for Indian education was signed into law in 1972. It was entitled 'the Indian Education Act of 1972' and provided monies for supplementary innovative programs for Indian students. The chief administering office was the U.S. Office of Education. The monies from the Act are controlled by local parent committees and they cannot be used for operational expenses, except in the case of Indian-controlled schools. In other words, the Act made possible funding of the programs that Indian tribal and community members want for their children and which could never find an authorization under any other legislation. The initial appropriation under this Act was \$18 million. It also established a Bureau of Indian Education within the Office of Education and a National Indian Education Advisory Council.

"It is important to note that the program under the Indian Education Act would not have been implemented without the untiring efforts of Indian people throughout the country because this was one of the programs which was caught in the impoundment squeeze of 1973. Rescued by lawsuits litigated by Indian attorneys, the Indian Education Act had the potential of building strong Indian community-controlled educational programs on State and Federal reservations in rural communities and in cities across the country." 71/

316. In an official report it is stated that:

see para. 314

"Until a few years ago, many policy-makers viewed education as a key to Indian assimilation and often regarded Indian culture and history as impediments to the full participation of Indians in American life. The excesses of this period resulted in great damage to Indian people, producing statistics of low educational achievement and a host of related problems, including the disruption of Indian families and cultural and tribal life styles.

71/ Lynn Kickingbird and Curtis Berkey, "American Indian Treaties - their importance today", American Indian Journal, vol. 1, No. 1, October 1975, p. 12.

"The older policies were phased out in the early 1970s and were replaced with the more enlightened policy of today. Under the current policy, assimilation is a choice for the individual Indian to make. Indian history and culture are viewed as positive assets, rather than negative impediments to Indian adjustment to contemporary American life, and the control of Indian education is in the hands of the people most directly affected by the education being provided, the Indian tribes and Indian people.

"The intent of this policy is not only to increase Indian participation and involvement in the educational process but also to improve the quality of Indian education through the development of programs designed to meet the unique educational needs of Indian tribes and communities." 72/

317. In response to a request for information from the Special Rapporteur, the Government of the United States declared in 1982 that:

"Materials which are used in education programs for Native Americans include both those which are used by the non-native population in the United States (readers, workbooks, science, social studies and language arts texts, etc.) as well as material which has been prepared especially for the particular tribe or Alaska Native entity. Preparation is most frequently done at the local level and very often by the school which will utilize the materials. This is highly desirable since it is government policy that the tribe will have the decision-making power as to which elements of the culture are to be taught in the classroom. It is also a tribal decision as to whether the tribal language is to be used in the classroom. These decisions are made through the local schoolboard which is made up of tribal members.

"Within the Bureau of Indian Affairs, the Research and Cultural Studies Development Section in Santa Fe, New Mexico devotes itself to the study of indigenous culture, traditions, history and language and has published, or assisted in publishing, tribal legends and histories and native language learning materials, in both the native language and English. A great deal of work has also been done in recording, in poetry and prose, the experiences of Native Americans in English.

"The Bureau's Institute of Indian Arts places major emphasis on the arts and craft work of Native Americans. It also has an on-going collection of oral history.

"Materials for the learning of English which have been prepared for Native Americans by the Bureau of Indian Affairs, educational laboratories, universities, and individual linguists are tailored to the needs of the particular language group they address and are developed on the basis of a constructive analysis, thereby giving special emphasis in the teaching materials to those difficulties in English caused by the particular characteristics of the native language of the group being taught."

"To promote a greater awareness and understanding of the non-native culture, emphasis is given to field trips by BIA schools." 72/

(b) Preservation, in authentic form, of the valuable elements of oral indigenous culture when they are set down in writing

318. The importance of oral tradition in the preservation and transmission of the indigenous culture, especially when the tradition has not been set down in written form, cannot be exaggerated. In illiterate communities, oral tradition is the sole means of achieving these praiseworthy objectives. Moreover, education has its roots both in the teaching represented by behaviour and in the customs, traditions and history of the community handed down in oral narratives. Very frequently a large part of the cultural heritage of these groups has never been set down in writing, and it is only recently that written records are beginning to appear. The production of written records is a time-consuming, complex and difficult process if, in the preparation of the written version, efforts are made - as they should be - to avoid adulterating the oral tradition by the introduction of alien values and cultural patterns. Every precaution must be taken to prevent any possibility of adaptations or distortions, or the destruction of valuable elements of the oral tradition which are important for the indigenous communities. The understandable desire to promote feelings of national unity in all groups of a country's population may, in spite of the best intentions, lead to adaptations which are unnecessary and ineffective in achieving this purpose, and which also represent a serious adulteration and even falsification of authentic indigenous oral tradition. These spurious forms should be avoided at all costs. Efforts should be made to set down the traditions in faithful written records, and not to adulterate them.

319. Of all the countries studied in this report, only Malaysia has provided information on this question. ^{73/} Reference is made to efforts to obtain recordings or written records of the extant traditions of the Orang Asli. The Government states that:

"Oral culture is considered to be still strong and living among all Orang Asli groups and, as has been stated previously, is still the chief method of transmitting and preserving their culture and traditions. An increasing amount of material is being recorded and is currently under assessment.

"In general it can be said that all Orang Asli groups in Malaysia are pre-literate in respect of their own languages, and literate in respect of "Bahasa Malaysia" (Malay) which is used as the medium of instruction at primary level. As a result of this, culture, traditions, history, etc. are transmitted by oral and not literary methods, and to a considerable extent much of their culture and traditions etc. remained unrecorded until quite recently. However over the past few years an increasing amount of research has been carried out by qualified anthropologists from both Malaysian and foreign Universities and from this Department. This is now being assessed by this Department to determine what part it will play in the culture of the Orang Asli." ^{74/}

^{73/} See, however, the allusion in passing by the Mexican Government in paragraph 311 above.

^{74/} In this quotation, the words "this Department" should be read as references to the Department of Orang Asli Affairs.

- (c) Requisite elements for making indigenous populations aware of their rights and obligations as a group and as individuals. Emphasis on the value of friendship between the various segments of the population and promotion of understanding and appreciation of the non-indigenous culture

320. Education should foster the full development of the human personality, strengthen respect for all people's human rights and fundamental freedoms, and encourage understanding, tolerance and friendship between the ethnic groups in the national society.

321. One of the main functions of education is therefore to provide the pupil with information on his rights and obligations as a member of society. Every pupil must, as a future citizen, be aware of his own rights and obligations, and of those of others, so that all persons can live in harmony with one another. When there are different ethnic groups in a single country, these aspects of education are even more important. It then becomes necessary both to provide each group with information concerning its own rights and the rights of other groups in the national society, and to place sufficient emphasis on the value of friendship between the different groups and on the promotion of understanding and appreciation of the different cultures which co-exist in the national society.

322. With regard to the first aspect, it is important that educational material should contain elements relevant to the social and cultural characteristics of indigenous communities so that they may gain awareness of their rights and obligations as a group and as individual persons in the national society. Malaysia is the only country that has provided specific information in this respect, as follows:

"In the interests of national unity Orang Asli are encouraged to regard themselves as an integral part of the national community. Emphasis at primary school level is therefore placed on their rights and obligations as members of that community both as individuals and as a group. In addition the Department runs frequent civics courses and arranges visits by its own mobile information unit to all Orang Asli groups to explain exactly how the Orang Asli fit into national life."

323. The Government of Mexico states:

"The National Indigenous Affairs Institute proposes, in general objectives III and IV of its programme of work for the six-year period 1977-1982, to increase the capacity of ethnic groups to defend their individual and social rights (objective III: education, justice and employment) and to strengthen national awareness through respect for ethnic pluralism (objective IV: cultural heritage and social organization)."

324. We must now examine the information relating to the emphasis placed, in educational material and programmes, on the value of friendship between the various segments of the population and on the promotion of understanding and appreciation of the indigenous culture among non-indigenous peoples, and vice versa.

325. The Government of Sweden has communicated that teaching in Swedish schools has, as one of its general goals, the "promotion of tolerance and understanding with regard to other people or categories of people".

326. The New Zealand Government has stated that "the importance of friendship between the various segments of the population is fully recognized in the educational system".

327. In this connection, it has been stated before that according to the New Zealand Government "the present day school curricula place great emphasis on the fact that New Zealand is a bicultural country which demands respect and understanding between Maoris and non-Maoris". The Government points out that:

"A modern phenomenon of New Zealand life in the last 20 years has been the growth of Maori cultural clubs in the schools. A fast growing number of secondary schools now have these organizations which are guided either by Maori teachers on the staff or by knowledgeable Maoris in the community and a great interest is being taken in the perpetuation of oral tradition, poetry, etc."

328. The Governments of Chile and Mexico state in identical terms that the materials and curricula prepared for the indigenous populations (Mexico) and uniform materials and curricula for all (Chile) stress the importance of friendship among the various segments of the population and the promotion of understanding and appreciation of indigenous cultures. 75/

- E. Educational material and programmes for the non-indigenous populations
- I. Elimination of prejudices against indigenous populations in educational material and programmes

329. It is important that the educational material and programmes prepared for non-indigenous populations should embody appropriate measures to combat and eliminate the misconceptions and prejudices which the non-indigenous populations may have with respect to the indigenous communities of the country, and that they should include appropriate information on the history, traditions, customs, culture, arts and handicrafts of the indigenous populations and on their contributions to the cultural environment of the non-indigenous populations.

330. It is well-known that the supporters of racist trends and attitudes have spared no effort to propagate their ideas. In colonial times, the concept of the superiority of the populations and cultures of the metropolitan countries was propounded as one of the "justifications" for the subjection of indigenous territories and peoples to a foreign Power. The leit motif was invariably the need to "civilize" the subject peoples and to "elevate" them to a satisfactory

75/ Both Governments thereby repeat exactly the terms of paragraph 43 (e) of the outline used for the collection of data for the study.

level of co-existence. These and other propitiatory devices instilled into people's minds some preconceived notions which have proved very difficult to eradicate. It is only recently that indigenous populations have come to be regarded as the source of some major features of the culture of the countries concerned; in other words, after long periods in which the colonialists pretended to extol the virtues of the communities which inhabited a country prior to colonial rule but at the same time exploited the indigenous masses actually living in the country, it is only in the last few decades that the true importance of the indigenous cultural heritage in the cultural patrimony of the countries in question has come to be "discovered". Only since then has it been recognized that indigenous groups have made a major contribution to the customs, institutions, habits, language and diet of the population of the countries concerned.

331. While it is fair to say that the situation in this respect varies considerably from one country to another, it is a fact nevertheless that effective efforts to combat and overcome these misconceptions have, in all the countries concerned, been undertaken only very recently. The press, radio and television - three excellent media for this purpose - are now being used in concerted programmes to combat and eliminate a priori prejudices and derogatory attitudes with respect to indigenous populations. 76/

332. Offensive attitudes are found most often, and are most marked, in the areas of immediate contact between indigenous and non-indigenous groups, although unfortunately they are not altogether absent in other environments and segments of the population as well. What is required is a systematic, persistent and generalized campaign against these ideas, feelings and attitudes, which are so harmful to the achievement of true national unity in the necessary environment of respect for the different population groups in a multi-racial nation.

333. It is not enough to ensure that educational material does not propagate these misconceptions, and to eliminate all traces of them that may exist in this material. Educational material must incorporate all the necessary elements for dispelling and eradicating these prejudices, and must rather promote correct knowledge of the indigenous communities and their true socio-cultural characteristics, and encourage respect for both.

334. As an absolute minimum, it is necessary to revise school texts and remove from them all traces of prejudice and of fixed or erroneous ideas regarding indigenous populations. The necessary corrections must then be made to provide accurate information on these groups, their traditions, habits and customs, and their contribution to the development of the habits and customs of the other population groups.

335. Furthermore, it is imperative to encourage due respect for these population groups and for authentic expressions of their culture, and to instil into the minds of school children the principle of respect for the different cultural characteristics of other sections of the national population. This is the only way of achieving, one day, the ideal of a truly integrated national society, which cannot be founded on ignorance of or contempt for the culture of certain groups of the population that are wrongly described as "inferior" or "primitive"

76/ Information on general activities in this field which are not specifically connected with schools and educational material will be considered in chapter IX on fundamental policy with regard to indigenous peoples.

and are regarded - though not always openly - as obstacles to national development. Indigenous cultures are very largely the product of circumstances that are local in origin, and not imported from abroad, as is generally the case with the "alien oriented" groups which are often to be found among the dominant groups of the population. There is much more to be learnt about the ways in which indigenous populations have succeeded in preserving ecological conditions in places where their forefathers created a civilization and culture.

336. For some countries, 77/ no information on these questions is available.

337. The information available on one country is explicitly negative with regard both to the existence of special materials and curricula and to the existing uniform materials, which contain no information whatever relating to the indigenous populations. Indeed, the Government of Costa Rica states that "there are no educational programmes or materials prepared for the non-indigenous populations which cover indigenous aspects; therefore, the citizen is educated in complete unawareness of the national indigenous groups".

338. In another country with uniform texts there has, however, been a tendency, both in public schools and in some private schools, to include elements aimed at combating prejudices and misconceptions about indigenous groups and activities and these efforts have been partly effective. With regard to the public school system, it is pointed out that, on 1 July 1956, the Paraguayan Ministry of Education sent a circular to the directors of primary schools requesting their collaboration "in the task in which, with a view to the defence and rehabilitation of our indigenous groups, the Ministry is engaged".

339. The Anti-Slavery Society states, however, that

"Paraguayan children are normally taught that the Indians were part of their ancestry, and that the old Guaraní were "a noble race". Reference to descent from those "noble Guaraní warriors" and to the "Treaty of Friendship between the Guaraní and the Spaniards", after which the Indian chiefs gave their women to the Europeans, is part of the history of the Paraguayan nation. Patriots, including patriotic teachers, call Paraguay "the Guaraní land" and like to stress that they are "of Guaraní blood".

"But this patriotism, especially taught in school, has two weak points: (a) "Noble" Indians are only the Guaraní, while the other indigenous groups of Paraguay (the majority) are only briefly mentioned as "more primitive than the Guaraní". (b) It is mainly the Guaraní of the past who are so treated, whereas their actual indigenous descendants are neglected. In fact, the strong patriotic accent on the "Treaty of Friendship" which is said to have founded the Paraguayan mestizo nation, is on a treaty of subjugation which led to the absorption of those Guaraní into the mestizo nation. Looked at more closely, the "Guaraní" pride of the Paraguayan patriots is a mestizo pride which implies discrimination not only on the part of the pure Europeans but also of the pure Indians. This was proved

77/ Argentina, Bangladesh, Bolivia, Burma, Colombia, Denmark, Ecuador, El Salvador, France, Guiana, Guatemala, Guyana, Honduras, India, Indonesia, Japan, Lao People's Democratic Republic, Nicaragua, Pakistan, Panama, Peru, Philippines, Sri Lanka, Suriname and Venezuela.

recently by a field study, in the course of which Paraguayans were asked among other things if they were proud of being Guaraní and to enumerate some indigenous ethnic groups. Many of those who declared themselves proud of being Guaraní did not mention the Guaraní among the indigenous groups, although they form the most important ethnic group among the Paraguayan Indians - it seems that many people in Paraguay do not really realize that the "Guaraní" referred to in school are the Guaraní Indians of today.

"On private initiative and outside the official school curriculum, some rural schools have recently made efforts towards improving teaching about Indians. These are the same schools which try to introduce teaching in Paraguayan Guaraní".

340. During his visit to Paraguay in June 1974, the Special Rapporteur was informed that it seemed necessary to launch a more energetic educational campaign for the non-indigenous sectors concerning the importance of the country's indigenous groups and the need to pay more attention to their problems and to recognize the fact of the country's cultural and linguistic diversity.

341. Although the information available on other countries indicates that they have only uniform texts utilized for all, these texts contain material of relevance to the subject dealt with in this section.

342. For example, although the Government of Chile says that in its country there are no programmes or materials specially prepared for indigenous or non-indigenous groups, it does point out that the programmes and materials prepared for the entire Chilean population "contain elements to combat and eliminate the misconceptions or prejudices which might be held with respect to the indigenous communities and that subject-matter in various branches and at all levels of education highlights the values of the indigenous groups".

343. The information available is extremely limited, but it does show that most countries which have transmitted information have begun to take measures in this respect, including the preparation of special materials and programmes. 78/

344. The Government of Australia has communicated that "suitable materials designed to combat prejudice and to disseminate accurate information about Aboriginal life and culture are being made available to schools throughout Australia". 79/

78/ Some information has also been provided on certain general measures designed to eliminate discrimination against indigenous populations, with special reference to the elimination of prejudice that is not related to schools or educational material or programmes. This has been considered together with other measures embodying basic principles relating to equality and non-discrimination, in the relevant chapters of the report.

79/ See paragraph 366 below.

345. On the question whether the educational programmes and materials prepared for the non-indigenous populations are designed to combat misconceptions and prejudices against indigenous populations and inform them on indigenous culture and promote understanding and appreciation of the indigenous culture, the Government of the United States has stated:

"American school children have a great interest in the indigenous population and the Bureau of Indian Affairs publishes material which it distributes to increase knowledge about this group of people. This includes a leaflet on how to find an Indian pen pal. An all Indian group particularly interested in correct interpretation of American Indian life and history is the American Indian Historical Society in San Francisco".

346. In this connection, see paragraph 202 above for a critical comment on the pen pal programme.

347. According to a writer, however,

"there are broad categories of problems that affect most Indians for at least part of their lives in the city and that probably afflict most Indians as long as they reside in an urban area. These problems revolve around two aspects of cultural conflict: the American non-recognition of, or hostility to, Indian cultures and the specific personal conflicts within oneself generated by urban residence. In addition, the Indian faces socio-economic problems as a result of poverty, poor education and, in many cases, varying forms of discrimination that he experiences from the larger society". 80/

348. In response to a request for information by the Special Rapporteur, the Government of the United States of America declared in 1982 that:

"The Federal Government does not prepare educational programs or classroom materials for non-Native students in the public schools. It does, however, distribute a wealth of materials which may be used by classroom teachers to inform their students on the history, and culture, including the arts and crafts, of native groups within the United States. Materials include booklets on individual tribal groups, bibliographies, maps, information on volunteer work with Indians, and how to initiate a "pen pal" relationship with Indian schools. Presentations are made by Bureau of Indian Affairs personnel at public schools and other institutions which emphasize not only the historical aspects of Indian life, but attempt to create a greater awareness of the present-day life of Indian and Alaskan native peoples as well as the historic contributions of Native Americans. Certain States having large Indian populations, such as Oklahoma, have circulation books and pamphlets concerning Native American culture and history.

Efforts have been made in recent years to eliminate the stereotyping and generalization, distortions and omissions found in many educational materials which deal with Native Americans. In the early 1970s, such a project was undertaken by the American Indian Historical Society. More recently, in September 1981, guidelines for evaluating textbooks from an American Indian

80/ Joann Westerman, "The Urban Indian", Current History, December 1974, p. 259.

perspective were developed by the Education Commission of the States. These guidelines pertain to content, language and illustrations used in teaching materials for all levels. They stress the importance, particularly in the lower grades, of students being taught that all people are important regardless of their sex, race, ethnic heritage, socio-economic background or religion. It is hoped that projects such as these will help to undo some of the damage that has already been done by the media to which children are exposed before they start school, particularly through television and movies".

349. The Government of Mexico states that the design of the educational materials and curricula prepared for non-indigenous populations "is adequate to combat and eliminate any misconceptions or prejudices that might be held by those populations with respect to the country's indigenous communities. The textbooks which are freely distributed in all of the country's primary schools stress appreciation of indigenous cultures and their importance to the national culture".

350. In Brazil, the Indian Museum seems to have a programme, mainly directed towards school children and students, for the elimination of misconceptions about "the Indian". Thus, according to a source 81/ "in its fight against stereo-typed misconceptions of the Indian as 'vengeful' and 'childish', the Indian Museum spends a great deal of effort on conferences, the projection of films, slides, speeches, guided tours, permanent and travelling exhibits, museums and ethnology courses. This programme is, for the most part, directed towards the younger elements of the population such as university students, high-school students, primary and even pre-primary students, as well as members of associations and clubs".

351. According to the New Zealand Government "both the school curricula and the school publications emphasize the need to understand and respect the differences which exist between the various cultures".

352. The Citizens' Association for Racial Equality states, however:

"It is doubtful whether schools in New Zealand are doing as much as they could do to combat racial prejudice - for instance, Governments in the past have done little to ensure a widespread distribution of the UNESCO publications on race questions ..."

353. In the summary relating to New Zealand transmitted to the Government for comments and supplementary data, the Special Rapporteur included the following statement:

"While in Auckland during his official visit [to New Zealand] (June 1973), the Special Rapporteur heard repeated reports that despite significant gains, there was still, in that area, an important segment of the European population which held fast to racialistic attitudes in general and to racist behaviour in particular, towards Maori persons and groups. The case of school guidance personnel was mentioned in particular. This personnel was almost exclusively non-Maori and did not pay due attention to the desires of Maori students, but consistently oriented them towards studies 'more suited for you, your background and your future role in society'. These studies consistently fell short of the actual aspiration

81/ O que é a FUNAI, published by the FUNAI Public Relations Advisory Service, Brasilia, 1973, p. 12.

of Maori students, and the pushy attitude in this regard was attributed to preconceived ideas on 'what was good for Maoris'."

354. The Government of New Zealand has commented upon that statement in the following terms:

"In recent years there has been a shortage of qualified vocational guidance experts and it is probably true that some of them in the past had insufficient appreciation of the needs and aspirations of Maori children. This is being corrected by joint discussions and joint staff training courses attended by vocational guidance officers and Maori social workers of the Maori and Island Affairs Department. However, ... quite apart from the vocational guidance system, Maori social workers of the Maori and Island Affairs Department visit, twice a year, every secondary school with any significant number of Maori children for the purpose of explaining vocational opportunities and helping them to decide what they would like to do when they leave school. This service is also being extended to intermediate schools. By these means, Maori children are probably getting more attention than non-Maori children".

355. One of the guiding principles of the policy officially adopted since 1961 in Malaysia concerning the Orang Asli populations, reads as follows:

"Educational and other measures shall be taken among the other elements of national population with the object of eliminating hereditary prejudices that they harbour in respect of the aborigines."

356. The Government states that the Department of Orang Asli affairs is very active in the field of eliminating prejudice against the Orang Asli. The many measures mentioned in this connection include "requesting, where necessary, revision of text books both school and others which contain inaccurate information on any aspect of Orang Asli life and culture".

357. It has been written that in Canada,

"Since October 1971, the Federal Government has had an official cultural policy ... The new policy is designed to break down discriminatory attitudes and cultural rivalries ... Assistance is given to members of all cultural groups to overcome cultural barriers to full participation in Canadian society ... The Government promotes creative encounters and interchange among all Canadian cultural groups in the interest of national unity ...

"The Ontario Institute for Studies in Education, with the sponsorship of the Ontario Human Rights Commission, has published Teaching prejudice: A Content Analysis of Social Studies Textbooks Authorised for Use in Ontario. According to the present Premier of Ontario, the study was commissioned

" ... not just for the purpose of removing material which may be offensive to any of the groups which make up our multi-national family, but more important, to make sure that our textbooks do contain the type of material which does full justice to the contributions of many people to the development of our province and nation."

"The researchers discovered considerable deficiencies in textbooks about various racial and national groups. They found that misinformation was passed on to school children indirectly - by inference and implication - with the excessive use of negative images. Also, negatively value-laden words were used in writing and in discussions that described certain minority and racial groups to disadvantage.

"The researchers made the following recommendations in Teaching Prejudice:

"That publishers of school textbooks be asked to make appropriate revisions in all texts containing errors and defects, and that in the interim all school teachers be supplied with lists of errata.

"That books which provide an up-to-date and scholarly information on the status and history of minority groups in Canada and elsewhere be sought or, if necessary commissioned, by the Ontario Department of Education. These books should include information on the dynamics of prejudice.

"That to prevent the use of inadequate or biased textbooks the Department of Education develop guidelines for authors and publishers, and that a standing committee, which would include in its membership representatives of the Ontario Human Rights Commission, be established to evaluate textbooks.

"That since the matter of intergroup relationships is of national importance, all teacher-education authorities give this matter top priority in developing their instructional programmes.

"Teaching Prejudice was published as a book, and has received wide distribution in Canada". 82/

2. Information on the history, traditions, customs, culture, arts and handicrafts of the indigenous populations and on their contributions to the cultural environment of the non-indigenous populations

358. The Governments of some countries point out that educational material contains information on indigenous populations and their history, tradition and customs, culture, arts and handicrafts.

359. Thus, for example, the Government of Finland states that in that country:

"The materials used in schools contain information on the Lapp populations and their history and culture. Educational programmes are prepared in each commune taking into consideration the local needs. The communal School Boards play an active role in their preparation. This function is supervised by the appropriate county governments and, at the final stage, by the Central Board of Schools. The respect for human rights is one of the leading principles observed in the preparation of educational programmes".

360. The New Zealand Government indicates:

"As already stated, all New Zealand school children are given instruction on the history, traditions, customs, culture, arts and handicrafts of the Maori population and their importance to the cultural environment of the whole population.

"A considerable amount of work has been done to help Maori children to preserve and develop their own culture. In many schools Maori woodcarving and weaving are taught and there is widespread encouragement for the learning of Maori singing and dancing."

361. The Citizens' Association for Racial Equality has, however, stated that:

"It is also doubtful whether very much has been done by the educational system to preserve and develop the cultural characteristics of the Maori population. Some schools, especially those with a high concentration of Maori and other ethnic groups have tried long and earnestly to promote understanding of and respect for indigenous and minority cultures; but at the other end of the scale there are some state schools and most of the private schools that cater almost exclusively for middle class European clientele which are doing virtually nothing to educate Maoris or other ethnic groups or to promote respect for their culture".

362. The Government of Mexico says that teaching materials "include appropriate information on the history, traditions, culture, arts and handicrafts of the indigenous groups and on their contributions to the cultural environment of the non-indigenous populations" and "place sufficient stress on the need to recognize the right of the indigenous populations to preserve and develop further their cultural characteristics".

363. The Special Rapporteur requested information on the precise way in which the above assertions had been borne out not only with regard to pre-Colombian cultures but also in respect to present-day indigenous populations.

364. In response, the Government of Mexico provided the following information in 1980:

"In the free textbooks for primary schools, and essentially in the area of "social studies", stress is placed on the human and legal equality of all Mexicans, without any distinction being made with regard to the country's indigenous communities. In addition, although current books rarely mention present-day ethnic groups and emphasize pre-Colombian culture, it is envisaged that in the near future the text books will draw attention to the history, cultural traditions, arts and handicrafts of indigenous groups and their contributions to the environment of the non-indigenous populations".

365. The Government of Chile points out that educational materials "include information and data relating to the history, traditions, customs, cultures, arts and handicrafts of indigenous groups and stress the need to be acquainted with these populations and to ensure the development of their cultural characteristics".

366. The content of this information is in many countries, however, not always appropriate. It is often found to be quite inadequate by independent experts. As an example of criticism expressed in this connection it is deemed useful to quote here from the findings of a team from the World Council of Churches which visited Australia in 1981 and which has reported that

"In terms of the content of school curricula, it is absolutely essential that the so-called Australian history - a white history - be rewritten to give adequate account of the infinitely longer and more varied history of the Aborigines. The racism so common in school textbooks in descriptions of Aboriginal people must be removed". 83/

3. Emphasis on the value of friendship between the various segments of the population and promotion of understanding and appreciation of the indigenous culture

367. The information received on this aspect is reproduced in paragraphs 325-328 above. It is couched in general terms and refers to all population groups.

368. According to the Government of the United States:

"In a number of cases Indian tribal governments have contracted to operate the schools that serve youthful members of the tribe. They do so with the Bureau of Indian Affairs, which supplies funds for the project."

369. The World Council of Churches team which visited Australia in 1981 has reported that:

"At Oombulgurri in North Western Australia, the children were proud and enthusiastic about the black run - white staffed school. We strongly support adequate funding for communities to run their own schools. We also support the extension of bilingual and bicultural Aboriginal education curricula". 84/

370. With respect to schools and other educational institutions, the Government of Chile stated in 1975: "As regards educational institutions, indigenous people, like all other Chileans, join in their founding and operation, by donating land for schools, helping in their construction and, in general, furnishing manual labour of every kind".

371. In Costa Rica, according to the Government, "With respect to schools and educational institutions, the indigenous communities take part or collaborate in their founding but play a lesser role in their operation, participation in which is through school boards or local committees".

83/ Adler and others, op.cit., p. 43.

84/ Adler, op.cit., p. 44.

372. It has been written with regard to Canada that:

"The past practice of using the school committee as an advisory body with limited influence, in restricted areas of the school program, must give way to an education authority with the control of funds and consequent authority which are necessary for an effective decision-making body. The Federal Government must take the required steps to transfer to local Bands the authority and the funds which are allotted for Indian education.

"The Band itself will determine the relationship which should exist between the Band Council and the School Committee: or more properly, the Band Education Authority. The respective roles of the Band Council and the Education Authority will have to be clearly defined by the Band, with terms of reference to ensure the closest co-operation so that local control will become a reality.

"The local Education Authority would be responsible for:

- budgeting, spending and establishing priorities;
- determining the types of school facilities required to meet local needs: e.g. day school, residence, group home, nursery, kindergarten, high school;
- directing staff hiring and curriculum development with special concern for Indian languages and culture;
- administering the physical plant;
- developing adult education and upgrading courses;
- negotiating agreements with provincial or separate school jurisdictions for the kind of services necessary for local requirements;
- co-operation and evaluation of education programs both on and off the reserve;
- providing counselling services.

"Training must be made available to those reserves desiring local control of education. This training must include every aspect of educational administration. It is important that Bands moving towards local control have the opportunity to prepare themselves for the move. Once the parents have control of a local school, continuing guidance during the operational phase is equally important and necessary". 85/

F. Educational establishments and institutions

1. Participation or collaboration of indigenous communities in the founding or operation of educational establishments and institutions that are active in these communities

375. The participation or collaboration of the indigenous communities or their leaders or of indigenous persons, groups or organizations in founding and operating official or unofficial educational establishments and institutions in their

communities is very important. Through such activities, indigenous groups and communities take a greater interest in the operation of such establishments and identify themselves far more with them since they can look upon them, to some extent at least, as their own creation. This fact is also highly significant in orienting these establishments and institutions to serve the authentic aspirations of these groups and communities. It is of the highest importance that the schools should be largely the creation and instrument of the indigenous communities and groups.

374. For a number of countries, ^{86/} no information is available in this respect. The information that is available indicates that these important aspects are dealt with in various ways in the different countries which have supplied information on the subject.

375. The Anti-Slavery Society reports that in Paraguay "Indigenous communities or their leaders have no participation at all in the official school institutions. Some missionaries have recently begun to consult the indigenous parents about school questions, and there are interesting experiments like that among the Maká near Asunción, where a "To the New Tribes" missionary submitted his work on a Maká school textbook to the Maká community for discussion. But these are isolated experiences of individuals outside the majority of official lines".

376. The Government of Australia reports:

"... Aborigines are being involved in decision-making about educational provisions in their communities. Special institutions elsewhere are being established with Aboriginal participation, as in the case of the School of Aboriginal Education at Torrens College".

377. The Finnish Government has communicated that:

"As members of the appropriate Communal Councils and School Boards the Lapps have participated in the administration of school education in their communes".

378. In Malaysia, one of the principles established in 1961 for the purpose of guiding official policy towards the Orang Asli populations read as follows:

"In all matters concerning the welfare and development of the aboriginal peoples, Government will seek the collaboration of the communities concerned or of their representatives".

379. The Government of New Zealand has submitted information on this aspect, giving an historical background on the question as well as information on the present situation, as follows:

^{86/} Argentina, Bangladesh, Bolivia, El Salvador, France (Guiana), Guyana, Honduras, India, Indonesia, Japan, Lao People's Democratic Republic, Nicaragua, Pakistan, Panama, Sri Lanka, Suriname and Venezuela.

"In the early days of formal education amongst the Maori people, the Maori population largely resided in tribal communities and special schools for Maori children were established in many parts of the country. These schools had curricula which varied a little from the non-Maori schools to meet some of the particular needs of the Maori people at that time. The Maori communities co-operated fully with the Government in establishing these schools and in many cases provided the land for the buildings. A few years ago, with the spread of the Maori population throughout the rest of the community, the separate Maori schools were abolished and Maori parents are now entitled to participate in school committees and parent teacher bodies in the same way as the rest of the population. School committees are statutory bodies elected by the parents to take charge of various aspects of the administration of the school. Parent teacher associations are voluntary bodies comprising teachers and parents who establish a link between the school and the community. In some areas Maori parents have a long tradition of active participation in these bodies but in other areas there seems to have been a reluctance to do so. Social workers of the Maori and Island Affairs Department have been actively encouraging Maori parents to participate fully in school activities and have been gaining considerable success in this. There are no formal educational establishments operated by Maoris in their communities, but there are many Maori communities who have in recent years established classes in traditional oral material, tribal histories, genealogies, songs, etc."

380. The Citizens' Association for Racial Equality states in this regard:

"Maori leaders who were a product of church Maori schools have had some part in the policy and administration of these establishments, but otherwise Maoris do not play a large part in educational administration. A few are elected to school committees but invariably they constitute a minority of one".

381. The Mexican Government points out that "The indigenous communities, their leaders and indigenous groups and organizations have formed part of, and collaborated in, the founding and operation of the official educational establishments and institutions active in their communities. They work together and co-operate with the educational authorities, bilingual educators and teachers, supervisors and directors. When the community requests the establishment of a school or a boarding school, it cedes the land necessary for the building and the school grounds, carries out various tasks, furnishes regional materials, sets up the school committee and provides board and lodgings for the teaching staff". 87/

87/ Something very similar appears to take place in Guatemala and Peru.

2. Independent indigenous facilities or institutions

382. The traditional education of indigenous persons is still being continued. The culture inherited from their ancestors, with the changes introduced by each generation, is being transmitted to the young people, now as in the past. This practice has in some cases taken the form of the creation and operation of educational facilities and institutions organized in accordance with the precepts of the traditional culture, side by side with the public or private schools which are active in the indigenous communities. These facilities or institutions may operate along parallel lines with the private or State schools or may be created to supplement them with a view to keeping alive the traditional attitude to schooling.

383. Three of the countries covered by this study have transmitted negative information on this subject. They all state that there are no independent indigenous educational institutions or establishments. Costa Rica, Denmark and Sweden simply state that they do not exist while two other countries ^{88/} explain why there are none. Still another country ^{89/} says that there are no independent institutions or establishments, but mentions certain schools which are partly of this kind.

384. The Government of Chile states that "all official and non-official educational institutions and facilities are created for the entire Chilean population; none are specifically designed for the indigenous groups".

385. The Malaysian Government has communicated that:

"There are no non-official independent educational facilities for Orang-Asli. This does not mean that the formation of such facilities has been or is discouraged by the Government but simply that the need for such facilities does not as yet appear to have arisen."

386. As concerns New Zealand, there is non-governmental information as well as governmental information in this connection. The Citizens' Association for Racial Equality states:

"There are no indigenous educational facilities, though some of the Church schools have a substantial Maori character; most of their pupils and some of their staff are Maori. Maoris have little or no say in the recruitment and selection of teacher trainees."

387. The Government has transmitted the following information in this regard:

"The only educational establishments particularly concerned with Maori children are the six secondary schools operated by Christian Churches. These are boarding-schools which pay special attention to Maori cultural activities, but otherwise conform with the official educational requirements. They receive financial aid from the State on condition that they comply with the standards laid down by the Education Department and that the Education Department's school inspectors have access to the schools."

^{88/} Chile and Malaysia.

^{89/} New Zealand.

388. The Government of Mexico states that "there are traditional educational systems in some communities in which arts and techniques as well as the history and legends of the region are transmitted in an organized and continuing manner."

389. During his official visit to Guatemala in 1977, the Special Rapporteur was informed that this country also has traditional educational systems. Judging from the description given, these systems are very similar to those mentioned in the previous paragraph.

390. The World Council of Churches team which visited Australia in 1981 has reported that:

"In Alice Springs, we heard of the enthusiasm of Aboriginal children to attend the Aboriginal run Yipirinya School and of the struggles of Yipirinya to continue with no funding coming from the Government." 90/

391. According to information provided by the Canadian Government, the approach of the Department of Indian Affairs and Northern Development to education "is based on the principles of local control and parental responsibility, originally recommended in the 1972 National Indian Brotherhood Policy paper INDIAN CONTROL OF INDIAN EDUCATION, and adopted by the department in 1973. One hundred and thirty-seven Indian schools on reserves across Canada are now being operated by Indian bands, with departmental funding assistance".

392. The Government of the United States has communicated that

"Three Indian tribes have established community colleges independent of the Bureau of Indian Affairs to serve their people. The Navajo Community College was established by the Navajo Indian Tribe, but later received \$5 million from the Federal Government to encourage its continuation and expansion. Smaller community colleges were also established in the Plains area of the United States by American Indian tribes. Each of these offers two years of college and each offers Indian studies including instruction in Indian languages."

393. Native American Alternative Educational Programmes and Schools and particularly the Native American Controlled Survival Schools deserve special mention. These more formalized manifestations of indigenous alternative educational programmes and schools formed a Federation in 1975 grouping several projects most of which are in the United States of America, but a few are located in Canada.

On the establishment of this important federation it has been written that

"The Federation of Native American Controlled Survival Schools was formed in September of 1975, in response to the need to have a formalized voice for the growing concerns of Indian alternative education programmes.

It was felt at the time of the Federation's inception, that alternative programmes had unique needs which were not being addressed by other Indian education groups whose primary concerns were with the public system of education and post-secondary institutions. The already existing alternative programmes had experienced instances of financial difficulties and programmatic hardship in which their projects stood alone without the help and the support of any advocate agency.

In listening to the concerns voiced by Indian people from across the country during the First Annual Survival School Conference, the foundations and purposes of the Federation were laid.

We have formed this Federation because the Federal government, state governments, and the churches are not going to support real Indian schools, Indian self-determination, or sovereignty. Since the time of the first mission schools, they and all their programmes have been trying to get us off our land and to get our land from us. Urbanization, relocation, and assimilation is what their educational programmes mean at best, at worst they are genocide." 91/

394. On the purposes and goals of these alternative programmes and schools it has been explained that

"Initially a defensive action to safeguard the well-being of our children, the Survival Schools (and other alternative Indian schools) have, over the past several years, developed into real and thriving manifestations of our attempts to combine the teaching of basic skills with the wise ways of traditional Native culture.

They have also grown in number. All over North America, native people are exploring ways to control the education of their children. Often they have nowhere to turn for information and assistance. Our Federation was formed to meet that need.

Over the years, we have grown to include nearly 20 sovereign educational efforts. And yet, almost by the month we hear about a new school being started or we are contacted by groups of parents desiring information and assistance.

The Federation serves as a clearinghouse for curricular materials, grant information, teacher-student exchanges, etc. for its member schools. In addition, the Federation is a political advocate for the schools on a local and national level." 92/

395. As to the composition of the Federation, some time ago it was stated that

"The Federation of Native American Controlled Survival Schools is presently composed of nearly 20 Indian educational projects located throughout the United States and Canada. Seven of its member projects are Indian-controlled with the parents of students enrolled in the schools making all programmatic and fiscal decisions. In order to maintain their sovereignty, these schools have of necessity, existed outside of the regular school system, receiving no financial help from the states in which they are located. Consequently, these schools and the Federation are always in need of contributions and donations to aid them in their efforts to provide a quality education for the young of the Indian Nation." 93/

91/ Information furnished by the International Indian Treaty Council for the purposes of the present study. Communication of 18 January 1983.

92/ Ibid.

93/ Ibid.

396. A partial list of Alternative Educational Programmes and Schools would include:

Keeper of the Feathers Survival School (Madison, Wisconsin); Oakland Indian Community School (Oakland, California); Face the Enemy Survival School (Wagner, South Dakota); Return of the Buffalo Survival School (Browning, Montana); Gah-Wah-Bin-I-Kag Anishinabe Survival School (White Earth, Minnesota); Na-Wayee School (Center School) (Minneapolis, Minnesota); Muskogee Indian Way School (Okemah, Oklahoma); Red School House (St. Paul, Minnesota); Hupa Valley Survival Group (Hoopa, California); Heart of the Earth Survival School (Minneapolis, Minnesota); "Abinodji Wakaigan" (Superior, Wisconsin); Wandering Spirit Survival School (Toronto, Ontario); We will Remember Survival Group (Porcupine, South Dakota). 94/

397. As to what a Survival School does and what it offers to students, it has been written that:

"What is at stake here is the same thing that I see when they talk about the buffalo or the golden eagle or any other species of bird or animal that is on the verge of extinction. The way of life that our grandfathers said that we should adhere to or be in harmony with is at stake. Our language, our beliefs, and all that which makes us a people are at stake.

If we lose the control to determine our own affairs, then we lose all and we become nothing. So this is a fight not only of laws and principles, but it is a fight to survive, that we may have the spirit that makes the body mean something ... - Sakokwenonkwias -

A casual observer of the school will see parents and children in the classroom taking part in everything that makes up a school day. Take a closer look and you will see other members of the community equally involved in the education of the young people. Traditional resource people eagerly share their vast knowledge and experiences. A typical day at the Freedom School ends with everyone learning something, teachers and students alike.

The students have the benefit of learning the skills necessary to live in a traditional native society from a variety of sources. They find that the old ways are just as meaningful and valid in a modern world. One of the philosophies of the school is that students learn best by being directly involved in what they are studying. If students are to learn about biointensive gardening, appropriate technologies, solar energy, and alternative housing styles and construction, then they actually participate in projects that are practical and make a contribution to the community as a whole." 95/

94/ Ibid.

95/ Ibid.

398. The following has been written on the Heart of the Earth Survival School:

"As Indian People we continually look to the young and yet unborn - the survival of our race and culture. In so doing, we have witnessed and experienced the struggles that meet our young at each door step. We realize that without education, we cannot survive. And yet, we also realize that all too often, education has become the tool of our destruction.

In times past, Indian people educated their own young bestowing upon them the knowledge necessary to survive in the wilderness that was America. Tomorrow, the survival of Our People will be dependent upon the strengths, spiritual and academic, which we build in our educational programmes today.

Toward this end, we are continually called upon to define the elusive quality of 'survival' as it relates to Indian youth in today's society and the educational programmes we propose to serve them.

Heart of the Earth Survival School has committed itself to the value of cultural instruction as a basis for all education. In listening to the voices of the young, we heard the repeated complaints about the public school system, teacher insensitivity, peer-group hostility, irrelevant curriculum, etc. These complaints were born out of the great disparity which exists when the educational system devised by and for the dominant society is imposed on those culturally and/or linguistically different. Thus, the complaints of Indian youth were not only valid, but significant, for they told us in what direction we must move when we gained control of our own educational programmes." 96/

399. It has further been written on the Adult Education Programme of that School that:

"The Heart of the Earth Survival School Adult Education programme is an extension of the successful pre-school through the 12th grade education programme, which has been operative at the school since January of 1972. The elementary and secondary programmes continue to be viewed by the community as a viable alternative to the public system of education and as an educational diversion from the incarceration of Indian youth in Minnesota's juvenile correctional facilities. This fact is witnessed in the continuing high enrollment and retention of the school.

Quite unintentionally, the Heart of the Earth Survival School Adult Indian Education Programme has assumed an appeal much like the school's pre-school through 12th grade educational programme for those Indian adults who have had negative educational or life experiences. In the component of the programme serving Indian community members, many of the student clientele are Indian people who come from treatment centres where they are trying to put their lives back together. The important aspect of Heart of the Earth Survival School's adult education programme is that the Indian community members feel comfortable in the school and consider education as an important part of their recuperative processes and future lives.

The Heart of the Earth Survival School has long been concerned with the problems of the Indian inmates in the State's correctional facilities. The commission of crimes by Indian persons and their subsequent incarceration, and their eventual release from correctional facilities all have a great impact on the Indian community as a whole. Too often we ignore the role the Indian community may have played in the encouragement of crime as we rationalize our negligence in the rehabilitative processes of the Indian offender." 97/

3. Beneficiaries of educational activities: school age children only; the adult population; or the community as a whole

400. Owing to linguistic and cultural differences, and the degree of illiteracy among indigenous communities in the past, formal education for indigenous populations should be geared not only to school age children but to the community as a whole irrespective of age, and the adult population in particular.

401. Adult education, which is now generally provided in almost every country as a necessity of modern times in view of the wide variety of specialized branches of knowledge, is of particular importance in the case of indigenous populations. These have been by-passed by the tremendous development of specialized disciplines that have taken place in the highly industrialized countries and also in segments of the urban population in areas where industrial development has been equally rapid. Most indigenous groups form part of the rural population. Consequently, they have acquired the general characteristics of rural communities where the increasing specialization of the "modern" type - to be found in urban areas - is non-existent. On the contrary, adult education for the indigenous populations is usually designed to teach adults to read and write, and to familiarize them with certain forms of co-existence with other population groups, especially when they have lived until very recently in relative isolation. Other groups which have long been in contact with the rest of the population will display a wide variety of needs ranging from rudimentary initial instruction to increasingly complex and specialized types of knowledge which they themselves consider to be useful. Excessive interference in these matters should not be permitted, and due attention should be given to the wishes of the communities themselves. Their wishes should be in harmony with their real needs, determined in the light of their cultural patterns, for the specific circumstances in which they live. This raises some basic problems in all educational work which should serve the interests of the communities themselves and not the interests of those who are trying to introduce changes and orientations which have not been freely chosen by the indigenous communities.

402. There is very little information on this matter. Few details are available on the manner in which these activities and arrangements actually work. Generally, this information would merely permit a statement on their existence and little more.

403. In Australia, the Aboriginal Family Education Centres are independent from the official education system and provide for pre-school children and their parents.

404. The Government of Finland has communicated that:

"In the Lappish region, as well as in other parts of the country, there are several adult education institutes, known as Citizens' Institutes, which have been established on private initiative. Their curriculum consists of both theoretical and practical subjects. They are administered by their own Boards and subsidized by the State up to 70 per cent of their total expenses."

405. The Constitution of the Philippines (1947) provides in Section 7 (6), that:

"The State shall provide citizenship and vocational training to adult citizens and out-of-school youth, and create and maintain scholarships for poor and deserving students."

406. According to a source, in the Philippines: 98/

"... The community school assumes responsibility for improving general living conditions through a curriculum based on local needs, environment and resources. It helps out-of-school youth and adults without sacrificing the growth and development of the children in school.

"Adult education through the community school includes demonstrations, community forums, literacy classes, study sessions, field trips and home industry centres."

407. In New Zealand the six secondary schools operated by Christian Churches mentioned above 99/ serve secondary school children only. The Government states that at present it is planning the formation of community schools "which will involve the whole community and particular attention will be paid to the needs of the Maori community. The governing bodies [will] include leading Maoris".

408. According to an official Swedish publication, 100/ in Sweden:

"For the past three decades, there has been a special residential folk college for the Lapps which has given especially older groups of Lapps some degree of compensation for their previous inadequate schooling. By providing joint instruction together with non-Lappish students and offering special courses in Lapp culture the school is expected to remain in existence and to expand its activities."

409. With regard to adult education in Peru, the following should be noted:

"In response to needs, extension programmes have been developed with a view to giving adults the knowledge and basic skills that will enable them to improve their conditions of life and to begin to participate in communal life.

98/ Chaffee, and others, op. cit., p. 129.

99/ See para. 387 above.

100/ The Lapps in Sweden. Fact sheets on Sweden, published by the Swedish Institute (FS 59 Mcs), Sweden, 1972.

These programmes, which are informal in nature, include:

- (a) Literacy courses, given by specialists in adult literacy, teachers and educators within the communities themselves;
- (b) Primary education extension courses, given by the bilingual teachers and educators, are again held in the communities themselves;
- (c) Domestic studies courses intended for housewives are given by appropriately-trained female educators, or the wives of bilingual teachers in the communities themselves;
- (d) Domestic studies courses for the wives of bilingual teachers are held in Yarinacocha during the vacation periods, simultaneously with teacher training course." 101/

410. According to the Government of Mexico, "the 'traditional systems' are interwoven with the community as a whole".

411. The Government of the United States of America states that

"Community colleges operated by Indian tribes have broad functions, including those that better the entire tribe. Tribal museums also increase the knowledge of all members of an Indian tribe and the public at large."

412. As regards the question whether educational institutions are also intended to serve the educational needs of the adult population, the Canadian Government states that

"A considerable adult education programme extends to Indian and Eskimo communities, with a wide variety of courses and facilities being offered.

Among the Indian people, discussions have been under way to ensure greater participation in administration, and at a conference of governmental regional superintendents in February 1973, a proposal for a new policy was accepted. The Indian representatives (from the National Indian Brotherhood) had proposed that the Federal Government deal directly with local Band Councils to institute a school system under local Indian control, and financed not by the provinces but by the Federal Government. The curriculum should be redesigned to teach the history and culture of the Indian people. The value system of the Indians, which included pride in oneself, living in harmony with nature, and a sharing of resources, should be taught to the Indian child."

413. According to Government information, in Greenland there are two institutions giving educational help:

"Two high schools have been established for young people and adults, on the initiative of private organizations: Knud Rasmussens Højskole, at Holsteinsborg, which was inaugurated in 1962, and Sulisartut Højskole, located at Julianehab, which was inaugurated in 1977.

As of 1 August 1980, Knud Rasmussens Højskole had a capacity permitting admission of 60 students for a 9-months' stay, while as of the summer of 1981 the Sulisartut Højskole was in a position to admit 40 students.

The said high schools are supervised by and receive aid from the public authorities, and the students receive assistance for their stay from the Danish Government.

The high schools are intended to provide a general education for the students. The language of instruction is Greenlandic, and the instruction is based on Greenlandic culture.

In the remaining three months the high schools are used for a series of courses of a limited scope."

4. Indigenous teachers and instructors, and collaboration with the leaders of the indigenous community

414. An important question is whether teachers and instructors are recruited, in so far as is possible, from among the members of the indigenous communities themselves and preferably by persons who are familiar with the vernacular language and the customs of such communities and who work closely with the leaders of the community in carrying out their duties.

415. This question is obviously important in connection with the linguistic and cultural aspects of the unusual situation of the indigenous populations. It is important also, because the indigenous teacher becomes living evidence of the fact that formal instruction has not been completely alien to indigenous people in the past, so much so, that some have even become full teachers in their own right themselves. Further, if this has been possible without alienation from the indigenous environment, but rather in harmony with and within the purview of the indigenous way of life and cultural traditions, this fact will be accepted by the members of the indigenous community as a clear indication that because of the very presence of these indigenous elements in them, the school and its activities deserve its confidence and support. From another viewpoint, it is assumed that such a non-alienated indigenous teacher will be more inclined to respect indigenous culture when performing his tasks, as he understands, and even perhaps still shares, fundamental indigenous attitudes and tendencies towards school. He can, therefore, help the community and the student to cope successfully with the school activities, in an atmosphere of respect and consideration for the pupil's and the parents' motivations and purposes. His presence in school is then conducive to a more harmonious and smoother scholastic life for the pupil and for a more successful acceptance of the school as an added dimension of the ever-increasing grasp of indigenous culture. Formal education is thus accepted by the community at large, as its own product and manifestation. All will, therefore, be more inclined to help the continued presence of the school in their midst and to consider it an asset of considerable value.

416. The information available on these matters is scanty and devoid of any details, beyond the mere notice of the existence of teacher-training arrangements among the indigenous populations.

417. In two countries, there appear to have been difficulties for indigenous teachers. 102/ For example, according to information given by the Government of Costa Rica, "In the official services, indigenous professors and instructors are not given contracts unless they are fluent in the vernacular and familiar with indigenous customs.

"... a joint programme with the Ministry of Public Education was recently initiated through the creation of the 'Indigenous Education Unit'."

418. With regard to Ecuador it has been stated that:

"Despite the fact that the Otavalo area is predominantly indigenous and that there are several trained indigenous teachers, both men and women, only mixed-blood teachers work in the 22 purely rural schools. On various private and public occasions, these professions have requested assignments in Imbabura province with a view to serving their group; however, this request has been denied on account of personal and political commitments and the existing places are filled by teachers from the predominant group." 103/

419. The Australian Government states that "teachers are recruited as far as possible from the Aboriginal people and special training is provided. Aboriginal instructors are employed especially in the bilingual education programmes".

420. A Brazilian official publication 104/ simply contains the statement that "FUNAI is training teachers to teach in their communities" without giving any other details.

421. According to the Finnish Government, the teachers in schools where the Lappish language is taught or used in teaching are recruited, as far as possible, from among persons who have Lappish as their mother tongue.

422. In Malaysia, the Government reports, nearly one half of the teachers active among the Orang Asli populations are Orang Asli themselves. The Government states:

"At present there are 106 qualified school teachers on secondment from the Ministry of Education teaching at departmental schools. There are also 101 departmental personnel - Field Staff Education Grades II and I - carrying out a dual role in teaching and in educational administration especially in deep jungle areas, i.e. visiting isolated villages to persuade parents to send their children to schools, supervising hostels, and supervising pupils outside school hours. As can be seen from the above the teaching strength at schools consists of 50 per cent Orang Asli. This proportion is felt to be the correct one for the purpose of bringing about integration in the field of education. The Department feels that

102/ Costa Rica and Ecuador.

103/ Gladys Villavicencio R, op. cit., p. 275.

104/ O que é a Funai, loc. cit., p. 6.

it would not serve the interests of the Orang Asli to be taught by a teaching cadre consisting of 100 per cent Orang Asli teachers as this would tend to make primary education for Orang Asli a closed system in which only they themselves participated. It is felt to be more useful to accustom Orang Asli children at an early age to mixing with non-Orang Asli in as many areas as possible including that of education. This method, it is felt, benefits in the long run both the Orang Asli and non-Orang Asli communities."

423. The Government of New Zealand has pointed out in this connection that apart from the few Church schools which cater in particular to Maori children, the latter receive their education in State schools "which are open to children of all races. The Government adds:

"... There are no segregated classes of Maori children and there would be very few classes either in primary or secondary schools nowadays where all of the children would be Maori. The recruitment of teachers is carried out regardless of race and with one exception, the standards and the method of recruiting do not vary. The present policy, introduced only recently, is to ensure that all teachers during their training at teachers' colleges are given a grounding in Maori culture and elementary Maori language instruction, with an option for students to take an intensive course in Maori studies. There are significant numbers of Maoris in the teaching profession and increasing use is being made of their knowledge of Maori language and culture for instruction to the pupils. With the significant growth of Maori language instruction in the schools, there has recently been a recruitment campaign for native speakers of Maori who will attend a teachers college to get a proper grounding in teaching methods. The selection panel includes Maori speakers."

424. The Government of Sweden states that in that country "the teachers are normally Lapps at the nomad schools, as well as at the [Lapp County] College functioning at Jokkmokk, which is operated jointly by the State and the municipality of Jokkmokk. The special nomad schools are operated by the State".

425. No information is available on current participation of Lapp teachers in the teaching of Lapp children in Norway. The Government has, however, furnished data on several fact-finding measures taken in connection with the establishment of a separate Lappish School Council and the development of materials, techniques and methods to bring about the improvement of the situation of the Lapps. 105/

426. In Canada, the following was a proposal made some time ago, and, according to the Government, forms the basis of its current educational policies.

"If progress is going to be made in improving educational opportunity for native children, it is basic that teacher and counsellor training programmes be redesigned to meet the needs. The need for native teachers and counsellors is critical and urgent; the need for specially trained non-Indian teachers and counsellors is also very great.

It is evident that the Federal Government must take the initiative in providing opportunities for Indian people to train as teachers and counsellors. Efforts in this direction require experimental approaches and flexible structures to accommodate the native person who has talent and interest, but lacks minimum academic qualifications.

105/ The Government adds that the Ministry of Church and Education has established a separate Select Committee consisting, inter alia, of representatives of the northern Lapp populations and the southern Lapp populations. The Select Committee's mandate consists of reporting on "facilities for further education for Lapps".

Native teachers and counsellors who have an intimate understanding of Indian traditions, psychology, way of life and language, are best able to create the learning environment suited to the habits and interests of the Indian child.

Primary teachers in federal or provincial schools should have some knowledge of the maternal language of the children they teach.

Until such time as Bands assume total responsibility for schools, there must be full consultation with the Band Education Authority regarding the appointment of teachers and counsellors. As part of its involvement, the community should also take the initiative in helping the teachers and counsellors to learn the culture, language and history of the local community." 106/

427. The Government of the United States reports that "Teachers for tribal community colleges and for elementary and secondary schools operated by Indian tribes are recruited on the basis of the contribution they can make - in some cases knowledge of the Indian culture. However, in other cases knowledge of a subject area in demand by the people who attend the school has the emphasis."

428. According to a government statement, in Mexico "there is a large number of indigenous teachers and educators in institutions of this type, as has already been stated (17,000)".

429. In both Guatemala and Peru, there are many indigenous teachers and educators in similar institutions.

430. On the subjects of vocational guidance and social workers, the New Zealand Government stated in 1974 that:

"In recent years there has been a shortage of qualified vocational guidance experts and it is probably true that some of them in the past had insufficient appreciation of the needs and aspirations of Maori children. This is being corrected by joint discussions and joint staff training courses attended by vocational guidance officers and Maori social workers of the Maori and Island Affairs Department. However, quite apart from the vocational guidance system, Maori social workers of the Maori and Island Affairs Department visit, twice a year, every secondary school with any significant number of Maori children for the purpose of explaining vocational opportunities and helping them to decide what they would like to do when they leave school. This service is also being extended to intermediate schools. By these means, Maori children are probably getting more attention than non-Maori children."

