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INDIAN POLICY:
CANADA AND THE UNITED STATES COMPARED

C.E.S. Franks
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(revised 1991)

In both the United States and Canada the end result of the long historical encounter between the native indigenous Indian (or "aboriginal" as they are now termed in Canada) populations and the European-North American population has been domination of the indigenous peoples by the more powerful non-native society. The cultural differences between the two populations -- far greater than those between any European societies -- have given, and still give, this encounter between native and non-native populations in North America a dimension of difficulty, of confrontation of totally unrelated forms of existence, that fundamentally colours and affects native-non-native relations. The federal governments in both countries have had dominant roles in government-native relations, and are still the most important external agencies affecting native populations. Though the policies of the federal governments in both countries have gone through many changes of direction and intent, the end result is similar: with rare exceptions the native populations are the most disadvantaged groups in each country, with medical and health conditions that would shame a third world country, levels of poverty and economic conditions that are social disasters, problems of cultural adaptation and loss that create severe stress and alienation in individuals and communities, and an unhealthy dependence on governments and government handouts.

Though the routes they have followed to get there have diverged, present policies and policy intents in the United States and Canada are similar: a form of political and administrative autonomy for native populations that is called "self-determination" in the United States, and "self-government" in Canada. These policies are efforts to change the relationship between governments and natives from one of colonialism and dependence to one of cooperation, with a greater degree of self-

reliant autonomy for native communities. Self-government does not mean assimilation. Rather it means participation by natives in making the decisions that affect them, and co-operative co-existence with the greater non-native society. Whether the efforts will be successful in causing lasting and useful change remains to be seen. But the thrust towards self-government and self-determination is an important innovation in government policy towards native peoples, and presents at least the possibility that the recurrent pattern of dependence, alienation, and destruction of culture can be broken.

A fundamental tension underlying Indian policies in both countries is the conflict between two perceptions of the polity and political life, on the one hand a focus on individualistic liberalism with its emphasis on the single citizen to whom rights and duties belong, and on the other hand a more conservative, tory, view which embodies an emphasis on the group and community through which and within which an individual's life has meaning and purpose. The extreme individualistic interpretation of liberal-democratic ideals conceives of the citizen as an autonomous actor whose social and cultural context is not an issue and is not relevant. Rather it is a given, within which citizens compete in the economic, political, and social marketplace to win what success and rewards their talents and energy allow. The conservative tradition is less individualistic, and embodies a more organic view of society in which human beings are interdependent, and their well-being is interrelated with that of others. In this view, the cultural, social, economic and political context in which individuals exist and act is of crucial importance, and groups, collectivities, and communities possess and assert rights and needs over and above those of

individuals in order to preserve and strengthen this context of community and culture.

The choice between these opposing viewpoints is of crucial importance in Indian policy. Indians possess vastly different cultures and community contexts from the mainstream non-native population, and basic differences affect policies and outcomes. Individual liberalism suggests that Indians ought to be treated like any other citizens, and if not totally assimilated then at least integrated enough so that there is no separate legal or political category of "Indian", and as far as the law and government policies and programmes are concerned they are treated the same as other citizens. On the other hand, acceptance of the conservative, tory, view leads to assertion of the importance of group, community, and context, which in turn leads to legal and political recognition of Indians as members of distinct groups and cultures which have their own collective rights and identities. It would create special legal and political relationships between Indian communities and non-native society.

A common description of the difference between American and Canadian political cultures is that the United States emphasizes atomistic individualism and market-place liberal-democratic ideals. American society is often termed a "melting pot" in which the cultural differences of various ethnic groups disappear in a process of homogenization. On the other hand Canada, it is argued, is more a "mosaic" than a melting pot. Canada asserts more of the conservative, tory recognition of group and community, puts a stronger emphasis on collective interests and rights, and both legally and politically recognizes and accepts more cultural and linguistic diversity.¹

If this difference between the two countries is true, then one of the places it would be likely to be found is in policies towards Indians, for they represent the most extreme divergence from mainstream culture of any ethnic group, and both in their needs and problems, and in their rights stemming from the aboriginal title. A logical hypothesis from acceptance of this difference in political culture would be that Indian policies in the United States would emphasize assimilation and the individual, while Canada would emphasize distinct culture and society, and the collective rights of the community. At this point we shall leave this argument simply as a hypothesis to be tested, and a central issue which affects all aspects of Indian policies and programmes. We shall consider the correctness of the hypothesis when the evidence has been examined.

Dimensions of the Issue

Accurate data on many aspects of native issues -- including even such fundamental information as size of population -- is not easy to find, nor are different estimates always in agreement with each other. According to the 1981 census, Canada had 491,460 native people, who made up roughly two per cent of the population.² These were divided into four categories: status Indians, with 292,705 members; non-status Indian, with 75,110 members; Metis, with 98,260 members; and Inuit, with 25,390 members. For census purposes these categories of individuals choose for themselves which they belong to. For government purposes the categories of status indian and Inuit are defined by including persons listed as members of a band, or on a general list. To be status Indian or Inuit confers a special relationship with the federal government, and access to a number of government programmes. Metis (or mixed native-

non-native), and non-status Indians do not have a special relationship with the federal government. These categories are less clear and some estimates of size of the Metis population would make it much larger than the census suggests. A recent act of the federal Parliament (Bill C31 of 1985) has enabled many Indians who lost their status for one reason or another, or who never had it because their parents lost it, to regain official status as an Indian. By 1991, the number of status Indians in Canada had risen to 521,461. Of this increase, 92,282 were reinstated under Bill C31 provisions.³

Natives form 58 per cent of the population of the Northwest Territories, 20 per cent of the population of the Yukon, over six per cent of the population of Saskatchewan and Manitoba, and a lesser proportion of the population of other provinces. Nearly 60 per cent of the natives live in rural areas, although few are on farms. A high proportion have a native language as mother tongue, including 47 per cent of on-reserve status natives. There is a large variety of native languages, including the major families of Algonkians (Cree, Ojibway), Athabaskan (Dene), Inuktitut (Eskimo), Iroquoian, and other. Less than 60 per cent of status Indians live on reserves.

Figures on the size of Indian population in the United States also include elements of guesswork. In its 1970 census, the Bureau of Census counted a total of 792,000 Indians.⁴ The majority lived in rural areas, and mostly on reservations. The Bureau of Indian Affairs largely restricts its attention to on-reservation Indians, and a count of those entitled to its services in 1970 was 478,000. By 1980, the total count for Indians had risen to 1,534,000 according to the U.S. Census,⁵ while in 1990 the Indian Health Service, in effect, counting on-reserve Indians, measured a total of 1,105,486.⁶ The Indian population is over

five per cent of the total in five states, and nine out of ten BIA 'client' Indians live in nine states. The largest populations are, in descending order, in Arizona, Oklahoma, New Mexico and Alaska.

There is no generally accepted legal definition of an Indian in the United States. As in Canada, the census relies on individual self-definition. Federal agencies charged with administering programmes directed towards Indians have made eligibility dependent on being half Indian, or a quarter Indian, or being listed on a tribal role. But some departments use other definitions. The Department of Health, Education, and Welfare considered persons to be Indian if they were regarded as Indian by the community in which they lived. The Indian Reorganization Act of 1934 allowed tribes to create their own membership lists, and their criteria have varied. Some accept the opinion of individuals, some require recognition by the community, and some require half, or quarter, Indian blood.

An important difference between the two countries is in the size of reserves or reservations (as they are termed in Canada and the United States respectively). There are approximately 255 reservations (Bureau of Indian Affairs publications do not agree on the total number) in the United States, including village agencies in Alaska, and their average population is 1790 persons. More than 160 reservations, however, have fewer than 500 inhabitants, and 75 have fewer than 100. The largest, the Navajo of Arizona, New Mexico and Utah, has close to 200,000 inhabitants. Two-thirds of on-reservation Indians live on reservations with an Indian population of 5,000 or more. In Canada there are more reserves, but they have generally smaller populations. In 1979, there were 573 recognized bands, and the majority of Indians belonged to bands

with populations of fewer than 1,000 many of whom would live off reserves. Only 16 bands had populations greater than 2,000.⁷

These differences in size affect the possibilities for self-government because with increasing populations there are economies of scale, and increased capacity to perform many functions, such as run a school, justice, or health system, or have a full-scale programme for policy development in education, or land-use. The small scale, and dispersed nature, of Indian populations, especially in Canada, is potentially an obstacle to successful accomplishment of many of the functions native self-government ideally should perform.

The two populations are similar in other respects. In both countries the Indian populations are young and fast-growing. Income is low, housing often below minimum standards, infant mortality high, alcoholism and violence serious problems, and incarceration in penal institutions much higher than for non-native populations. Educational achievement is lower, and unemployment higher.

Problems as persistent, pervasive, and intractable as those of North American native populations are not only deep-seated but also must be caused by many varied and mutually re-inforcing factors. One important factor is that historically native populations have been treated differently from other minorities. They were here first, and were estranged from much of their territory and livelihood through force and treaties, which also ensured that they retained a distinct cultural and legal identity. Many native populations live in remote and rural areas, where there has been at least some possibility of retaining a lifestyle closer to their hunting and gathering tradition, and this has contributed to socio-economic divergence. But more important, and common to the native populations of both countries, has been an

unwillingness, or an inability, to assimilate into the dominant non-native society. Many native populations have a high retention of language. Native cultures are so different from those derived from the western European tradition that they more often come into conflict than they harmonize, and in these conflicts the smaller, native communities, have usually lost. At the same time, native populations have stubbornly and successfully resisted assimilation. The end product of this unhappy experience is the present condition of native populations.

The Historical Development of Indian Policy in the United States and Canada

It would be an over-simplification, though not much of one, to say that the historical difference between American and Canadian handling of native populations was that the United States decimated them by war, Canada by starvation and disease. The end result of the two approaches was similar. By the end of the nineteenth century most Indian populations were vastly reduced. They were confined to reserves, and treated as wards of the state and in tutelage.

Indian policy has undergone a series of important policy changes in the United States, and in so doing has oscillated between extreme liberal individualism, and recognition of community and cultural distinctiveness. In 1887 the United States Congress passed the Dawes Act, which had two goals: a stated intention of the cultural transformation of Indians into mainstream Americans, or "assimilation", and a less openly stated intention of the acquisition of Indian lands.⁸ The policy proved to be more successful in the second intention than the first. Under a process of "allotment" Washington broke up much of the tribal land base, withdrawing some property from Indian ownership and

distributing other, sometimes the marginal, land to individual tribal members. "Surplus" lands, often the richest, were sold to white settlers. By 1934, when the process of allotment ceased, 60 per cent of Indian lands -- some 86 million acres -- had been taken from Indians.

Though in retrospect the process of allotment looks like little more than a pernicious land grab, at the time it was defended in humanitarian and reform terms. By assigning allotments to individual Indians and granting them United States citizenship, the Indian was to become a part of greater America, able to participate fully and equally with other citizens. One reformer claimed that the Dawes Act was the beginning of a new era in dealing with Indians; its supreme significance "lies in the fact that this law is a mighty pulverizing engine for breaking up the tribal mass. It has nothing to say to the tribe, nothing to do with the tribe. It breaks up the vast 'bulk of things' which the tribal life sought to keep unchanged. It finds its way straight to the family and to the individual."⁹ There was a strong element of Christian evangelism in the allotment policy, and a quite compatible and equally strong vision of individualistic liberalism.

Regardless of how successful the allotment policy was in separating Indians from their lands, in the other goal of assimilating Indians into mainstream America it was a failure. Although Indian children were placed in English-speaking boarding schools, village settlements dispersed, tribal members moved to individual tracts of land, and native religious ceremonies such as the Sun Dance outlawed, Indians still remained firmly Indian. Their economic base was sadly depleted by the loss of land, however, and they became more, not less, dependent on government for services and support.

A counter-movement to the policy of assimilation developed during the 1920s, in part supported by a growing academic interest in cultural pluralism. The Bursum Bill, which threatened the land and water rights of New Mexico's Pueblo Indians, was defeated by a combination of social reformers and artists and writers, including D.H. Lawrence. In 1933 President Roosevelt appointed John Collier as Indian Commissioner. Collier, a social worker and educator, had been a champion of the Pueblo Indians' cause in the 1920s. As a believer in the power of the community, Collier reoriented United States Indian policy.

The Indian Reorganization Act of 1934, Collier's achievement, was a complete and abrupt about-face of Indian policy. Collier argued for seven basic principles for the administration of Indian affairs which were, in effect, a succinct recipe for self-government. He argued for regeneration of Indian societies, new status and responsibilities to tribes, preservation of the land base, freedom for Indians to practice their own religion, democratic government for tribes, and further research into Indian matters.¹⁰ This curious blend of community-minded idealism and faith in science was to guide Indian policy for twenty years. The Indian Reorganization Act not only put a stop to allotment, but also actually did a little to expand the Indian land base. It provided small amounts of money for economic development on reservations, and subsidies for setting up tribal business corporations. But its most important result was that it encouraged Indian tribes to organize for their common welfare, and to adopt constitutions and by-laws. The majority of tribes reorganized under these provisions.

Tribal constitutions under the Indian Reorganization Act included creation of the institutions of representative government and business corporations, both of which were alien to native culture. The Bureau of

Indian Affairs still retained a great deal of control over reservations. Nevertheless, the Act gave Indian tribes a measure of self-government, control over their own affairs, and a veto over some federal actions.

Collier himself believed that:

The change, in principle, was from maximal to minimal authority; from denial of Indian cultural values to their emphasis; from expectation of Indian doom to expectation of Indian triumph; from one-pattern policy to a policy of multiple options; but first and last from denial to intense encouragement of group self-determination and self-government.¹¹

Collier's vision and policies represent an apogee for emphasis on the group, culture, and the community in American Indian policy. Pressures to move in the opposite direction still existed, however, and as one observer has noted, "After the fading of the New Deal, the status of Native Americans as wards of the federal government seemed to go against the American tradition of self-reliance. Senator George Malone (R. New Mexico) complained that Indian reservations represented 'natural socialist environments' -- a charge echoed by Interior Secretary James Watt three decades later. Break up the tribal domains, so the argument ran, remove the protective arm of government, and cast the Indian into the melting pot and the marketplace. Everyone would benefit."¹²

The Hoover Commission on government organization, which reported in 1949, proposed the integration of the Indian into the rest of society. Assimilation again should become the dominant goal. "Termination" became the name for a series of policies intended to dismantle the reservation system, disband tribal nations, and distribute their assets among tribal members. With or without Indian consent, termination proceeded. Civil and criminal jurisdiction over Indian reservations, which had been under federal and tribal jurisdiction, was transferred to

some states. Some tribal lands were broken up and sold, and the federal government turned over to the states many functions, such as education and housing.

Termination did not work. A notorious failure was the 3,000 Menominees in Wisconsin, who, though they had 200,000 acres, were poor. However the tribe had large cash reserves which provided jobs and income. Congress passed the Menominee Termination Act in 1954. The reservation became a county. Tribal assets became controlled by a corporation in which individual Menominees held shares. Tribal lands were subject to state and local taxes. The hospital, previously financed by Washington, was shut down. Some Menominees had to sell their shares in the corporation. The corporation, to survive, leased and even sold land to non-Indians.

After ten years, the state and federal governments were spending more to support the Menominees than they had before termination. The tribe began to fight back, and in 1973 Congress passed the Menominee Restoration Act which formally re-established them as a recognized federal tribe, and re-instated federal services. Some of the losses of land and resources however could not be undone.

In 1970, faced with hostility amongst the Indian population, and with clear evidence that termination not only did not work but was a disaster, President Nixon formally renounced the policy. This movement towards individualistic liberalism was over. It was time for a move in the other direction, towards community and group.

In contrast, Canada's Indian policy has not suffered from such drastic policy shifts. At the time of Confederation, in 1867, the policy of treaty-making and settlement of Indians on reserves was well-established. This process continued well into the twentieth century.

It is not yet complete, for there are many native Canadians in both the west and the north whose tribes have never signed treaties.¹³ The James Bay Agreement of the 1970s is a modern version of a treaty. Recently, agreements in principle have been reached on comprehensive land claims with the Indians of the Yukon and the Inuit of the eastern Arctic. A settlement has been achieved with the Inuvialuit of the Mackenzie River delta. Several other comprehensive claims are being negotiated, while several hundred smaller, specific, land claims are under discussion. British Columbia in December 1991 reversed a historic policy and agreed to negotiate land claims with Indians. Since most of the province has never been subject to treaties, this is a major policy change, with very important potential benefits to BC Indians.

During both the nineteenth and early twentieth century the generally small reserves in Canada were made even smaller through various efforts by government and citizens to alienate Indians from their lands. However, there was no major policy comparable to reallocation, and, at least within the last hundred years, the actual reductions to reserves have been minimal. Probably less than ten per cent of reserve lands was alienated.

To a large extent, therefore, Canadian Indians on reserves were not subject to enforced estrangement from communal land and tribal identity as were many American Indians. Rather they were left on reserves as wards of the state, whose destiny if they were successful was to leave the reserve and become members of the greater non-native society, or if they were unsuccessful to remain on the reserves in an undeveloped, dependent state.

Isolation or assimilation were the pillars of Canadian Indian

policy for nearly a century. According to one influential official of the early twentieth century:

The happiest future for the Indian race is absorption into the general population, and this is the object of the policy of our government. The great forces of intermarriage and education will finally overcome the lingering traces of native customs and tradition.¹⁴

Education of Indians was normally by missionaries, and Indian women who married non-Indian men lost their legal status as Indians. As in the United States, Canadian Indian policy was inspired by the assumptions of nineteenth century evangelical religion, cultural imperialism of the dominant non-native society, and faith in laissez-faire economics. There was, as in the United States, a reluctance not only approaching but surpassing obstinacy to recognize the validity and autonomy of Indian culture and society. The same official told a committee of the House of Commons that:

I want to get rid of the Indian problem. I do not think as a matter of fact, that this country ought to continuously protect a class of people who are able to stand alone. That is my whole point. Our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian Department.¹⁵

Changes in legislation made enfranchisement (the right to vote and loss of Indian status) compulsory if an Indian joined the armed services, became a member of a profession, received a university degree, or was generally fit to join the Euro-Canadian society. Hostility by Indians and others to these coercive measures led to their not being used; nevertheless, they do show the attitudes and motivations behind Indian policy and administration.

Insofar as assimilation failed, Canadian Indian policy was one of neglect, which was not always benign, combined with extreme paternalism. Indian bands, though they might be organized with chiefs, had no real

power. That lay with the Indian agent, who in effect had control over band funds, band government, and band administration, extending even to details such as who got what house. Education, largely by missionaries and frequently in boarding schools, was intended to remove Indian children from their culture, and make them eligible to enter non-native society. The government, like the American, attempted to stamp out central elements of native culture, such as the potlatch of the west coast Indians, and the Sundance of those of the prairies. Indians, generally speaking, were segregated from the rest of society.

Little changed between the turn of the century and the 1950s. There was no counterpart in Canada to the American Indian Reorganization Act of 1934, nor was there a counterpart to the policy of termination. In 1958 parliament under Prime Minister Diefenbaker gave Indians the right to vote in federal elections. The important and influential Royal Commission on Government Organization (The Glassco Commission) in the early 1960s pointed out that there was a problem in the status and socioeconomic well-being of Indians. The government appointed a group to examine the conditions of Indians, and their report documented in detail the severe problems of Canada's Indian populations. The result, The Hawthorn Report,¹⁶ which was made public in 1966, was an important step towards not only recognizing that the change to dependency had occurred, but also that it had created unhealthy conditions and sub-standard existence. The report recommended a communal rather than individualistic approach to Indian matters. Indians should be 'citizens plus'.

The response of the federal government was to devote more resources to improving education and health, extending welfare, and encouraging

economic development. These had the consequence of increasing the influence of the federal administrative apparatus on Indian individuals and communities. The end result was a system of neither self-government nor self-administration. Both political power and administrative responsibility remained with the federal government and the administrative apparatus remained largely in the hands of, and controlled by, non-natives.¹⁷ Aboriginal communities in Canada, as in the United States, were serviced as the clientele of the administrative state. Nor was this colonialism in the normal sense of the term. Colonialism implies that the colonial power exploits native peoples as a labour force for economic gain. But in this sense there was little exploitation. Quite the contrary, it was difficult to find employment and meaningful economic activity for Canada's Indians, just as it was for those of the United States.

In the late 1960s the federal government began to examine Indian issues in a process which supposedly was one of consultation with Indian groups and leaders. The Indians themselves recognized many of the problems with the Indian Act and the existing policies and administration, and were in favour of change. However, when the federal government made public its proposals in a white paper on Indian policy in 1969,¹⁸ they came as a complete surprise. The federal government proposed termination of all special treatment for Indians, including the Indian Act. The White Paper argued that equality, or non-discrimination, was the key to the solution of Indian problems, and that special rights had been a major cause of these problems. The goal was to be achieved by terminating the legislation and bureaucracy which had developed in over a century, and by transferring to the provinces the responsibility for administering Indians. The Department of Indian

Affairs itself was expected to be phased out within five years.

These proposals were completely opposed to those of the Hawthorn study. They were also opposed to the Indians' own suggestions, and repudiated all that the consultative process appeared to have been working towards. They aroused a tremendous and hostile outcry, and stimulated Canadian Indians to organize and take political action in a way they never had before.¹⁹

Canadian policy towards natives before 1969 might at best have been described as grudging acceptance of cultural differences, and the importance of culture and community to natives. The White Paper proposed a drastic shift to liberal individualism and a denial of group rights even more extreme than the failed termination policy in the United States. It is curious that the Canadian government proposed termination just at the time it was being repudiated in the United States. The emphasis on individual rights was consistent with Trudeau's own political philosophy and approach to linguistic and cultural diversity in Canada. But it was not an appropriate solution to Indian problems. It was inserted into the Indian policy discussions by the newly-strengthened Prime Minister's Office in complete disregard of the consultative processes and participatory democracy. It was also a failure. Resistance to the White Paper was so strong that none of its major proposals was ever adopted. What was to emerge as a new policy centred more on the culture and group rights. This was self-government.

Towards Self-Government

In recent years there have been two important steps towards self-government in the United States: the Alaska Native Claim Settlement of 1971, and the more recent policy of self-determination. In Canada,

there has been an even greater variety of attempts and approaches. Success has been mixed in both countries.

The Alaska Native Claim Settlement Act was a result of the pressure to develop the huge reserves of oil discovered at Prudhoe Bay on the north shore of Alaska in 1968. Under the act, the natives of Alaska received title to 40 million acres, or 11% of Alaska. The land was divided among 220 village and 12 regional corporations. To be eligible to benefit under the act, a person has to be a citizen of the United States, fall within the category of Indian, Eskimo, or Aleut, and must have been born on, or before, and living on 18 December 1971, the date of enactment of the Act. Alaska natives were to receive approximately one billion dollars of financial compensation as well.

Both villages and regions were to set up corporations to manage and receive the lands and funds. These corporations are the key to the Act, and to the possibilities for self-government. The corporations were created to receive the land and funds under the Act. Individual natives own shares in both types of corporation. These shares could not be sold or traded until 1991.

The corporations appear to have been intended to serve a series of multiple and conflicting functions. On the one hand they were the vehicle through which land, and the resources of the land, are held and preserved for natives and native communities. On the other hand, they were structured like business corporations, with shares and shareholders, and the opportunity for shareholders to dispose of these shares -- quite possibly to non-natives and other strangers to the community. On the one hand the creation of the corporations affirmed and recognized the importance of the community and the group rights of

natives; on the other hand it created two distinct classes of natives: those born before 18 December 1971 who were fully participating shareholders; and those born after (close to half the native population by now), who did not own shares, unless obtained by inheritance, and hence were not able to participate fully in the economic, business, and political life (and other aspects as well because they are closely connected) of the community.

The Act and the corporations have received close attention and scrutiny from many sources. The most careful study, and the most critical as well, was by Thomas Berger,²⁰ who had previously conducted the very important Mackenzie Valley Pipeline inquiry for the government of Canada. Berger concluded that there were severe problems in the claim settlements in Alaska, and that the source of many of these problems lay in the corporations. They were an unfamiliar form of organization to Alaska natives. Many were not well-run, and were likely to become insolvent. There was a strong possibility of control of corporations passing from native hands through the sale of shares after 1991. Berger's main recommendations were that the land held by the corporations be returned to tribal governments so that it would be held as a community rather than a personal resource, and that native self-governments ought to be recognized as legitimate political entities. Tribal governments, which would also have jurisdiction over fish and wildlife, would be the vehicles for self-government.

The evolution of self-government for natives in Alaska is still not completed. The choice which was established in 1971 was not the right one, and in 1988 amendments were made to the Alaska Native Claims Settlement Act which went some way towards meeting the concerns of the natives. Shares in a corporation can no longer be transferred to an

outsider without the approval of a majority of shareholders. Underdeveloped land cannot be taxed, and corporation lands cannot be seized in bankruptcy proceedings. This goes further than the original act in recognizing and safeguarding land as a community rather than individual resource. However it still does not resolve all the problems identified by Berger and others.

In the rest of the United States the policy that replaced termination was "self-determination". The Self-Determination Act of 1975, according to its introductory language, was needed

because the prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities by depriving Indians of the full opportunity to develop leadership skills crucial to the realization of self-government, and has denied to the Indian people an effective voice in the planning and implementation of programs for the benefit of Indians which are responsive to the true needs of Indian communities. [Congress declared its commitment to] the establishment of a meaningful Indian self-determination policy which will permit an orderly transition from Federal domination of programs for and services to Indians to effective and meaningful participation by the Indian people in the planning, conduct, and administration of those programs and service.²¹

The reality of the Self-Determination Act does not, however, live up to this grand prologue. Its real purpose is, in effect, to permit the Secretary of the Interior to contract with Indian tribes to administer Bureau of Indian Affairs programmes. The Act required the Bureau to convert, at least in part, from a service delivery agency to one supervising the delivery of services by tribes. This has not been entirely successful. Bureau personnel have not been committed to the change, and low morale amongst other problems within the Bureau has prevented effective implementation. Costs of programmes have increased because the Bureau maintains a supervisory function, even when service

delivery is contracted to tribes. Some tribes fear that contracting will lead to termination. There have been proposals for block funding of tribal administration, but so far they have not come to fruition. By 1985 about 25 per cent, or \$250 million of the budget of the Bureau of Indian Affairs was contracted out.

The Indian Child Welfare Act of 1978 codified judicial decisions on tribal jurisdiction over Indian children. Family law had long been within tribal jurisdiction. The Indian Child Welfare Act gives tribal courts jurisdiction over an Indian child even off-reservation. This was an important effort to improve the system and institutions, both judicial and social, dealing with child welfare.

Under President Reagan there were severe cuts to federal support of native Americans. Reductions affected jobs, health care, reservation economies, and schools. In a major statement on Indian policy in 1982, President Reagan declared that responsibilities and resources should be restored to the government closest to the people served. For Indians this meant that the policies of the 1975 Act were a good starting point. But, according to the President, "since 1975, there has been more rhetoric than action. Instead of fostering and encouraging self-government, federal policies have by and large inhibited the political and economic development of the tribes. Excessive regulation and self-perpetuating bureaucracy have stifled local decision-making, thwarted Indian control of Indian resources, and promoted dependency rather than self-sufficiency." The administration intended to reverse this trend by removing the obstacles to self-government and by creating a more favourable environment for the development of reservation economies. This, doubtless, would lead to further reductions in expenditures.

Self-government has a firmer legal foundation in the United States than in Canada. The powers of tribes, and their rights of self-government, are recognized as aboriginal, inherent, and pre-existing. "They derive from the original sovereignty of the tribe, a sovereignty which has been limited, both geographically and substantively, but never ended."²² Because of this independent source of sovereignty, courts and congress have both agreed that parts of the U.S. Bill of Rights do not apply to the actions of tribal governments. Many tribes have their own courts and police forces, and exercise full jurisdiction within reservations over civil matters and minor criminal offences. At present there are over 100 tribal courts in the United States.

But there are also many conflicting pressures and trends in Indian self-government. Tribal courts have developed and improved during the last decades to the point where they are important forces towards affirming Indian rights and Indian culture. The Self-Determination and other acts of Congress have expressly recognized Indian problems as group and community issues. However, on the other hand the pronounced individualistic-market liberalism of recent administrations, combined with recent economic problems, have placed tribes and reservations in a difficult position. Self-government is not a reality for most tribes, nor is it likely to become so.

Indian self-government in Canada has followed a multi-path, twisted, and often confusing route. A look at James Bay, the Northwest Territories, and the other efforts will illustrate some of these complexities.

The James Bay issue involved three parties: the government of the province of Quebec, the Indian and Inuit of Northern Quebec, and the federal government. In Canada, unlike the United States, publicly-owned

land and resources belong to the provincial level rather than to the federal government. The federal Parliament had given Northern Quebec to the province of Quebec in 1912, but no settlement of Indian or Inuit claims was made at that time. In the late 1960s the provincial government of Quebec created a plan to develop the immense hydro-electric power resources of the rivers flowing westwards from the interior of northern Quebec to James Bay. These plans were developed without consultation with the native population. When they were announced, the reaction of northern natives was to fight the issue in the courts, where their claims were recognized, and politically, where negotiations began between the three parties.

The end result, the James Bay and Northern Quebec Agreement of 1975, gave the provincial government the right to develop the hydro resources. But it also gave the northern natives rights to land, financial compensation, and rights to some measure of self-government. Of the 410,000 square miles of northern Quebec, somewhat under 5,000 square miles is "category I", owned by the natives; 60,000 square miles is "category II", where natives have exclusive use of traditional activities such as hunting, fishing, and trapping; while in the remaining, category III land, native uses receive special consideration. In addition there was financial compensation of \$225 million to northern natives. This is roughly on the same per capita scale as the Alaska settlement. Northern Quebec had at the time about 7,500 Cree Indians, and somewhat fewer than 5,000 Inuit. Alaska had more than five times as many native peoples.

The James Bay and northern Quebec settlement created structures of government with functions similar to those of local government, though

they also have responsibilities in education, policing, and land management.²³ Corporations were created to manage the compensation monies. Members of the Cree and Inuit communities are also members of the corporation and benefit from their activities. There is no identification of a special group as shareholders, nor can shares be transferred to outsiders. Similarly, land is held by community institutions rather than by individuals, or privately-owned corporations. Kativik, the Inuit self-government of the far north, is a "public government", in which all citizens, regardless of race, participate. Northern Inuit are a clearly dominant majority population. In contrast, the James Bay Cree governments are "ethnic", in which only the Cree participate. There is a larger non-native population in this region.

The James Bay settlements have many problems, particularly, in the area of relationships with other governments, where the natives feel, quite legitimately, that the provincial and federal governments have not lived up to their commitments.²⁴ An excessive amount of the time and energy of the Cree and Inuit leaders goes into negotiating with these other governments rather than into administering and creating policies for their own people and lands. This problem is not, however, unique to the natives of northern Quebec. The intentions of Hydro Quebec to begin a mammoth phase II of James Bay development has caused a great deal of controversy about the terms of the settlement and the Quebec government's treatment of Indians.

In comparison with the United States, the most interesting feature in the James Bay and northern Quebec settlements is that though they were obviously based on the Alaska settlement, they went much further in recognizing and ensuring the preservation of the community. The

financial corporations, the self-government institutions, the land itself, are expressions of, and belong to the community. They are not individually owned.

The Northwest Territories cover over a million square miles, but have only about 60,000 inhabitants. They are unique in North America in having a majority of population of native descent. Until the 1960s they were administered out of Ottawa, but since then a series of advances have created a political and administrative centre at Yellowknife a territorial legislative assembly, a cabinet government similar to those of the provinces, and a large territorial administrative structure. Land and resources still remain in the hands of the federal government, however, and the federal government also has a significant control over the activities of the territorial government because it controls the purse strings through its annual funding of the government.

Overall, the Northwest Territories present a medley of successes and failures in native self-government.²⁵ Though natives form the majority of the population, they occupy only a small portion, at the lower levels, of the public service. Since employment in government is the most important part of the northern economy, this is no trivial form of discrimination. Self-government has not been translated into self-administration.²⁶ Nor have policies in fields such as education responded to northern and native needs. The economy of the Northwest Territories, like other northern regions of Canada, divides into three sectors: a modern large-scale resource extraction economy which is predominantly non-native, well-off, and directed and controlled by the south; a traditional small-scale renewable resource extraction economy which is shrinking, not well-off, and largely native; and a welfare

economy based on transfer payments which is growing and largely native.

The future of the Northwest Territories, both economically and in terms of self-government, is still uncertain. For the mistakes of the south to be avoided, there must be greater native participation in both the modern economy and in government administration. Participation in the middle and upper levels of these sections, however, requires education and professional competence. The education system of the territories has failed to permit more than a handful of natives to gain these qualifications. Local government can, and should be, an important part of self-government, but so far the local level has been subordinated to the territorial.

The native population of the territories is composed of Indians (Dene) largely of the western Arctic and Mackenzie basin, and the Inuit of the eastern Arctic. The Inuit have been so dissatisfied with present arrangements that they favour the creation of a new territory of Nunavut in the eastern Arctic, where they would be in a majority. A land claim settlement has now been reached with the Inuit, and it will lead to creation of the new territory. Progress in the western Arctic has been slower. The Inuvialuit or COPE (Committee for Original People's Entitlement) settlement in the Mackenzie River delta adds to the James Bay agreements by giving natives a share in revenues from resource extraction. A recent land claims settlement in the Yukon adds the right to self-government.

In the rest of Canada, self-government emerged as a goal in the 1970s in the aftermath of the withdrawal from the termination proposals of the 1969 White Paper. The government of Canada endorsed the concept, but translating approval in principle into reality has proven to be difficult. The constitutional amendments of 1981-2 in Canada affirmed

existing aboriginal rights and set in progress a series of constitutional conferences between the federal Prime Minister and the ten provincial premiers on native issues. These talks broke down in 1987, with no agreement on recognizing native rights to self-government. Enormous resources of time and energy of native leaders had gone into these constitutional discussions. Their failure left a pervasive sense of defeat and depression.

Nevertheless, there is still room for optimism. The Department of Indian Affairs and Northern Development has been delegating responsibility for a great deal of programme administration and service delivery to native band and band councils. At present over 60% of total funds is administered by bands. This is far more than has been achieved under self-determination in the United States, where only 25% of funds is administered by Indian tribes. Canadian band councils themselves do not have a counterpart in the United States. Formed under provision of the Indian Act, they can become the beginnings of representative governmental institutions, and are one of the most important loci for the promotion of self-government. Most band councils are established on the basis of elected, representative government, but a substantial proportion have retained the traditional, non-elective, form of government. In addition, there were by 1983-4 fifty-seven aboriginal peoples associations supported by the federal government to a total of over \$100 million. These associations form an active lobby on behalf of Native Canadians, and also engage in policy development. They could be of great help in the move towards self-government.

In 1986 the Sechelt Indian band of British Columbia was granted self-government by act of Parliament. This prosperous and successful

band was thereby enabled to control and administer their own valuable lands and resources. Many other Indian groups, however, do not like the Sechelt model because the self-government it creates is more of a local, municipal government than the sovereign political entities proposed by some native leaders.

With the top-down, constitutional approach to self-government apparently at a dead-end, the bottom-up, community and band-oriented approach is the currently viable option. It is fraught with problems, however, such as overly detailed and exacting controls by the Department of Indian Affairs, inadequate funding, and the small scale of bands and reserves. Much progress has, nevertheless, been made from the bottom up, and at present several hundred proposals for self-government are at various stages of consideration.²⁷

Both in Canada and the United States it has been found that the devolution of service administration to bands and tribes has not reduced the costs of federal administration. Instead, the focus of bureau-departmental activity has shifted from service delivery to audit, accountability and control, which require the same amount of manpower. Perhaps this is not surprising. The capacity of bureaucratic organizations to preserve and expand themselves is at least as pronounced a feature of Indian administration as the intractability of the problems.

Self-government in Canada, much like self-determination in the United States, is very much an abstract concept in need of practical definition. One recent study concluded that the literature on aboriginal self-government is "rich in rhetoric and philosophy, but largely lacking in rigorous analysis and specific, concrete proposals."²⁸ Much of the literature envisages Indian politics as a

third order of government, outside the normal federal-provincial pattern. There is much discussion in Canada of the sovereignty of Indian nations. In large part this discussion is stimulated by comparison with the United States, where the sovereignty of Indian tribes is legally recognized. However, as we have seen, this legal recognition of sovereignty in the United States has not prevented Congress from doing pretty well what it pleased, and has not, apparently, led to the creation of successful, prosperous self-governing units in the United States.

The rejection in 1987 of Indian claims to constitutional recognition of self-government in Canada stands in contrast to the constitutional recognition of Quebec as a "distinct society" a few months later in the unsuccessful Meech Lake accord agreed to by the same Prime Minister and provincial premiers. This suggests that it is political power that leads to acceptance of diversity and group in Canada, not an innate difference in political culture and values. Quebec is powerful, Indians are not.

Self-government is, in both the United States and Canada, the now-accepted approach to handling Indian issues. It is in keeping with the democratic principle of giving citizens influence over the decisions that affect them. Much of what has been done towards creating self-government appears to be working and useful. In Canada in particular, unresolved land claims and legal battles stand in the way of effective self-government as does, for the bulk of Indians, the split between federal and provincial governments over responsibility for Indians and ownership of land and resources. In the United States the inertia of the system and the prevailing political ethos of retrenchment are the

main obstacles. Self-government is a worthy and useful ideal in both countries. It is also in need of careful study and serious commitment by other levels of government to translate the abstraction into workable prosperous native governments and communities.

Differences in Policy: Is the Hypothesis Supported?

Our initial hypothesis was that, if the standard comparisons of political culture were to hold true, we would expect to find more emphasis on collective and group rights and identity in Canada, and more emphasis on individualism and assimilation in the United States. The evidence does not support this hypothesis. The allotment policy of the United States was a statement of extreme individualistic liberation, but so also was the Trudeau White Paper of 1969. Nor has there in Canada been an officially endorsed recognition of separate status and group rights as forceful as the Collier doctrines of the 1930s in the United States. Until recently, official Canadian Indian policy, both stated and implicit, was assimilation. The reserves were left alone as Indian cultural preserves largely as backwaters in remote areas, from which it was hoped, education and the lure of economic success would lead the Indian away. The small size and remoteness of most reserves in Canada was quite likely the significant factor in their relative insulation from the predatory non-native society. Reservations are much larger in the United States, have had greater resources, and hence have been subject to more onslaughts. The slow progress in settling land claims in Canada suggests that both the federal and provincial governments have generally paid no more than lip service to the collective rights of natives, and have little interest in ensuring that native communities have a viable economic base. Self-government in Canada does, however,

seem to have more content than self-determination in the United States, and the COPE, James Bay, and even more, Yukon and eastern Arctic agreements go well beyond the Alaska settlements in affirming community and group rights and needs.

This examination of policy has shown that both the United States and Canada have oscillated between community-oriented and individual-oriented policy towards natives. Nothing has been more community-oriented than the American New Deal policies under John Collier, yet nothing has been more individual-oriented than the 19th century Dawes Act, or the more recent policy of termination. The Canadian White Paper of 1968 was based on individualistic principles, as were many of the policies of assimilation put forward over the years by various Canadian governments. On the basis of this record, the hypothesized differences between the United States, as emphasizing individualism, and Canada, as emphasizing communalism, do not exist, and the hypothesis is not supported. Rather both currents exist in each country, and which is dominant at any given point in time depends on the personalities and pressures of the times, not on underlying social values. Recent years have seen a convergence in some policies: the amendments of 1988 to the Alaska Land Claims Settlement attenuate the individualistic focus of the original act and make it more community focused; the recent northern land claims settlements in Canada express a similar community orientation. In recent years, the articulated policy in both countries has been similar, directed towards self-government for native peoples. This also suggests less difference in social values between the United States and Canada than is often argued.

Similarities in stated policies do not, however, necessarily mean that the actual policy outputs are similar. Practice can change while

philosophy remains constant. Whether or not this has happened can be examined by comparing expenditures over time on natives in the two countries.²⁹ This comparison, for the years 1975 and 1990, is presented in Tables I and II. These tables show that in 1975 the amount per native spent by the respective federal governments on native-directed programmes was roughly similar. The general federal expenditures include native-directed housing, education, administration, and transfer payments. Health expenditures are those of the specific native health service agencies. The programmes are thus quite closely comparable, though there are minor differences both in programme content between the two countries, and in programme content over time in each country. The native populations used in the comparison are on-reserve Indians for Canada, and Indians registered with the Indian Health Service in the United States. These two populations are roughly similar in terms of their special status as a federal responsibility in both countries, and it is towards them rather than towards off-reserve natives that the bulk of federal expenditures is directed. Both the populations and the programmes included are consequently satisfactorily similar to make a useful comparison. Figures for both tables are given in current dollars of the two countries.³⁰

Table I shows that, in 1975, total expenditures of the two federal governments per Indian were roughly comparable. Canada was about 15% higher, but the margins of error in this measurement are high enough that this is not significant. However, by 1990, total expenditures per Indian in Canada had risen to \$9,303, while they were only \$2,578 in the United States. The amount of increase in Canada, 1990 expenditures

Table I: Expenditures on Indians, current dollars, Canada and the United States Compared (In 1,000s)

	1975	1990	ratio: 1990/1975
<u>Indian Population</u>			
Canada (on reserve)	200,693	297,972	1.48
United States (I.H.S.)	587,468	1,105,486	1.88
<u>Federal Expenditures excluding health</u>			
Canada	389,400	2,277,343	5.85
United States	812,270	1,597,150	1.97
<u>Federal Expenditures, Health</u>			
Canada	48,492	495,074	10.21
United States	293,103	1,252,970	4.27
<u>Federal Expenditures, Total</u>			
Canada	437,892	2,772,472	6.33
United States	1,105,373	2,850,120	2.57

Note: The sources for the data for these tables are, for the United States, Budget Views and Estimates for Fiscal Year 1991: A Report Submitted to the Budget Committee by the Select Committee on Indian Affairs, United States Senate, and especially Appendix II to that report by Roger Walke, Analyst in American Indian Policy, Congressional Research Service, the Library of Congress, "Trends in Indian-Related Federal Spending, FY 1975-1991". For Canada the sources are Department of Indian Affairs and Northern Development (DIAND), Annual Reports, DIAND, Basic Departmental Data, 1990, and for health expenditures, National Health and Welfare, Annual Reports.

Table II: Expenditures, current dollars per Indian, Canada and U.S.

	1975	1990	ratio: 1990/1975
<u>Federal Expenditures, excluding health</u>			
Canada (on reserve)	\$1940	\$7642	3.94
U.S.	1383	1445	1.04
<u>Federal Expenditures, health</u>			
Canada (on reserve)	242	1661	6.86
U.S.	499	1133	2.27
<u>Federal Expenditure, total</u>			
Canada (on reserve)	2182	9303	4.26
U.S.	1882	2578	1.37

being 4.26 times as high as 1975, was three times that of the United States, where 1990 expenditures were only 1.37 times those of 1975. Health expenditures increased much faster than the others in both countries, but the difference was especially striking in the United States, where by 1990 expenditures on health nearly equalled the remainder, while in Canada health expenditures were in 1990 only one fifth of the remainder. In fact, in the United States expenditure per Indian other than health was virtually the same in 1990 as in 1975 in current dollars. Taking inflation into account, and using constant dollars, expenditures on Indians in the United States actually declined quite significantly during this period, at an annual rate of 2.11%, or over two billion dollars of total decrease. Using constant dollars, in comparison, expenditures in Canada still rose significantly.

Using these budgetary measures, Indian policies in Canada and the United States were at approximately the same place in 1975, but have diverged enormously since then. Increases in expenditure in Canada have been more or less steady, with no major shift points indicating a change in policy. The shift point in the United States occurred in 1982, with the cuts of the Reagan administration to social programmes. In fact, in the United States, up until these changes expenditure on Indians per capita had exceeded non defence spending per capita for the population as a whole. By 1990 it was substantially lower. In Canada expenditure per capita on Indians has consistently remained above those on the general population.

The present levels of expenditure in the two countries support the hypothesis that Canada is more community-oriented than the United States. But the levels of expenditure in 1975 do not. The growing differences between the two countries are explained by one factor: the

changes to general social programmes in the United States during the Reagan years. There was no specific shift in stated policy towards Indians. Rather, there was general reduction in programmes towards the less-advantaged in society, and Indians as one of the least advantaged groups suffered heavily. Changes in social policy during the Reagan years were made in the context of rhetorical emphasis on individual market economy values (traditional economic liberalism). The Mulroney Progressive Conservative Government elected in 1984 in Canada articulated the same values but was unable to make comparable changes to social policy. Hence expenditures on Indians in Canada, like expenditures on social programmes generally, did not change during the 1980s, despite the new Government's efforts to do so.

It could be argued that this striking difference between the two countries is evidence of a profound difference in social values. That, however, does not explain why expenditures were roughly similar in 1975, and why they continued to increase in the United States until the advent of the Reagan administration. Nor does it adequately explain why the Mulroney government in Canada would even have considered a policy shift like that of the Reagan administration.

I believe that two other variables in which there are profound differences between the two countries more adequately explain the divergence since 1975. First, even in presidential election years only half the American electorate votes (it is much lower in non-presidential election years) while in Canada over 75 percent of the electorate votes. Non-voters in the United States are disproportionately among the less-advantaged, less-educated, and out of mainstream American. No such trend is evident in Canada. Thus, in the United States, electoral

calculus provides a strong inducement to ignore the problems of the bottom segments of the population. In Canada it does not. Quite the reverse, in Canada there is a strong incentive for a government to adopt programmes which have general electoral appeal to all groups, including those at the bottom.³¹ Electoral factors make it easier for American than Canadian governments to neglect welfare programmes, including those directed towards Indians.

Second, during recent decades native/aboriginal peoples in Canada have emerged as powerful pressure groups. Constitutional recognition has given them added strength. Native groups generally receive a sympathetic press, and have enjoyed strong public support. This has been further strengthened by numerous influential court cases which have upheld the validity of native land claims and rights, and have given natives substantial power in negotiation with federal and provincial governments. No such legal trend, or such strong pressure groups, have emerged in the United States. Canadian natives have, as a result, been in an effective legal and political position in resisting efforts to reduce expenditures while American Indians have not. This effectiveness was shown recently when one lone Indian member of the Manitoba Legislative Assembly, Elijah Harper, prevented the legislature from voting on the Meech Lake Accord, leading to its demise. He was protesting against the neglect of natives in comparison with the attention given Quebec. In 1991 the federal government created a royal commission to examine native-related issues, affirming the high priority of these problems, and the strength of native political influence.

In both countries the individualistic and communal values exist. In 1975 the policy outcomes in the two countries, measured by expenditures, were similar. Since then the United States has veered

towards the individualistic, while Canada has emphasized the communal. At times in the past the policies of the United States have been more communal than those of Canada. And, if history is any guide, the present differences are not likely to last too long into the future.

Footnotes

1. See, for example, Seymour Martin Lipset, Continental Divide: The Values and Institutions of the United States and Canada (New York: Routledge, 1990).
2. See Canada's Native People (Ottawa: Statistics Canada, 1984).
3. Indian and Northern Affairs Canada, Basic Departmental Data, 1990, p. 5.
4. See: Sar A. Levitan and Barbara Hetrick, Big Brother's Indian Programs -- With Reservations (New York: McGraw-Hill, 1971) pp. 7-10.
5. U.S. Bureau of the Census, 1980 Census of Population, vol. 1, chapter C (PC80-1-C) and vol. 2, chapter 1E (PC80-2-1E).
6. United States Senate, Select Committee on Indian Affairs, Budget Views and Estimate for Fiscal Year 1991, Appendix II, Congressional Research Service, "Trends in Indian-Related Federal Spending, Fiscal Years 1975-91".
7. Indian Conditions: A Survey (Ottawa: Minister of Indian Affairs and Northern Development, 1980) p. 14.
8. An excellent review of American government policy towards Indians can be found in: Stephen Cornell, "The New Indian Politics", The Wilson Quarterly, 10, 1 (New Year's, 1986) pp. 113-131.
9. Quoted in Francis Paul Prucha, Indian Policy in the United States: Historical Essay (Lincoln: University of Nebraska Press, 1981) p. 28. On the IRA, see also Wilcomb E. Washburn, "A Fifty-Year Perspective on the Indian Reorganization Act", American Anthropologist, 86, 2 (June 1984) pp. 279-289.
10. Quoted in Prucha, op. cit., pp. 33-4.
11. Quoted in ibid., p. 44.
12. Cornell, op. cit., p. 120.
13. See: Report of the Task Force to Review a Comprehensive Claims Policy (Ottawa: Minister of Indian Affairs and Northern Development, 1985).
14. Duncan Campbell Scott, quoted in E. Brian Titley, A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada (Vancouver: University of British Columbia Press, 1986) p. 34.
15. Ibid., p. 50.

16. H.B. Hawthorn, ed., A Survey of the Contemporary Indians of Canada: A Report on Economic, Political, Educational Needs and Policies (Ottawa: Queen's Printer, 1966).
17. See J. Rick Ponting and Roger Gibbins, Out of Irrelevance: A Socio-Political Introduction to Indian Affairs in Canada (Toronto: Butterworth, 1980) Chpt. 5, "Peopling the Bureaucracy".
18. Statement of the Government of Canada on Indian Policy (The White Paper) Ottawa: Queen's Printer, 1969).
19. This story is well-documented in: Sally M. Weaver, Making Canadian Indian Policy: The Hidden Agenda, 1968-1970 (Toronto: University of Toronto Press, 1981).
20. See: Thomas R. Berger, Village Journey: The Report of the Alaska Native Review Commission (New York: Hill and Wang, 1985). See also, for example, Gary C. Anders, "A Critical Analysis of the Alaska Native Land Claims and Native Corporate Development", The Journal of Ethnic Studies 13, 1 (Spring 1985) pp. 1-12, and Steven McNabb and Lynn A. Robbins, "Native Institutional Responses to the Alaska Native Claims Settlement Act: Room for Optimism", same sources, pp. 13-28.
21. Quoted in Douglas Sanders, Aboriginal Self-Government in the United States (Kingston: Queen's University, Institute of Intergovernmental Relations, 1985) p. 42. This study is a very useful introduction to the general subject of Indian self-government in the forty-eight contiguous states.
22. Sanders, op. cit., p. 48.
23. A useful comparison of the Alaska and James Bay settlements can be found in J.S. Frideres, "Native Settlements and Native Rights: A Comparison of the Alaska Native Settlement, the James Bay Indian/Inuit Settlement, and the Western Canadian Inuit Settlement", The Canadian Journal of Native Studies, I, 1 (1981) pp. 59-88.
24. An optimistic examination of the James Bay settlements can be found in: Richard F. Salisbury, A Homeland for the Cree (Kingston: McGill-Queen's Press, 1986).
25. See Gurston Dacks, A Choice of Futures: Politics in the Canadian North (Toronto: Methuen, 1981).
26. See C.E.S. Franks, "The Public Service in the North", Canadian Public Administration 27, 2 (Summer 1984).
27. See C.E.S. Franks, "Aboriginal Self-Government in Canada", Queen's Quarterly (Autumn 1987) forthcoming.
28. Roger Gibbins and J. Rick Ponting, "An Assessment of the Probable Impact of Aboriginal Self-Government in Canada", in Alan Cairns and Cynthia Williams, eds., The Politics of Gender, Ethnicity and

Language in Canada (Toronto: University of Toronto Press, 1986), p. 174.

29. I am grateful to Seymour Martin Lipset for suggesting this line of inquiry.
30. In the interests of simplicity I have not taken inflation or exchange rates into account. The differences between the two countries are so pronounced that including these variables makes no difference whatsoever to the conclusions.
31. I discuss this in more detail in my The Parliament of Canada (Toronto: University of Toronto Press, 1987) Chapt. II, "Approaches to Parliamentary Government".

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