

### NSR Reply, by Sally M. Weaver

I am grateful to the commentators for their obvious care in reviewing my paper. But I especially appreciate their insights and new material which sharpened my understanding of policy forces in the Conservative government. My reply will synthesize what I believe are their main points in an effort to round out the analysis and to draw implications from it for future developments of Indian policy.

From his former experience in DIAND, Richard Price puts important new material into the public domain by providing the internal reaction to Nielsen's initiatives and by making reasoned speculation about a more informed prime ministerial role in the policy process. This essential perspective was absent from my paper since teaching and Australian research commitments made Ottawa-based interviewing impossible. Noel Dyck, with a well established anthropological interest in the political representation of indigenous peoples (Dyck 1985), highlights the costly consequences of Nielsen's initiatives for the First Nations. By diverting their organizational resources from the vital job of developing functional schemes of self-government, he argues that Nielsen's proposals abetted the continued dependency of First Nations on the government. He also shifts the level of debate from description and advocacy to explanation, asking why governments revisit previously damaging policy initiatives, ones that will be, as Price stresses, predictably and persistently rejected by First Nations people. And from the First Nations' vantage point in Ottawa, Georges Erasmus provides the national political perspective of the AFN. His analysis up-dates the time frame by linking recent programs to the general thrust of Nielsen's approach--arguing that the task force's ideas are being implemented, and by distilling current federal strategy from the government's behaviour on the constitution and self-government. Erasmus's proposals for future policy formulation bring us full circle to Dyck's concern

of how governments can be inspired to avoid past policy blunders and to address seriously the basic issues facing them and the First Nations.

Beginning with Dyck's question of why governments embark on previously failed policy initiatives, he suggests that the explanation lies not simply in the isolation of policy-makers and other factors I cited, but in the basic incapacity of governments to grasp and tackle the complexity of the problems. The truth in this begs the question of why this incapacity exists or persists. Here I think we need to consider or emphasize some key contributing factors. Past mistakes may be revisited because the current policy-makers are unaware of, or underestimate the implications for government and the First Nations of the historic failures, in which case they are uninformed about the policy field in which they claim expertise. Or, as is more likely in the case of Neilsen's initiatives, policy-makers do not judge the earlier unsuccessful initiatives to have been misguided. This relates to the second point. As one government actor noted to me, ideologies exist among policy-makers like those in the Nielsen team. Their values and attitudes, coupled with self-assurance and tacit if not explicit ministerial approval, preclude a balanced appraisal of recent policy costs, just as they preclude consideration of recent policy commitments such as constitutional reform and self-government which contradict or threaten their values and objectives. One is tempted to suggest that the objective of ideologies is to achieve policy hegemony of their own world view rather than to solve any problems facing the government or the First Nations people. Furthermore, the vulnerability of new ministers to bureaucratic vested interests, and their poor general knowledge of Indian issues, as Erasmus notes, makes them susceptible to simplistic depictions of policy problems and solutions. Unless they have the time, intellectual capacity and interest to inform themselves, and unless their expanded ministerial staffs bring an independent and critical perspective to the task, ministers must, because of the sheer number and intricacy of issues, continue to mortgage policy development to

the bureaucracy--the normal pattern of policy-making within government. Finally, not to be underestimated in Nielsen's approach is the belief that unpopular initiatives can be implemented successfully if only the appropriate public relations strategy is adopted and the government, as Erasmus notes, has the fortitude to weather the political heat for a while.

If there is any validity in this limited attempt to explain why self-defeating initiatives are reinvented, and if nothing intervenes to alter these factors, we can expect to see future Canadian governments recycling these initiatives in their global efforts to secure a "quick fix" for Indian Affairs. I return to this later.

Turning to the implications of Nielsen's initiatives within government, Price and Erasmus make the key point that the ideological-power struggle between Nielsen and Crombie was not arrested by the prime ministerial statement of April 18, 1985, and that the conflict had a more lasting influence on departmental initiatives than I discerned from the public record. Erasmus also up-streams events by looking at government behaviour in the April 1985 FMC, prior to the public eruption of the conflict. He argues that Nielsen's approach was evident then in the government's strategy for handling the constitutional process and self-government concepts. This suggests that the contradiction in policy direction between Nielsen and the Prime Minister was more apparent than real, and that Nielsen's approach had wide-spread support at the top level of government where, in the cabinet and central agencies, it systematically resisted Crombie's subsequent initiatives. In short, Price and Erasmus extend the analysis by placing the Nielsen-Crombie conflict in a broader context within government and identifying Nielsen's 'historically assimilationist' approach as the dominant policy paradigm in the Conservative government.

This leads to the summing up question of what is the condition of Indian policy at the end of 1986. Briefly, the Nielsen task force set a policy course that structured hostility

externally with the policy recipients (First Nations), and internally with the recipient minister (Crombie), absorbing the energies of both to combat the dominant Nielsen paradigm within government. The receiving department (DIAND) was also shaken, as it invariably is with such central agency assaults. It was subjected to conflicting demands inside and outside government as its management of First Nations affairs came under increasingly severe criticism. Constitutional reform remained on the agenda, but internal government cynicism persisted and the First Nations came to view the government's strategy as one of enduring the FMC process as an historical idiosyncrasy, rather than using it to advance the matter of their rights. Despite Crombie's efforts, Tory support in the Liberal era for the Penner report was quietly disavowed as self-government became subverted to local government and as forces of retrenchment in government coveted the financial resources needed by the bands for their self-administered programs. By mid-1986, few policy initiatives had proven conclusive and a cabinet shuffle brought new ministers to the key First Nations-related portfolios. Bureaucratic support remained more stationary and by the end of 1986 the only policy initiative to break into the unproductive policy field was that on comprehensive claims--too recent a development to determine if it represents a turn-about in the government's approach to First Nations issues.<sup>1</sup>

Overall, the policy field has been characterized by an initial episode of cloistered and highly disruptive policy activity from Nielsen's team followed by the undelivered commitments of Crombie, resulting in a general policy vacuum. I suspect Erasmus's inference of current federal strategy is correct, for the government seems to be non-governing the field of Indian Affairs. (Un-governing Indian Affairs more aptly describes the vintage-Nielsen approach of unilateral abolition of Indian Affairs). Self-government remains undeveloped conceptually and administratively. DIAND's role continues to be disputed in charges of financial mismanagement, and the press carries increasing references to First Nations bands in a state

of deficit and financial crisis. In many parts of the country the relationship between First Nations and the government has become more confrontational, as First Nations resort to the courts, the media, and to demands for inquiries into DIAND's activities to secure action on their rights and administration.

The AFN's proposal for a Joint AFN/Cabinet Commission becomes relevant as we draw implications from this analysis for future developments in Indian policy. As I understand it, the AFN's proposition attempts to activate the policy field at the political level in a constructive manner. Arising from First Nations' frustrations with government inaction and bureaucratic power, it seeks to create a policy process open to First Nations negotiation with ministers, one that would avoid confrontation and produce implementable policies because they would have First Nations and cabinet support.<sup>2</sup> One of the major tasks of the Commission would be to formulate a practical approach to self-government--to develop a plan for the smooth transition of control from the government to the First Nations.

The AFN is mindful of the problems encountered in a similar initiative by its predecessor (the NIB) and the Liberal cabinet in the 1970s.<sup>3</sup> But like the NIB, in a highly similar policy environment of mounting First Nations frustrations,<sup>4</sup> it sees little evidence of government plans to address the issues. The government's ultimate response to the AFN's initiative is still uncertain. What is certain is that these problems will not disappear by disregarding them--by non-governing. Even more certain is our knowledge that they cannot be resolved by litigation, public inquiries, political protests or by cloistered policy-making. These are symptoms of the problem. Since some form of political collaboration will be necessary if past blunders are to be avoided and if First Nations' legitimacy for government activities is to be secured, the AFN's proposition provides a good starting point in this direction.

#### NOTES

<sup>1</sup> B. McKnight, "Federal Comprehensive Land Claims Policy Announced," Ottawa, DIAND Communique, December 18, 1986.

<sup>2</sup> Georges Erasmus, "Transcript of Interview with Georges Erasmus Re: Joint AFN/Cabinet Commission," CBC Radio Program "As It Happens," October 31, 1986. Ottawa: AFN, p. 3.

<sup>3</sup> Letter, Georges Erasmus to Prime Minister Mulroney, October 31, 1986, p. 3.

<sup>4</sup> For a discussion of this era and a highly relevant analysis of the forces which led the NIB to propose a similar scheme see Richard Price, "Indian Land Claims in Alberta: Politics and Policy-Making (1968-77)," MA Thesis, Department of Political Science, University of Alberta. 1977, pp. 80-127.

#### REFERENCE

- Dyck, Noel  
1985  
Aboriginal Peoples and Nation-States: An Introduction to the Analytical Issues. IN Indigenous Peoples and the Nation-State: Fourth World Politics in Canada, Australia and Norway. Noel Dyck, ed. St. John's: Memorial University, Institute of Social and Economic Research Monograph, pp. 1-26.