> Despite argument to the contrary, the *powers* of the Minister and Governor in Council remained formidable. Administration of over half of the Act was at the discretion of the Minister or Governor in Council, the latter being empowered to declare any or all parts of the Act inapplicable to any band or individual Indian, subject only to another statute or treaty.*

Between July 1968 and May 1969 the federal government embarked on a series of consultations throughout Canada to identify changes that should be made to the *Indian Act*. The meetings had scarcely been completed when the government tabled its *White Paper on Indian Policy*, which called for far-reaching changes in the legislative framework governing Indian-Canada relations, including the repeal of the *Indian Act*. Adverse Indian and public reaction to the proposal to terminate the special status of Indians was so strong that the government withdrew the paper in 1971.

A resolution calling for the partial revision of the *Indian Act* was proposed by the National Indian Brotherhood (NIB) at its annual General Assembly in 1975. Some preliminary work on issues such as surrendered lands, taxation, Indian government, education and anachronisms within the Act was conducted by a joint NIB/Cabinet committee between 1975 and 1978, but those talks broke off without agreement. Since then, the National Indian Brotherhood and its successor, the Assembly of First Nations, have opposed piecemeal change or change initiated by the Department alone.

The policy of devolution

As a result of the breakdown of these processes, the *Indian Act* has remained in force unchanged. The Department, however, has implemented a policy of devolution in order to permit bands and Indian organizations to exercise more powers.

This policy was launched in the mid-1960s when the Department began to transfer responsibility for managing and delivering programs to individual bands. Services such as social assistance, child care, educating children in Department-run schools, and providing and operating community infrastructure were among the first to be transferred. In 1979, Treasury Board approved the first set of "Terms and Conditions for Contributions to Indian Bands and Organizations". Departmental figures reveal a steady increase in the funds administered by bands:

1971	$ 34.9 million	16% of total budget
1976	147.6 million	31% of total budget
1982/83	526.6 million	50% of total budget

In addition to contributions to cover the delivery of services, bands also receive core funding to cover general administrative expenses.

This policy of devolution has transferred only the delivery of services to the band level; control over programs, policies and budgets remains with the Department. While the Department has continued to refer to this process as "strengthening band government on Indian reserves", Indian witnesses consistently criticized the policy for failing to transfer real control to Indian people:

> We found that the Department has too much control. The bands are told what to do and what not to do. Program direction stems from the Department instead of the band. The

* *Ibid.*