

election for a term of years or otherwise, as they may desire. Therefore, they object to provisions in the Indian Act which stipulate a method whereby Chiefs are to be elected, and also which provide by section 96, that the Governor in Council has power to determine when it is advisable for the government of a band to introduce the elective system of Chiefs and Councillors or head men. These are matters which should be left to the discretion and determination of a majority of the band and dealt with according to the customs of the band. Such representatives, whether Chiefs or Councillors, as the band may determine, should have the power to deal with the affairs of the band, and should not be required, for the purpose of altering or changing the system of choice, to obtain the permission of the Governor in Council or Indian agents. The Indians of this Organization are of opinion that one of the principal reasons for the failure of Indians to govern themselves successfully has been the interference which has consistently been present, by Indian Agents and other representatives of the Department of Indian Affairs. Only by permitting Indians the opportunity of directing their own affairs according to their best judgment and according to the custom of the band, can they develop those systems of free and democratic local government which are so desirable throughout this country. This may involve a measure of trial and error, but this is inevitable under any system of free government.

45. *All Indians should be permitted to elect a council.*

This Organization strongly recommends that every opportunity be given to Indians to learn and practise the essence and principles of democratic self-government. This should be carried on according to Indian customs on the reserves by persons chosen by the freely expressed will of the Indians in every band and all Indians that so desire should be permitted to elect the Council which will have the powers referred to in Section 185, Part II of the Indian Act. It cannot be emphasized too strongly that the granting of such right should not depend upon the direction of the Governor in Council. Indians should be permitted to elect the Council whenever they themselves feel that they are sufficiently developed to manage their own affairs. (This would remain a matter entirely separate and apart from the principle of enfranchisement which is not endorsed by the Indians of this Organization and which is discussed later in the brief.)

The Indians must be permitted to govern themselves and direct their own affairs if Indian advancement is to be promoted on the reserve within the scope and application of the treaties.

46. *Indians should be trained to administer and enforce the regulations of their councils.*

Enforcement of orders of the Council proceeds under Section 185, subsection (4) of the Indian Act, as in the case of summary conviction offences under the Criminal Code of Canada. It is probably inevitable that enforcement should be by justices of the peace and magistrates of non-Indian origin for a time, but it is submitted that in thickly settled areas of Indian population an endeavour should be made to prepare and train Indians for the administration of justice, in so far as such administration and enforcement relate to rules, regulations and orders regularly promulgated by the Indian Councils provided for under Part II of the Indian Act. In this development there will follow an increased awareness by Indians of the law itself, and an increased respect for the law, as well as a more sympathetic application of the rules and regulations of the Councils, by men who themselves are Indians.