

# Our brother's not for burning.

**A**LTHOUGH MUCH public attention has recently been focused on Edgar Benson's *White paper on taxation*, there has been another white paper presented by the government, the *white paper on indian policy*, which is worthy of equal consideration by the Canadian public.

This White Paper is important in the first place simply because it proposes to legislate out of existence the roughly half-million registered and non-registered Indians in Canada, a policy that has led to the charge of "cultural genocide" from many Indian spokesmen.

Secondly, it is of great importance because it provides a classic example of how western, liberal governments forever fail to arrive at real solutions to the problems they face because they are unable to comprehend, or admit, the true nature of the society in which they exist.

The White paper on indian policy does not appear as a monstrous, immoral plan for the elimination of the Canadian Indian population.

Rather, it is more subtle.

The government admits, albeit quite paternalistically that the Indian population of Canada is faced with grave problems; an incredibly high infant mortality rate, an average annual income of less than \$2,000 a life expectancy drastically less than that of white Canadians, and more.

The government also agrees that something must be done about these problems. Thus it presents the white paper, cloaked in liberal sentiments, as the "final solution" to the Indian problem.

On the face of it then, there is nothing blatantly immoral about the government's intentions. But given the massive Indian outcry against this policy, it would seem obvious that something, somewhere, has gone wrong.

What is needed, then, is an examination of some of the significant passages of the government paper to see just where the problem arises.

## Legality is not power

The government opens the white paper by stating:

*To be an Indian is to be a man, with all a man's needs and abilities.*

This fatuous beginning sets the tone for the government's condescending approach to the Indian's problems throughout the paper. Of course the Indian is a man. Did anyone doubt that he was a human being? But the government seems to feel the need to reassure the Canadian population that Indians are people.

*To be an Indian is to lack power—the power to act as owner of your lands, the power to spend your own money and, too often, the power to change your own condition.*

This again states the obvious; if the Indian had political power, then he would have no need for the government's special legislation.

But more importantly, this admission damages the government's contention that all the Indian needs is equality under the law.

Simple legal equality cannot ever guarantee the political power that the government admits the Indian lacks.

*Not always, but too often, to be an Indian is to be without—without a job, a good house, or running water; without knowledge, training or technical skill and, above all, without those feelings of dignity and self-confidence that a man must have if he is to walk with his head held high.*

What is important about this passage is that it exposes the government's euro-centric conception of culture; thus the government believes that running water and good houses form the basis of all culture, without examining the Indian idea of culture apart from these material things.

*All these conditions of the Indians are the product of history and have nothing to do with their abilities and capacities.*

This passage is crucial to the whole government argument, for by attributing the Indians' problems to an abstract entity called "history", the government mystifies the situation.

History does not produce things, men do. And the men who produced the problems of the Indians were the white men. Thus one would think that Indians might have a legitimate claim against white society for reparations for past wrongs.

However, by attributing these wrongs to "history", the Government precludes the possibility of such a claim. *Indian relations with other Canadians began with special treatment by government and society, and special treatment has been the rule since Europeans first settled in Canada. Special treatment has made of the Indians a community disadvantaged and apart.*

This passage presents the second main point of the government's argument, and it is equally as misleading as the previous one.

Special treatment did not make the Indians disadvantaged; it was only harmful special treatment that did this—that is, the murdering of Indians and theft of Indian lands by white men.

But the remedy for this negative "special treatment" is not the abolition of special treatment, but rather the institution of *positive* treatment.

Now that Indians have been reduced to a disadvantaged status, the solution to the problem is not to suddenly decide to treat them as equals without first raising them up to real equal economic status. Rather, what is required is positive special treatment, which would first provide Indians with a material basis of equality before engaging in empty egalitarian rhetoric.

*This proposal is a recognition of the necessity made plain in a year's intensive discussions with Indians people throughout Canada.*

This passage makes a factual claim which simply does not seem to be true.

The "intensive discussions" consisted of brief meetings with various Indian bands; at no time were the Indian organizations and brotherhoods consulted. And the government's claim that this policy is a "recognition" of needs brought out in these "discussions" is belied by the fact that the major point of the policy is the abolition of Indian reserves; yet this was not mentioned in any of the Indians consultation hearings.

*The policies proposed recognize the simple reality that the separate legal status of Indians and the policies which have flowed from it have kept the Indian people apart from and behind other Canadians.*

This simply restates the government argument that special (or separate) treatment has created the Indians' problems. And as seen above, this is not the case; oppression and exploitation at the hands of the white man has done this. The remedy for this is not simply to stop the oppression, but to repair the past wrongs, as as much as possible, perhaps in the form of reparations.

*In recent years there has been a rapid increase in the Indian population. Their health and education levels have improved. There has been a corresponding rise in expectations that the structure of separate treatment cannot meet.*

This claim is simply not true. As a matter of fact, the Indian mortality rate has increased by six percent over the last three years.

What is needed is immediate attention to the problem (that is, special treatment of some sort) not the governmental formula of treating everyone equally without provision for special need.

## Partnerships are relative

The Government states that it: *seeks a partnership to achieve a better goal. The partners in this search are the Indian people, the governments of the provinces, the Canadian community as a whole and the Government of Canada. As all partnerships do, this will require consultation, negotiation, give and take, and co-operation if it is to succeed.*

But unequal partners, operating from unequal economic bases, soon find that their partnership dissolves into a single-partner partnership, as the larger partner dominates and overwhelms the lesser. For a true partnership, the material basis of equality must first be provided.

*Governments can set examples but they cannot change the hearts of men.*

This statement is simply false, as any observer of modern mass media's ties with governments will well know.

*Indian people must be persuaded, must persuade themselves, that this path will lead them to a fuller and richer life.*

This statement seems out of place in a paper supposedly offering a tentative policy for consideration, and it contradicts the government's assertion that the "hearts of men cannot be changed". If the government claims that Indians must be persuaded, it would seem the policy decision has already been made, and that the only task left is to implement it. This seems to be a long way from the stated government reliance on consultations, discussion, and meetings with the Indian people to determine their future.

*If Indian people are to become full members of Canadian society they must be warmly welcomed by that society.*

This again shows the euro-centric outlook of the government, since it places the burden of acceptance on the white members of that society. And, as anyone with any familiarity with welfare services will tell you, this is surely not the case.

One significant example is the case of the Metis; These people, although classified as non-Indian and provided with the same nominal services as other Canadians, are generally admitted to be in a worse situation than the registered Indians who have separate services.

*Those who are furthest behind must be helped most.*

This is a basic contradiction to the government's previous fetish about equality, but it does not provide a workable solution to help those furthest behind.

Rather, given the previous principle of common services, it is apparent that the help mentioned will be seen as welfare. And any poor white Canadian (the furthest behind in this society) will bear witness that he is not being helped the most.

*Control of Indian lands should be transferred to the Indian people.*

Thus, it surely seems just that Indians have control of Indian lands; however, certain problems quickly come to light.

In the first place, as previously noted, the government will be the final judge of what actually is Indian land.

Secondly, the question arises as to how long this land will effectively remain within Indian control.

Given the reality of expropriation, the earlier-mentioned need to pledge the land as security in order to obtain necessary development capital (most probably with U.S. corporations), and the problem of land taxes, it would seem unlikely that the land would remain under Indian control for a long period of time.

And despite its earlier claim that "those furthest behind must be helped most", the government does not intend to make special tax provisions for the Indian, as evidenced by the following:

*When the Indian people see that the only way they can own and fully control land is to accept taxation the way other Canadians do, they will make that decision.*

The Government then proceeds to investigate the problems of implementing this policy.

*The Government proposes to ask that the associations act as the principal agencies through which consultation and negotiations would be conducted, but each band would be consulted about gaining ownership of its land holdings.*

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*The Government believes this to be self-evident.*

It is all very well to abolish the legal bases of discrimination, but this will not affect the problem unless the fundamental economic base of Discrimination is also removed.

And this will not be done by relegating all Indians to the welfare dole.

As blacks in the U.S. found out, the right to sit at a lunch counter means little if one still can not afford a hamburger.

Also, the present legislation, which is admittedly unjust and must be changed, still provides some measure of protection for the Indian during his struggle for his human rights. The proposed government policy would abolish this meager protection and still not ensure the fulfillment of these rights.

*There must be positive recognition by every-one of the unique contribution of Indian culture to Canadian society.*

This is a basically meaningless proposal, for it does the Indians little good to be patronized for their contribution to Canadian society if that society still continues to exploit them.

*Services must come through the same channels and from the same government agencies for all Canadians.*

*This is an undeniable part of equality. It has been shown many times that separation of people follows from separate services. There can be no argument about the principle of common services. It is right.*

Here again, the government relies on its fundamental assumption that equal treatment is a necessity for the just society.

But as pointed out earlier, this is not necessarily the case. Equal treatment is only justified in the case of equal needs, and the Indians needs are great. Also implicit in this is the assumption that common services has provided for the needs of non-Indian people in the past. And, as anyone with any familiarity with welfare services will tell you, this is surely not the case.

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## Red land—white profit

An important clue to the government's intentions may be garnered from the following passage.

*Private investors have been reluctant to supply capital for projects on land which cannot be pledged as security.*

American companies are eager to begin the development of the Canadian north via the Mid-Canada Development Corridor, but they cannot do so as long as the Indian reserves within that area are protected from alienation by the government, as is required by the present Indian Act.

However, once the government lifts this protection, as it proposes to do in the white paper, the Indian lands will be able to be pledged as security for development. Since the Indians have little other resources, the land is all that they themselves could pledge in order to obtain necessary development capital. The land will ultimately then be taken out of Indian control.

This is one of the weaker points of the government's proposals, especially given the Canadian government's past history of "recognizing" legal obligations to Indians.

**The recently-announced Canadian government White Paper on Indian Policy proposes to commit cultural genocide in eliminating what even now are minimal Indian rights, and completely ignores the historical fact that whites, as exploiters of Indian lands, owe financial and material**

**reparations to every Indian. So claims the Organization for Social Justice and Reconstruction, a committee of students and professors at the University of Waterloo who are beginning a program of research for the benefit of minority and repressed populations.**

This history of broken treaties and false promises raises grave questions as to how these "legal" obligations are to be fulfilled. Yet this is one of the crucial issues concerning Indian policy since all Indian spokesmen seem to agree that before further steps are taken to formulate an Indian policy it is absolutely necessary to fulfill existing treaty obligations.

However in response to this concern over treaty rights, the government simply proposes to appoint a commissioner who will: *classify the claims that in his judgment ought to be referred to the courts or any special quasijudicial body that may be recommended.*

What this does is simply to remove the fulfillment of these obligations one step further from the government. In effect, the government will not only decide what is "lawful", but it will also appoint a functionary who will be the sole judge of what claims will even be considered as either lawful or unlawful.

Further, although some brief mention is made of these "lawful" claims (that is, treaty rights), no mention is made of "moral" obligations. This quickly absolves the government from any responsibility for the great number of Indians without treaties. It eliminates any basis for Indian claims for reparations. And it effectively proscribes any of the aboriginal land claims, such as those being put forward in British Columbia.

The government ends the specific mention of these claims by stating:

*These are so general and undefined that it is not realistic to think of them as specific claims capable of remedy except through a policy and program that will end injustice to Indians as members of the Canadian community.*

The final point of the government's proposals is perhaps the most significant, for on face value it seems reasonable and just. However, the reality of its implementation could have disastrous consequences for Canadian Indians.

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The Indian associations mentioned were not consulted by the government in the formation of this policy but now they are to be consulted about its implementation. Given the past history of the "consultations" it would be quite surprising if the associations felt much would be accomplished by more "consultations" with the government, especially "consultations" concerning a policy to which they are solidly opposed.

Secondly, the Government states that each band would be "consulted" about its particular holdings.

The problem here is that the band is not an Indian organization at all; rather it is a unit of Indians set up for governmental administrative purposes, often overlooking tribal differences. This concept is explicitly defined (by white men, of course) in the second point of the Indian Act.

It is with this unit, and not with the Indian organizations that the government will discuss specific land transfers.

*The Government hopes to have the bulk of the policy in effect within five years.*

This passage is significant in two respects. In the first place, it seems to show that the government is not really too concerned with the proposed "consultations", and is preparing to go ahead with this policy.

And secondly, it shows that the government is not at all in touch with the reality Indians would face once this policy was put into practice.

Given the government's avowed intention to proceed, its refusal to consider special treatment of some compensatory sort for the Indians (perhaps reparations), and the reality of the class society and economy into which the Indians would be thrown; it can only be concluded that the government—consciously or not—will prepare within the next five years the final elimination of the Canadian Indian as a definable body within this society.

## Assuming too much

The government concludes the *white paper on Indian policy* by stating:

*A policy can never provide the ultimate solutions to all problems. A policy can achieve no more than is desired by the people it is intended to serve.*

This shows the government's aversion to reality, since it seems the government assumes this policy is actually desired by the Indians as the solution to their situation.

But in actual fact, this policy has been virtually unanimously derided by Indian spokesmen as a program of "cultural genocide".

Finally the government states the *essential feature of the government's proposed new policy for Indians is that it acknowledges that truth by recognizing the central and essential role of the Indian people in solving their own problems. It will provide, for the first time, a non-discriminatory framework within which, in an atmosphere of freedom, the Indian people could, with other Canadians, work out their own destiny.*

This underscores the whole problem of the government's proposed Indian policy, for it again shows how far removed from reality the government's assessment of its own society actually is.

The government is able to offer this policy as a framework within which Indians will work out their own destiny only because it subscribes to the myth that non-Indian Canadians, who are afforded legal equality, are able themselves to control their own destiny. However well-mean-

ing or malevolent, no government can hope to provide a realistic solution to problems when it bases its whole approach on the assumption of a myth.

In view of this examination of the *White paper on Indian policy* it is obvious that something is drastically wrong with the government's proposed "final solution" to the Indian's problems. This does not seem to result from any manifest government hostility or indifference to the problem (although this hostility very well might be present but unspoken).

And it does not result solely from the internal inconsistencies, distortions and half-truths found in the paper.

Rather, it follows from two main assumptions that the government makes—assumptions common to any liberal investigation of a problem which renders any liberal solution to the problem all but impossible.

THE FIRST ASSUMPTION is that "history" has somehow created all these problems for the Indian.

But as shown earlier, this ahistoric approach (common to most liberal spokesmen) serves only to obscure the fact that history consists in the actions of men relating to their specific socio-economic situation, and that white men (not some abstract entity called "history") have done this to the Indians. Thus, the liberal approach precludes the possibility of reparations to the Indians for past wrongs suffered at the hands of white men.

SECONDLY, THE government states that "special treatment" of the Indians has made them a disadvantaged group apart from the rest of Canadian society.

This ignores the historical fact that the Indians' plight had been created by *negative* special treatment (such as the payment of reparations to Indians to bring them up to a standard of life whereby they could enter Canadian society as truly *equal* economic partners if they so wish).

The reason the Government cannot deal with this point is that it assumes the common liberal myth that society, as it is now constituted, affords an equal opportunity to all of its members. That is, society forms an undifferentiated whole, devoid of classes, and that given *legal* equality, the Indian will be able to proceed up the ladder of social mobility as can non-Indian Canadians.

This liberal myth of a classless, upwardly-mobile socio-economic whole had been ably exploded by John Porter's book *The vertical mosaic*, which clearly documents the existence of rigid classes, without possibility of upward movement in Canadian society.

Thus, in the final analysis, the government white paper cannot hope to offer a viable solution to the problems confronting Canadian Indians because it is based on a mythical model of Canadian society which does not correspond to the socio-economic reality with which all Canadians, Indian and non-Indian, are faced.