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# LEADERSHIP SELECTION IN CANADIAN INDIAN COMMUNITIES

## REFORMING THE PRESENT AND INCORPORATING THE PAST

J. ANTHONY LONG and MENNO BOLDT

With improving prospects of achieving a greater measure of political autonomy for their governments, native Indian leaders in Canada are beginning to look seriously at reforming internal tribal/band political structures. Their objectives are to establish band governments that meet the present social and economic needs of Indian peoples as well as reflect traditional political values. A "band" is a legal entity specified in the Indian Act, a federal statute that has governed Indians in Canada since shortly after Confederation. In most instances the band corresponds to traditional tribal social and political organization, and these concepts are now often used interchangeably.<sup>1</sup>

In attempting to reform band govern-

ments, Indian leaders face formidable obstacles. First, there is a virtual absence of research on the performance of current band government systems in the political and administrative spheres. In particular, Indian leaders lack information on the efficiency and accountability of their leadership selection processes and on the operation of their band councils.<sup>2</sup> Second, band councils are derived from Euro-Canadian political concepts and structures that have been imposed by the Indian Act. Traditional indigenous institutions and practices have been systematically suppressed by a succession of Department of Indian Affairs administrations. Finally, reforms to current band councils and their electoral systems are required to conform to the principles of the recently enacted Canadian Charter of Rights and Freedoms, which are based upon individualistic western liberal democratic values and, as such, conflict with much of traditional indigenous political ideology.<sup>3</sup>

Our purpose in this paper is twofold. First, using data from band council elections and information from interviews with Indian leaders, we examine how the processes of leadership selection under the Indian Act elective system occur on the reserves of the Bloods and

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Peigans, two subtribes of the historical Blackfoot Nation.<sup>4</sup> (In Canada, lands allocated by treaty to Indians that fall under the Indian Act are called "reserves" in contrast to the American term "reservation.") In our analysis we compare band council elections on the two reserves with municipal council elections in three adjacent non-Indian towns, Pincher Creek, Fort Macleod, and Cardston, Alberta. The Indian Act elective system is based on the same ideological principles as the municipal electoral systems. Thus, the municipal council elections can serve as useful reference points in our attempt to understand how the Indian Act elective system functions within the Blood and Peigan political systems. Second, employing the results of this analysis we seek to determine what impact the Indian Act elective system, with its associated Euro-Canadian political values, has had on the traditional leadership selection practices among the Bloods and Peigans.

The Blood and Peigan bands are among the largest and most modern Indian communities in Canada; therefore, we do not claim that the specific characteristics exhibited in the operation of their leadership selection systems are typical of Indian bands across Canada. However, because nearly all Indian bands in Canada have elective systems for choosing band council members our analysis can serve as a reference point for future studies in this area.

#### BACKGROUND INFORMATION

The Blood and Peigan reserves are located in southern Alberta within Treaty Area No. 7. They were established in 1883 and 1877, respectively. The Blood reserve has a population of over 6,000 and, geographically, is the largest reserve in Canada, comprising nearly 546 square miles. The Peigan reserve covers an area of approximately 210 square miles and has a population of slightly over 2,000.

Both the Blood and Peigan band governments receive more than 80 percent of their annual revenue from the federal government

in the form of funds allocated for specific purposes. In addition, the band governments receive a limited amount of income from a capital trust fund, administered by the Department of Indian Affairs and Northern Development, that contains royalties and other revenues from natural gas and oil production on reserve lands. In an effort to generate more revenue from internal sources and to create employment opportunities, both bands have attempted to develop an agricultural and small-business enterprise based economic infrastructure. The agricultural sector consists of individual mixed farming and ranch holdings, communally owned farms and cattle operations, and extensive land leases to neighboring non-Indian farmers. The small business enterprises currently include a prefabricated home manufacturing company, clothing manufacturing firms, and arts and crafts outlets.

Despite moves by both bands toward economic modernization, per capita income and rates of employment remain far below those of comparable non-Indian populations. Unemployment on the two reserves currently averages 75 percent, compared to an average rate of 9.5 percent for the adjacent municipalities and for Canadians generally. Moreover, legal strictures imposed by the Indian Act, and lack of start-up capital, have hindered development of business enterprises on the reserves. Both bands are experiencing rapid population growth and, with static land bases, most younger Indians are forced to live on welfare, while a few move off the reserves to find employment.

In the past two decades, both bands have developed fairly extensive bureaucratic structures, paralleling those of non-Indian municipalities. The emergence of bureaucratic infrastructures is due, partly, to a policy of the federal government, beginning in the 1960s, that encouraged transfer of program delivery control from the Department of Indian Affairs to "qualified" individual bands. The development and elaboration of bureaucratic structures also reflects a deliberate attempt on the part of the two Indian bands to control and

manage their own internal affairs in such critical areas as economic planning, land use, education, child welfare, and social development.

Of the three adjacent non-Indian towns that are used in our study, Pincher Creek is located approximately 15 kilometers west of the Peigan reserve; Fort Macleod is located midway between the Blood and Peigan reserves; and Cardston borders the southeastern end of the Blood reserve. These towns have populations between 3,000 and 3,500. All three towns have agrarian based economies and have socially homogeneous populations, comprised mainly of retired farmers, small business owners and their employees, and local and provincial government workers. Town revenues are derived from general per capita and conditional grants from the province, local property taxes, and licensing and other fees.

#### COUNCIL ELECTIVE SYSTEMS

The imposition of the Indian Act elective system on Indian bands represented a major initiative by the Canadian government to "civilize," that is, to assimilate, the Indian tribes. Because it incorporated the western liberal democratic concepts of individual political rights, representation, and election by plurality, the Indian Act elective system was viewed by the Canadian government as superior to the communal and consensus-based indigenous political systems.<sup>5</sup> In the words of Deputy Superintendent of Indian Affairs William Spragge in 1871, the elective system would substitute "a responsible, for an irresponsible system."<sup>6</sup>

Within the broad objective of assimilation, the elective system was intended to accomplish two goals: first, to indoctrinate Indians into a Euro-Canadian political culture, thus preparing them, ultimately, to live within local government systems; and, second, to eliminate traditional Indian political values, institutions, and governing processes.<sup>7</sup> Historically, how-

ever, the elective system has also been used as an instrument of control in the Canadian government's general policy of internal colonialism.<sup>8</sup> Traditional tribal structures often provided centers of resistance to government Indian policies. For the purpose of controlling band activities by Indian Affairs, elected band councils were more cooperative and organizationally more compatible than the traditional tribal decision-making structures.

Although the Blood and Peigan bands did not come under the electoral provisions of the Indian Act formally and fully until 1962, under the authority of federal government agents they had begun to operate an embryonic form of this system as early as the 1930s. A rudimentary, informal elective system was imposed on both reserves during the inter-World War period when the Department of Indian Affairs decided to extend the elective system to prairie reserves.<sup>9</sup> Under the informal system, councilmen were elected by a show of hands and chiefs were appointed by a federal government agent. By the early 1960s, however, under pressure from the Canadian government, the Blood and Peigan bands, along with other prairie Indian bands, formally and fully adopted the provisions of the Indian Act band council elective system.

Section 74 of the Indian Act, which governs the composition and methods of selection of band councils, prescribes that each band can elect one chief and one councillor for every one hundred band members, to a maximum of twelve councillors. Regardless of the size of the band, at least two councillors must be chosen. Section 74(3) provides as follows:

- a) that the chief of a band shall be elected by
  - i) a majority of the votes of the electors of the band, or
  - ii) a majority of the votes of the elected councillors of the band from among themselves, but the chief so elected shall remain a councillor; and

- b) that the councillors of a band shall be elected by
  - i) a majority of the votes of the electors of the band, or
  - ii) a majority of the votes of the electors of the band in the electoral section in which the candidate resides and that he proposes to represent on the council of the band.

Sections 75 through 80 of the Act allow the governor in council and the minister to regulate qualifications of electors, nomination meetings, voting procedures, and election appeals. Within these same sections, provisions exist for declaring the office of chief or councillor vacant and for prescribing circumstances under which elections can be declared invalid.

In the mid-1970s both the Blood and Peigan bands sought and were given permission by the Department of Indian Affairs to conduct their band council elections under the "custom" provision (2:1a) of the Indian Act. The custom provision allows a band to opt out of Section 74 and choose its council "according to the custom of the Band." This does not mean, however, that the Blood and Peigan bands could revert to their traditional methods of choosing leaders. Rather, the custom option allows a band to operate its electoral system differently from the specific requirements of the Indian Act.<sup>10</sup> Under this provision, the bands were given authority to exercise control with respect to nominating and voting procedures, and candidate qualifications. However, the only changes of any significance actually made by the Blood and Peigan bands under the custom provision were the extension of the franchise to band members living off the reserves, and the imposition of a nomination fee to be assessed all candidates standing for election to band council. They retained all other provisions of the Indian Act.

The size and composition of town councils in the adjacent towns of Pincher Creek, Fort

Macleod, and Cardston, as well as the rules regulating their election, are specified by the Alberta Municipal Government Act and the Alberta Local Authorities Election Act. The Alberta Municipal Government Act provides for an elected council of six members, a separately elected mayor, and a chief administrative officer appointed by the council. The authority of the chief administrative officer extends to specific duties assigned by the council. The Local Authorities Election Act contains detailed regulations governing town council and mayoral elections, including voter and candidate eligibility requirements, limits on candidate nomination fees, and election procedures. Although no legal impediments exist for the promotion of candidates by political parties in local elections, municipal politics in Alberta have remained non-partisan.

#### LEADERSHIP SELECTION SYSTEMS

To understand how the Indian Act elective system currently operates as a leadership selection system on the Blood and Peigan reserves we use electoral data from 1965 through 1987 as a starting point for analysis. Specifically, we look at candidate participation rates, voter participation rates, and re-election of incumbents. We relate this data to comparable election data from the three adjacent non-Indian rural communities. While aggregate election data have limitations for explaining how leadership selection systems function, nonetheless they can direct us toward fruitful areas for examination.

For purposes of analysis we have broken down the band and town council election data into the following categories: voter turnout, number of candidates for chief or mayor, number of candidates for council, number of successful incumbents, and percentage of votes cast to elect the chief or mayor and members of the council.<sup>11</sup> Such a breakdown gives us electoral data in a form comparable to that conventionally used to disaggregate and evaluate elections, and it allows us to make comparisons between band council elections

and the elections in adjacent non-Indian municipalities. (See table 1.) In order to determine whether or not imposing a candidate nomination fee had any effect on voting and candidacy patterns, we have organized the band council election data into pre- and post-nomination-fee periods.

*Number of Candidates and Political Recruitment.* The striking aspect of band council elections is the number of candidates standing for election at both the council and chief levels. The average number of candidates standing for each council seat in adjacent towns rarely exceeds two, and the norm is fewer than two candidates standing for mayor. By contrast, the average number of candidates for each council position on the Blood reserve was 5.75 during the pre-nomination-fee period and 7.00 in the post-nomination-fee period. Among the Peigans the number of band council candidates averaged 4.06 and 2.58 respectively, during the same periods. The average number of candidates for the chieftainship on the Blood reserve was 6.75 for the pre-nomination-fee-period and 9.00 for the

post-nomination-fee period. For the Peigans the number of chieftainship candidates averaged 5.70 and 4.33 respectively, during the same periods.

There is nothing unique about the Indian Act elective system, when compared to non-Indian municipal electoral systems, that should produce this result. There are no legal impediments to large numbers of candidates seeking council seats in non-Indian communities. Why then do band council elections attract so many more candidates than non-Indian local elections? We propose that the difference derives to a great extent from the particular candidate recruitment conventions and processes that exist on both reserves, which are quite different from those in the neighboring non-Indian towns.

The literature on political recruitment within non-partisan municipal election systems at the smaller community level points to the existence of screening/sponsoring mechanisms that serve to limit the number of candidates in the electoral contest. The screening mechanisms may take the form of civic

TABLE 1  
ELECTION DATA

	Blood Band Council Elections (Two-Year Term)		Peigan Band Council Elections (Two-Year Term)		Adjacent Town Council Elections 1974-1986 (Three-Year Term)		
	Pre- Nomination-Fee (1965-82)	Post- Nomination-Fee (1984-86)	Pre- Nomination-Fee (1968-79)	Post- Nomination-Fee (1981-87)	Pincher Creek (pop. 3,129)	Cardston (pop. 3,200)	Fort Macleod (pop. 3,545)
Percentage of Voter Turnout	52.90%	48.55%	59.85%	56.5%	46.00%	62.00%	57.00%
Average No. of Candidates Standing for Chief in Band Elections, for Mayor in Municipal Elections	6.75	9.00	5.70	4.33	1.20	2.25	2.40
Average Percent of Total Votes Received by the Successful Candidate (Chief or Mayor)	44.18%	21.92%	47.60%	37.12%	95.07%	62.37%	59.48%
Average No. of Candidates Standing for Each Council Position	5.75	7.00	4.06	2.58	1.43	2.16	1.57
Average Percentage of Total Votes Received by Successful Council Candidates	35.05%	20.17%	43.35%	49.51%	81.63%	60.17%	79.43%
Average Percentage of Council Incumbents who were Re-elected	41.50%	37.49%	31.05%	44.40%	49.97%	41.00%	62.41%

election associations or community, business, and service organizations, which perform an informal recruitment function. The role of these groups usually is to help define the structure of political opportunity in the sense of identifying who can compete for electoral office with a reasonable chance of success. In other words, relatively extensive involvement in community, business, or service organizations is generally a prerequisite for a successful candidacy for town council.<sup>12</sup> It is true that some candidates are self-recruited outside of the network of community associations, but these tend to be exceptions to the rule. A significant characteristic of non-partisan municipal elections, then, is that a pre-election screening process takes place.

In Blood and Peigan politics, no comparable screening processes and norms have developed to limit the number of candidates entering the electoral arena. Instead, candidate selection is influenced by a set of factors unique to band politics. Our interviews with leaders in both Indian bands have identified several factors that influence such a large number of candidates to enter the electoral arena.<sup>13</sup> We will briefly discuss these under the categories: (1) social and cultural factors; (2) economic and institutional factors; and (3) electoral behavior.

*Social and Cultural Factors.* The authors of the Hawthorn Report, in their study of the Blood reserve during the 1960s, found that the principle of "sectional representation," which corresponded to kinship group representation, played a significant role in candidate recruitment and voting support on the Blood reserve. Each kinship group, or "historical band," would put forward several candidates for council seats, and the members of that kinship group would vote for their relatives. The pattern of candidates emerging from this process would result in a more or less equal number of representatives on the band council from the various kinship groups.<sup>14</sup> The kinship variable, therefore, was important for Hawthorn and associates in explaining the large number of candidates that ran under the

Indian Act electoral system.

Although family group members are no longer geographically grouped on the Blood reserve because of land allocation and economic development policies, our interviews suggest that kinship continues to be an explanatory factor for the large number of candidates in the Blood and Peigan elections. Family groupings on both reserves, especially wealthier kin groups, continue to run slates of candidates during each election to maintain their advantaged status within the tribe. Sponsorship of candidates usually takes place in informal family group caucuses, where decisions are made as to who should run for council and who should not. The existence of the kinship group as a recruitment system is reflected in the candidate lists, where identifiable clusters of family surnames appear. It is particularly evident in the chieftainship contests, where major family groups are represented by at least one candidate and sometimes two. There are no direct parallels to kinship group recruitment structures in non-Indian municipal politics. Non-partisan electoral associations are generally open, not exclusive, and the number of these associations in existence in any given small town election is far fewer than the number of family groups running members for council on Indian reserves.

Kinship sponsored candidate recruitment as it occurs in today's band elections should not, however, be equated with traditional family based leadership selection processes. In traditional bands, an individual who distinguished himself as a coordinator and facilitator of collective action rose through the family structure and, eventually, succeeded to leadership position within the broader tribe.<sup>15</sup> He did not compete with other family group nominees in a tribal election. Moreover, a variation of the traditional kinship sponsorship system has emerged on both reserves—self-selected candidates who enter the election contest in the hopes of receiving votes from their relatives. In other words, although official "family" sponsorship is not involved, the individual expects to receive

family voting support.

*Economic and Institutional Factors.* In their survey of Indian communities, the authors of the Hawthorn Report found a strong correlation between the number of candidates for council positions and the size of band funds.<sup>16</sup> A comparison of the average numbers of candidates in Blood band elections as compared to Peigan band elections appears to confirm Hawthorn's finding. The Blood band's annual budget is several times greater than that of the Peigan band, and the average number of Blood council candidates is approximately twice as high as on the Peigan reserve. Although the implications of this correlation were given only limited consideration in the Hawthorn Report, we can suggest two speculative interpretations: one, it may be that candidates run for council to advance the common good, that is, the size of band funds makes it possible for the council to accomplish something positive for the reserve community; and two, candidates run for council to take advantage of band resources for the benefit of themselves, their relatives, and friends. In regard to the first suggested interpretation it should be noted that, although the Blood band controls greater funds than the Peigan band, both bands are poor by prevailing Canadian standards. Neither band has sufficient income to provide a level of services to its members comparable to that existing off the reserves. Moreover, because of the high level of fiscal and political control that the Department of Indian Affairs exercises over band councils and tribal administration, council members have little latitude in determining how band funds are to be spent. The combination of chronic under funding and Indian Affairs control over how band monies are spent, makes serving on band council an experience in frustration rather than of satisfaction gained from advancing the common good. Band councillors on both reserves have confirmed this view to us.

Self-interest is a more convincing explanation for why so many individuals stand for band council elections. In both tribes council

seats and chieftainships are defined as full-time positions. A band councillor's salary, including allowances and benefits, exceeds \$20,000 per year on both reserves. Aside from a few reserve administrative positions, the councillors' and chiefs positions are the highest paid positions on the reserve. Given the high rates of unemployment on both reserves, a council seat represents an extremely attractive employment opportunity. By comparison, remuneration for councilmen and mayors in adjacent non-Indian towns falls between \$3,000 and \$4,000 per annum respectively. For many candidates, then, band council elections are, in effect, the "politics of self-employment." Beyond immediate personal financial gain, moreover, a position on band council represents the opportunity to benefit family and friends through influence over the decisions on scarce resources, such as band jobs, services, and land. In short, leaders on both reserves have indicated to us that a council post is seen as a position from which an individual can directly benefit himself, relatives, and friends.

The large number of candidates running for office is also related to the conception Indian people have of the band council as an institution. The primary function of band councils has been to serve as an administrative arm of the Department of Indian Affairs. As a consequence, band councils are not viewed by Indians as representative assemblies accountable to band members. This eliminates the personal accountability factor that tends to discourage less than serious candidates in non-Indian municipalities from running for office. Alberta municipalities have always exhibited a strong sense of local democracy and autonomy. While municipalities in Alberta exist as legal creatures of the province, they nevertheless hold substantial discretionary powers under the Alberta Municipal Government Act. Under Section 112 of the Act, municipalities are allowed to pass bylaws for "peace, order and good government," and "for promoting the health, safety, morality and welfare" of their citizens. Historically, the province has been reluctant to interfere with



the bylaw-making or discretionary powers of municipalities, preferring to let local democracy prevail and correct its own mistakes when necessary. The extensive power of municipalities in Alberta, coupled with a local property tax base that accounts for a large share of municipal revenue, has created a situation where citizens demand accountability from their elected councils. Councillors cannot shift blame to senior levels of government for bad or ineffective administration. By contrast, band councillors can always deflect the dissatisfaction of electors by blaming the Department of Indian Affairs for lack of accomplishments. Thus, band councillors are spared some of the slings and arrows generally associated with service on non-Indian municipal councils.

*Electorat Behavior.* The distribution of votes among candidates, particularly on the Blood reserve, tends to give band council elections the flavor of a game of chance. In nearly all elections over the period under study the vote was so thinly distributed amongst candidates that even a very small shift in voter support would produce a greatly different election outcome. For example, in the 1984 Blood band council election, the bottom four elected candidates received votes of 165, 164, 160, and 160, respectively. The next twenty-seven unsuccessful candidates were not far behind, receiving between 159 and 100 votes. Our interviews suggest that elections are viewed by many candidates as a game in which anyone might win. This lottery atmosphere serves as an inducement for many people to stand as candidates.

Recently, both bands introduced a candidate nomination fee. The nomination fee on the Blood reserve is \$50.00. The Peigans began with a \$75.00 nomination fee but raised it in the 1987 elections to \$200.00 for council candidacy and \$300.00 for the chieftainship. Tribal leaders hoped that a nomination fee would cause individuals to think more seriously about running for council as well as reduce election costs by having fewer candidates. Our data indicates this tactic appears to be marginally successful on the Peigan reserve where a

reduction in the number of candidates has occurred since a nomination fee was introduced. Caution is needed, however, in giving undue credit to the nomination fee for the reduction in the number of candidates in recent Peigan elections. While a significant decrease in candidates did occur between the 1979 and 1981 band council elections when the \$75 fee was introduced, only an 18 percent drop in the number of candidates for council took place in the 1987 elections when the nomination fee was raised to \$200.00. Moreover, the number of candidates for chief increased from four to five in the 1987 election, despite the quadrupling of the nomination fee. On the Blood reserve, the number of candidates actually increased by over ten percent after the imposition of a nomination fee, suggesting that tribal members may have reacted negatively to attempts by band leadership to limit their right to stand as council candidates. Another explanation is that a nomination fee of \$50.00 is too low to serve as a disincentive. By comparison, the Alberta Local Authorities Election Act sets a limit of \$100.00 for nomination fees in municipalities with a population under 100,000. The nomination fee in Cardston, Fort Macleod, and Pincher Creek, however, is only \$25.00.

*Voter Participation.* Voter participation rates are usually treated as indicators not only of citizen interest in leadership selection, but are also a reflection of interest in issues on the public agenda. During the period under study, voter participation rates among members of the Blood and Peigan tribes averaged 51 percent of eligible voters for the Bloods and 58 percent for the Peigans. The Hawthorn study, conducted during the 1955-1965 period, showed a similar voter turnout in the communities they studied. These voter turnout rates appear comparable to voter participation rates during council elections in the neighboring non-Indian towns, which average 55 percent.<sup>17</sup> (See Table 1.) However, a comparison of voter turnouts between band and municipal council elections is problematic for two reasons. One, the voting age on both reserves is 21 years

compared to 18 years in municipal elections. And two, the high rates of poverty and social pathology on the reserves make interpretation of Indian voter turnout difficult. A more meaningful comparison would be to relate present levels of participation by tribal members in the leadership selection process under the Indian Act election system to participation under the traditional system of leadership selection. Under the traditional system leaders emerged from a consensual process with virtually all adults participating. Under the elective system many tribal members do not participate in the leadership selection process and are pushed to the periphery of decision-making.

*Re-Election of Incumbents.* Re-election rates among Blood and Peigan councillors are much lower than those in the neighboring communities. In the non-Indian communities turnover of council membership usually results from decisions by incumbents not to run again. Except in Cardston, of those incumbents who stand for office again, over half are re-elected. On the two Indian reserves, however, our data indicate that most incumbent turnover is incurred by electoral defeat rather than by decisions on the part of council members not to run again for office. The high level of incumbent electoral defeat is, in part, attributable to the fact that a small shift in voter support is likely to result in an incumbent's being defeated. More significantly, however, the limited authority and lack of funds at a band council's disposal means it is simply not able to satisfy the expectations of band members and this dissatisfaction is expressed in a lack of elector loyalty to incumbents. Interestingly, our interviews reveal that the low incumbent re-election rates do not reflect, except in isolated cases, a "throw the rascals out" attitude. In general, elections on both reserves have not been characterized by deliberate efforts among groups of band members to prevent the re-election of specific individuals. Unlike the town council elections in which councillors are held accountable for the state of the municipi-

ality, in the band elections band members are aware of the very limited influence that their council members exert over the events and circumstances that affect their lives.

The cumulative effect of so many incumbents being defeated results in unstable band councils. Nearly two-thirds of council membership changes every two years, leaving little scope for long range social and economic planning. A majority of councilmen have to be educated every two years about on-going policy initiatives and even about procedures of council. Both bands have lost opportunities for job-producing economic development because of inexperienced council members and instability.

The incumbency of band chiefs, however, reflects a very different pattern of electoral behavior than that evident in band council elections. As a rule, chiefs on both reserves stay in office for much longer periods—ranging from six to fourteen years—and, over the period of our study, only one had been voted out of office. Chiefs, then, are more directly comparable to the mayors of the adjacent non-Indian towns with respect to tenure in office. Our interviews with Indian leaders suggest that the more stable incumbency patterns of chiefs is due to the fact that the tribal chieftainship still retains much of its traditional symbolic meaning for band members. That is, the chieftainship is perceived as a stabilizing and unifying institution for the tribe internally and as the formal representative of the tribe externally. In fact, however, a contemporary chief is nearly as powerless as the band council members.

#### THE IMPACT OF THE INDIAN ACT ON TRADITIONAL RECRUITMENT PROCESSES

Our findings regarding the way the Indian Act elective system operates on the Blood and Peigan reserves inform our second purpose: to discover how the Indian Act elective system, which is based upon Euro-Canadian values, has had an impact on traditional Indian leadership selection practices.

Ideologically, the Indian Act elective system is based upon a contractarian concept of individual political rights, universal eligibility for political office, and the notion of formal representation. The leadership selection process embodied in this system involves the selection of a set of decision-makers at definite intervals, the delegation of decision-making authority to these individuals (including the acceptance of the corollary obligation to be bound by that authority), and the right to change the decision-makers at the next election. Underlying this process are the assumptions that the plurality system governs the operation of the electoral system in choosing representatives and that the decision-making process within the representative body will be by majority rule. A basic premise is that representatives are accountable to those who elect them.

For the Blood and Peigan bands the traditional leadership selection process, as well as the delegation of authority, was grounded in the concepts of communalism, egalitarianism, and consensus. In practice, this meant that power, or authority, could not be claimed by any subset of the tribe. It was vested in the tribe as a whole and only delegated on a temporary basis.<sup>18</sup> There was no fixed number of leaders; chiefs were chosen on the basis of their functional skills for leadership related to a particular task. In times of peril the band would turn to a warrior for leadership but as soon as the danger had passed his status reverted to that of just another band member.<sup>19</sup> In all cases, leadership selection involved extensive consultation among members and families of the Indian community. Traditional Indian leadership was essentially a meritocracy, and good people were able to rise to influence through the family and clan, eventually becoming members of the tribal council.<sup>20</sup> Government without institutionalized ruling structures required special procedures. For the Blood and Peigan bands, those procedures included direct participation in leadership selection, and decision-making by consensus.<sup>21</sup>

How have the two distinctly different leadership selection systems interacted? In one sense, it can be argued that as an externally imposed institutional arrangement, the Indian Act band council elective system has contributed to the destruction of the traditional meritocratic leadership selection of the Blood and Peigan bands. A leadership selection system that is based upon individualized political rights and participation, that allows virtually unlimited entry into the leadership selection arena because of the absence of effective candidate screening/sponsoring mechanisms, and allows for the election of council members by small pluralities is inimical to the traditional system that stressed collective agreement in the choosing of leaders and decision-making by consensus.

In another sense, however, the malfunction of the Indian Act elective system can be seen as the consequence of two major handicaps that have historically plagued Indian government in Canada: lack of effective internal governing authority and a concomitant lack of accountability to tribal members. Under the Indian Act, the authority of band governments has been reduced to by-law making bodies of the sort that "control bee keeping and the destruction of noxious weeds." Historically, the most significant powers of the Blood and Peigan band governments have been control of internal land allocation decisions. Moreover, the Indian Affairs policy of supporting band government through earmarked funds and the imposition of strict financial accounting procedures has in effect meant that program development and corresponding funding priorities on the reserves have been determined by non-Indians rather than by band leadership. By incorporating band governments into the hierarchical structure of Indian Affairs, with its upward flow of administrative and financial accountability, the traditional Indian stress on the responsibility of leaders to the tribe has been undermined.

A leadership selection process that results in political incumbents who are characterized

by lack of power and the absence of accountability to constituents serves as a fertile ground for economic egoism. In the case of the Blood and Peigan band council elections, economic egoism is reflected in the large number of candidates whose motivation in running for band council is self-interest and pecuniary gain. Moreover, the long history of being accountable to Indian Affairs has produced a habitual incapacity among band councillors to view their primary responsibilities as being to their constituents. On the other side of the coin, band members have lost the initiative to demand accountability from their elected representatives.

The Canadian government must accept primary responsibility for the deficiencies in the Indian Act elective system as it now operates on the Blood and Peigan reserves. By its refusal to incorporate the basic value of accountability into the leader-constituent relationships on the reserves, the Canadian government has precluded the development of responsive, responsible, and stable forms of Indian government. It is not surprising, therefore, that the Indian Act elective system does not function on reserves as do its counterparts in non-Indian communities.

## CONCLUSION

There appears to be no turning back from the elective system as the basis of band government. The acculturation of tribal members to the elective system and the guarantee of democratic political rights under the Charter, which legally precludes any form of leadership selection based on non-elective methods, ensures that some form of elective system for band council will remain in existence. Nevertheless, significant reforms can be made by Indian bands. The preceding analysis of band council elections suggests that if viable self-government is to develop on Indian reserves, Indian leaders must direct their attention to making the present band councils, or whatever type of legislative assembly that emerges, more

responsive to the needs and demands of their constituents.

First, the direction of accountability needs to be reversed. This process can begin by increasing the internal authority of band government, either constitutionally or legislatively. If the federal government is unwilling to do this then bands must do it through their own initiative. As band governments become a stronger political force within their communities, their dependency on the Department of Indian Affairs will lessen and the present situation, characterized by upward accountability, will decrease. Band councils may then become more like their counterparts in the adjacent non-Indian towns where a highly developed sense of political accountability exists on the part of council members toward their constituents. But, making band governments responsive and accountable to tribal members is also a matter of attitudinal change amongst both leaders and followers. Band government will not achieve greater internal authority unless support is firmly rooted in the tribe itself. If the Bloods and Peigans are to use their governments as effective political instruments for self-government, a major reorientation is required for both leaders and followers. This constitutes a task of great magnitude. As autonomous and responsive Indian government becomes a reality, economic self-interest may diminish as a primary motive for political participation, and individuals whose first aim is to serve the needs of their people will run for council.

Second, the retention of the band council elective system does not preclude efforts by Indian leaders to search for creative ways to bring the values associated with their traditional ways of choosing leaders into the modern political process. For example, the establishment of a ward system, which is permissible under the present Indian Act, could bring the electoral process closer to the people and increase the feeling of personal participation in the leadership selection process. Another significant effect of having smaller electoral districts would be to place

councillors in a closer relationship to their constituents. Dialogue could be increased, and councillors would be in a better position to understand and react to constituents' needs. Moreover, a carefully designed ward system would be more compatible with traditional kinship selection and representative practices.

Third, the leadership on both reserves should seriously consider eliminating (or reducing to a token amount) the candidate nomination fee for band council elections as a device to limit the number of candidates. The nomination fee is a response to problems created by an imposed leadership selection system and has no basis in traditional Blackfoot political culture. Rather, it is inimical to the traditional meritocratic leadership selection method. Moreover, a nomination fee, particularly on the Peigan reserve, has the potential of not only being a formidable barrier to those of lower economic and social standing who wish to run for a council seat, but also of creating a self-perpetuating, class-based, governing elite.

Fourth, the problem of band council instability could be partly addressed by lengthening the term of office from the present two years to four years. This change is possible under the custom provisions of the Indian Act under which both bands now operate. A four-year term would allow councillors to gain experience and knowledge. Under the present two-year term they have only one year to gain experience before they become "lame ducks." During the last year of their term, their decisions are made in the context of the "anticipated reactions" of tribal members in the next election. The four-year term is more conducive to long-range economic and social planning. Four years could provide the time necessary to develop policies as well as provide an opportunity to monitor their implementation.

Finally, in addition to initiating changes in the band council elective system, tribal leaders could establish institutions that more directly reflect their traditional philosophies and values. For example, constituting a Council of

Elders to advise the band council could bring additional wisdom and experience into the decision-making process and, at the same time, preserve important cultural traditions among the Blackfoot. Such a complementary political structure could help restore a degree of consensual decision-making by bringing more tribal members out of the periphery and into the decision-making process. Tribal institutions that reflect, even in part, traditional political ideals are more likely to engender the loyalty of their constituents, an essential ingredient for effective government.

#### NOTES

1. Both the Blood and Peigan Indians refer to themselves as tribes as well as bands.

2. Despite the growing body of literature available on Indians in the constitutional, policy-making, and legal areas, little research has been devoted to the political process within Indian communities. Other than the comprehensive Hawthorn Report (H. B. Hawthorn, ed., *A Survey of the Contemporary Indians of Canada: Economic, Political, Educational Needs and Policy*, 2 volumes, Ottawa: Indian Affairs Branch, 1967), few studies exist. See C. H. Torok, "Structures and Functions in Tyendinaga Politics," *Anthropologica* 14 (1972): 31-42. Other tangential but informative works include Ernest L. Schusky, ed., *Political Organization of Native North Americans* (Washington, D.C.: University Press of America, 1980); and A. Tanner, ed., *The Politics of Indianness* (St. John's, Newfoundland: Memorial University, 1983).

3. For an extensive discussion of the conflict between traditional Indian political values and the Charter of Rights and Freedoms see Menno Boldt and J. A. Long, "Tribal Philosophies and the Canadian Charter of Rights and Freedoms," *Ethnic and Racial Studies* 7 (1984): 478-93.

4. The only systematic research on band council elections in Canada is contained in Chapter 8, Part II of the Hawthorn Report. While the Hawthorn study contains insightful analyses and observations of how band council elections operate across Canada, it has significant limitations today. The Hawthorn study was conducted when the 1951 Indian Act electoral system had been in place for only a short time on a number of reserves, and it is questionable whether those electoral systems had been in place long enough for any significant conclusions to be drawn regarding their operation. Moreover, Hawthorn and his colleagues could not foresee the social, educational, and other demogra-

phic developments, or the moves toward political autonomy, that have occurred in Indian communities during the last two decades.

5. J. L. Tobias, "Protection, Civilization and Assimilation: An Outline History of Canada's Indian Policy," *Western Canadian Journal of Anthropology* 6 (1976): 17.

6. Quoted in Wayne Daugherty and Dennis Madill, *Indian Government Under Indian Act Legislation, 1868-1951* (Ottawa: Department of Indian and Northern Affairs, 1980), p. 2.

7. *Ibid.*, p. 77.

8. Menno Boldt, "Intellectual Orientation and Nationalism Among Leaders in an Internal Colony," *The British Journal of Sociology* 23 (1982): 484-510.

9. Daugherty and Madill, *Indian Government*, p. 81.

10. See Leroy Little Bear, "Indian Government Pursuant to the Indian Act," in Leroy Little Bear, Menno Boldt, and J. A. Long, eds., *Pathways to Self-Determination: Canadian Indians and the Canadian State* (Toronto: University of Toronto Press, 1984).

11. The electoral data used in this study were obtained from the Blood and Peigan bands and the Department of Indian Affairs and Northern Development. Unfortunately, some data for the early 1960s are missing or incomplete.

12. J. A. Long and Brian Slemko, "The Recruitment of Local Decision-Makers in Five Canadian Cities: Some Preliminary Findings," *Canadian Journal of Political Science* 6 (1974): 559.

13. Indian leaders interviewed included members of band councils, administrations, and advisory committees on both reserves. In addition, we held discussions with unsuccessful candidates.

14. Hawthorn, *Survey*, pp. 220, 222.

15. R. L. Barsh, "Plains Indian Agrarianism and Class Conflict," *Great Plains Quarterly* 7 (1987): 83-90.

16. Hawthorn, *Survey*, p. 211.

17. Little research has been done on voter turnout in local elections in small Alberta towns. A recent study by Jack Masson reveals that although turnout rates are generally lower in Alberta municipal elections than in provincial and federal elections, which average 69 and 65 percent respectively, a tremendous variation exists in rates of voter turnout among Alberta municipalities. See Jack Masson, *Alberta's Local Governments and Their Politics* (Edmonton: University of Alberta Press, 1985).

18. Menno Boldt and J. A. Long, "Tribal Traditions and European-Western Political Ideologies: The Dilemma of Canada's Native Indians," *Canadian Journal of Political Science* 17 (1984): 481.

19. Blood Tribe and Oldman River Planning Commission, *Blood Tribe Master Plan: Historical Background* (Standoff, Alberta: Blood Tribe, 1981), p. 3.

20. Barsh, "Agrarianism and Class Conflict." See also Jessie Bernard, "Political Leadership Among North American Indians," *American Journal of Sociology* 34 (1928): 296-315; and Menno Boldt, "Canadian Native Indian Leadership: Context and Composition," *Canadian Ethnic Studies* 12 (1980): 15-33.

21. Menno Boldt and J. A. Long, "Tribal Philosophies and the Canadian Charter of Rights and Freedoms," *Ethnic and Racial Studies* 7 (1984): 545.