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Unmasking the warrior chiefs

Assembly of First Nations: a lobby for the ruling class

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Last week the Assembly of First Nations delivered an ultimatum to the government of Canada: Robert Nault, the Minister of Indian Affairs, has 30 days to drop his plans for consulting Indian people about amendments to the Indian Act and to agree to consultations managed by the AFN. Failure to comply will result in a new release of everyone's video fave — *Masked Warriors Blocking Public Highways*.

It is always shameful for a democratically elected national government to bow to the ultimatum of a special interest group, but in this case it would also be dangerous because Indian chiefs pretend to be leaders of nations in their own right. Enforcing an ultimatum against the Canadian government would be another successful step in their ongoing campaign to take themselves outside the law and the Constitution.

The federal government is well within its rights to consider amending the Indian Act. Section 91(24) of the Constitution Act, 1867, gives Parliament jurisdiction over "Indians, and lands reserved for Indians." Everyone agrees the Indian Act, whatever its merits when first passed in the 19th century, no longer fits the needs of the 21st century. If Parliament waits for 633 "First Nations" to propose a set of agreed-upon changes, it could be the 22nd century before anything gets done.

In fact, the AFN is not opposed to amending the Indian Act. It did not object in 1999, when Parliament passed the First Nations Land Management Act, which created a mechanism for bands to enact their own property codes. Why is it now resorting to obstruction? The answer to this question takes us to the heart of the matter.

Aboriginal self-government has created a new political class whose self-interest is served by managing the \$7-billion a year Ottawa spends on aboriginal programs. That class consists of the chiefs, band councillors, and all their legal, political, and technical advisors and employees. The AFN is their lobby group.

Members of the aboriginal political class use self-government to enrich themselves, their friends and relatives, and political supporters. They hold jobs carrying tax-free incomes; receive special honorariums and per diem payments for attending the meetings that go along with these jobs; allocate jobs, housing, and welfare payments on reserves; grant lucrative contracts; and travel on poorly monitored expense accounts.

To his great credit, Minister Nault is no longer willing to turn a blind eye to this scandalous situation. The reforms he is propos-

ing — disclosing band budgets to public scrutiny, monitoring elections to ensure elementary fairness, replacing patronage by the merit principle — are well-conceived steps toward making aboriginal self-government more accountable to the people it is supposed to serve.

Ultimately, it will be necessary to go even further, to introduce the principle of self-financing through local taxation on reserves. "No taxation without representation," said the American revolutionaries, but the converse is also true. Taxation gives people incentives to monitor the performance of their governors because they know they have to reach into their own pockets to pay for what they ask their government to do.

However, "sufficient unto the day is the evil thereof," as the Sermon on the Mount says. Aboriginal taxation can wait for another day. Today's task is to ensure Mr. Nault's reform initiatives go forward.

In this context, the AFN's intransigence becomes more understandable. Mr. Nault's new direction threatens the privileged position of the aboriginal political class. If they have to publish their budgets, if they can no longer manipulate elections, if they can no longer appoint their friends and relatives to jobs, they will start to lose control of the federal cash flow that sustains their livelihood.

Even apart from the substance of the reforms, it is a dangerous precedent, from the AFN's point of view, for the government to

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consult Indian people directly. The chiefs and the rest of their political class derive their legitimacy from acting as middlemen between Indian people and the government of Canada. Once Indian people learn they can exercise their rights directly as Canadian citizens, the AFN is finished as a political force.

It may become an ugly fight, but it is one that Mr. Nault can and should win, as long as Jean Chrétien stands behind him. Canadian public opinion is starting to turn against the excesses of aboriginal nationalism, just as it turned decisively against the threats of Quebec separatism. Voters applauded when Mr. Chrétien faced down the separatists through his reference to the Supreme Court and his Clarity Act. They will applaud again when his government faces down the nationalist poseurs of the AFN.

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