

Policy Paradigms and Policy Change: Lessons from the Old and New Canadian Policies Towards Aboriginal Peoples

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Canadian policy towards Aboriginal Peoples is a complex regime involving property rights, constitutional entitlements, cultural concerns, and interlocking administrative, social, economic, and political aims and goals. Recent events related to constitution-making have led investigators to suggest that an old "assimilationist" paradigm established in colonial times is in the process of being replaced by a new policy paradigm of "self-government" and "peaceful coexistence." Utilizing a model of paradigmatic policy change put forward by Peter Hall, this paper examines the development of the old and new Canadian policy and the reasons for the transition between the two. In so doing, it establishes the need to focus more closely on the relationships existing between endogenous and exogenous sources of change in policy subsystems in understanding the timing and content of policy change.

Introduction¹

Canadian policy towards the country's "First Nations" is a complex web of government and Aboriginal initiatives existing over four centuries of European contact with the original inhabitants of northern North America. It is probably the oldest area of government policy, originating in efforts made by colonial authorities of both the French and British empires to further settlement and colonization of the continent. As it has developed, it has taken on different shapes and has waxed and waned as an object of state or societal attention. Although it has been the subject of countless investigations by historians, anthropologists, and jurists, native policy still is relatively new ground for academic policy analysts.

As a very old area of virtually continuous government activity, native policy offers several unique possibilities for developing and testing several recently developed general insights into the nature of policy change (Castles, 1990; Greenberg, 1990; Hogwood & Peters, 1983; Richardson, Maloney, & Rudig, 1992; Sabatier, 1987, 1988). This paper describes the elements of a theory of paradigmatic policy change developed by Peter Hall (Hall, P. A., 1988, 1990, 1993), and applies it to the development of Canadian policy towards its Aboriginal population. It does so by examining the history of the establishment of one policy regime under French and British rule, a second in the period just prior to Confederation, and tentative movements towards a third begun in the mid-20th century. The theoretical expectations and the empirical reasons for such policy changes are compared and evaluated. The consequences of the findings for the policy sciences are then discussed.

Conceptualizing Policy Change

Recently, following the lead of Hugh Heclo (1974), many academic policy analysts have come to perceive the process of public policymaking not so much as a process of political conflict and conflict resolution (Lindblom, 1968), but as a process of policy learning (Sabatier, 1987, 1988, 1991; Weir, 1992).

However, as has been pointed out recently, there are several complementary, yet distinct, notions of policy learning found in the emerging literature in this area (Bennett

& Howlett, 1992). Various authors writing on the subject differ substantially on the subject of learning, its object, and its effects. Some restrict learning to high-level politicians and officials; others extend it to a more general social process involving most members of society. All see learning as involving a general increase in knowledge about policies, but some see this in terms of instruments, some in terms of programs, some in terms of policy goals, and others in some combination of these three elements. Some see learning as culminating in organization change, some in program or instrument change, and some in major paradigm shifts in how policy problems are viewed and thus in what sorts of policies are preferred or supported and which are not.

Two of these three types of policy learning—government learning and lesson-drawing—have been described and discussed reasonably well in the literature, and hypotheses pertaining to these concepts have been applied and tested empirically.² However, the third concept—social learning—is not understood nearly as well.

Social Learning and Paradigms

The notion of social learning stems from several recent discussions of policy change suggesting that a major component of fundamental long-term policy change originates in changes in underlying beliefs, values, and attitudes towards the nature of social problems or the claims of policy actors (Edelman, 1988; Hilgartner & Bosk, 1988; Schneider, 1985). A strong trend in this literature has been to discuss the process of change in social beliefs and attitudes in terms of a staged-sequential process, and to utilize the model of “paradigm” change developed in the attempt to understand scientific learning as an archetype or metaphor for policy change (Gersick, 1991; Hernes, 1976; Kuhn, 1962).

Two elements are involved in utilizing the notion of paradigms in policy research. One is the notion that more or less consistent or coherent sets of ideas about policies and policy problems can be identified and analyzed as distinct entities. Bearing a very close relationship to traditional philosophical notions of “ideologies” (Lichtheim, 1965), or to more recent sociological notions of “discourses” or “discursive regimes” (Foucault, 1972), this concept exists apart from any notion of changes in these sets of ideas. Jenson (1989, p. 238) provides a good definition of this first sense of paradigm, defining a “societal paradigm” as:

... a shared set of interconnected premises which make sense of many social relations. Every paradigm contains a view of human nature, a definition of basic and proper forms of social relations among equals and among those in relationships of hierarchy, and specification of relations among institutions as well as a stipulation of the role of such institutions.

However, there is a second sense of paradigm that provides the notion with its dynamism and with much of its interest to academic policy analysts. This is the idea that paradigms shift or change in a predictable fashion, and that this general description of the process of paradigm change is applicable to virtually any area in which ideas count. Not the least of these is public policymaking.³

This is a specific theory of change that elsewhere has been termed a “punctuated equilibrium” model—in which change is envisioned as involving an alteration between long periods when stable infrastructures permit only incremental adaptations, and brief periods of revolutionary upheaval.⁴

Exactly why this pattern of change appears to exist in many areas of social life is a subject of some dispute. Some explanations are essentially metaphysical, but most authors suggest that a “deep structure” of basic values and beliefs held by individuals in

any epistemic community acts to prevent nonincremental changes from occurring (Sabatier, 1987, 1988). As Gersick (1991, p. 19) has argued:

As long as the deep structure is intact, it generates a strong inertia, first to prevent the system from generating alternatives outside its own boundaries, then to pull any deviations that do occur back into line. According to this logic, the deep structure must first be dismantled, leaving the system temporarily disorganized, in order for any fundamental changes to be accomplished.

But what causes the changes in “deep structures” to occur? In Kuhn’s work, the finger was pointed at endogenous sources of change. That is, the answer was provided by the accumulation of anomalies, or observations on the part of community members of occurrences which simply could not be explained adequately by the existing paradigm. These episteme-challenging sightings, Kuhn (1962, p. 52) argued, eventually result in the development of a new paradigm.

Although very widely received and endorsed in the sociology of science, this account leaves several questions unanswered, not the least of which are: Why do some members of scientific communities attempt to reconcile anomalies while others formulate new paradigms, and why do some resist accepting the new paradigm while others readily adopt it? Although this is an undertheorized aspect of theories of scientific paradigm changes, Jack Walker (1974) has suggested, drawing on work undertaken by Robert K. Merton, that factors related to the motivations of individual community members lying outside the pursuit of “objective” knowledge may account for these behavioural variations.

According to Walker (1974), new fields of inquiry present opportunities to creative individuals and lead them into their survey and elaboration, until the “marginal return” to the investigator in the field diminishes, leading investigators to look for new challenges in fresh fields of inquiry. As Walker (1974, p. 9) argues:

The migration of established scholars and the entry of new recruits into developing new fields in search of professional standing is probably a more comprehensive explanation of the growth of science ... than Kuhn’s description of scientific revolutions.

That is, in the case of members of a scientific community their desire for prestige and recognition within the community play a large part in this process (Walker, 1974).

Hence, theories of paradigm change, while ostensibly concerned only with transitions in ideas, in fact combine the analysis of change in knowledge with that of the distribution of power within scientific communities. As Hernes (1976, p. 538) has argued, “acceptance is to a large extent a question of power and a conversion process which shifts professional allegiances over time.”

Policy Paradigms and Policy Change

Given the recent turn in policy studies towards network analysis and the emphasis placed on “policy communities,”⁵ it is not surprising that analogies have been drawn explicitly between the process of policy change and the model of paradigm change developed in relation to the study of scientific communities. This analogy is based on the assumption that there are significant homologies between scientific communities and policy communities. The most notable of these are that a distinct epistemic community exists in both cases; that both communities have their own mechanisms for knowledge acquisition, reproduction, and dissemination; and that individual members of each

community pursue the activities that define the community with an eye to their own personal gain as well as to the satisfaction of personal or theoretical challenges. Since these conditions are met, it is expected that a policy community, like a scientific one, will tend to develop a common episteme, world-view, or paradigm, and that change in this paradigm will occur as a process of punctuated equilibrium. That is, periods of incremental policy change will be interspersed with periods of rapid transformation.

This analogy is useful especially since it allows several hypotheses to be drawn concerning the typical pattern of change expected of public policies. That is, pursuing the analogy to its logical end, policy change is expected to: (1) occur as anomalies build up between empirical observations and theoretical speculations; (2) be brought about by innovative individuals within the community responding to internal community dynamics; (3) involve a period in which policymaking will be very unstable, as competing paradigms will emerge and be contested; and (4) end when adherence to a new dominant or hegemonic paradigm is complete.

Most policy studies utilizing the paradigm metaphor have been conceptual in nature. However, several studies have attempted to evaluate the concept of paradigmatic policy transitions by examining the actual experiences of policy change in different sectors or countries (David, 1985; Imershein, 1977b; Jenson, 1989; Masser, Sviden, & Wegener, 1992). Probably the most sophisticated analysis that has attempted to evaluate empirically the notion of policy paradigms has been undertaken by Peter Hall (1990, 1993).⁶

In his study of the transition from Keynesian to monetarist economic policy in Britain, Hall has argued that the actual process of paradigmatic policy change reveals distinct stages within each of an old, transitionary, and new period. These stages are quite similar to those identified by students of the history of science. Hall suggests that there will be two stages while the old paradigm remains dominant. In the first stage, the reigning orthodoxy is institutionalized and policy adjustments are made largely by a closed group of experts and officials. After this initial stage of paradigm stability, Hall suggests that there will follow a period in which "real-world" developments occur that were neither anticipated nor fully explicable in terms of the reigning orthodoxy. Following this *accumulation of anomalies*, the old paradigm will enter into a period of transition in which there are a further three stages.

In the third stage, of *experimentation*, efforts are made to stretch the existing paradigm to account for the anomalies. When these fail to satisfy, there is a stage of the *fragmentation of authority*, in which experts and officials are discredited and new participants to the policy debate challenge the existing paradigm. This leads to a fifth stage of *contestation*, in which debate spills into the public arena and involves the larger political process, including electoral and partisan considerations.

Finally, as the new paradigm emerges there will be a sixth stage of *institutionalization of the new paradigm*, in which the advocates of a new paradigm secure positions of authority and alter existing organizational and decisionmaking arrangements in order to implement the new ideas now circulating in the policy community (Hall, P. A., 1990, p. 68).

Thus, for Hall, the period of an entrenched paradigm has two stages: one in which the paradigm largely is unchallenged, and one in which challenges begin to build up. The period of transition involves three stages in which the challenges lead to some tentative or experimental changes, a stage in which experts disagree openly with each other, and a stage in which the disagreement between experts goes public and the relevant policy community is enlarged dramatically. Finally, there is an extended period in which the new paradigm is institutionalized and members of the relevant policy community come to accept its hegemony.

This model of paradigmatic policy change begs several questions requiring

additional empirical research. These include: (a) whether or not this model applies to any policy area other than the case of economic policy that Hall examined; (b) whether the six stages outlined by Hall are sufficient to describe the process of paradigm change; (c) whether and under what conditions changes proceed through all of the stages, or halt at different points along the way; and (d) whether assumptions about key variables affecting individual and community behaviour that are borrowed from the experiences of scientific communities are accurate in the case of policy communities and networks.

Operationalizing and testing the appropriateness of this model of policy change encounters several difficulties. Instances of major paradigmatic policy change, virtually by definition, can be expected to be rare, with most policy change involving, in Hall's (1988) terms, changes to the setting or types of instruments used to implement policy, rather than a change in the underlying values and ideas that have guided policy goals and decisionmaking. Changes can be recognized only if some earlier policy existed. Hence, policy innovations may, in some larger sense, be paradigmatic, but if there is no earlier policy to compare, then it is impossible to establish the nature and degree of the change involved (Polsby, 1984). Nevertheless, critical cases must be found and examined if the validity of the application of the paradigm concept to policy change is to be established.

Canadian Aboriginal Policy and Paradigm Change

One such test case lies in the development and formulation of Canadian policy towards Aboriginal peoples. Sally Weaver (1990) has suggested that Canadian native policy since 1969 has exhibited all the characteristics of a paradigm shift. Drawing on her earlier work into the events surrounding the demise of the Trudeau white paper on Indian policy (Weaver, 1981) and the development of native policy under the Mulroney government (Weaver, 1986), she has argued that new ideas about government-native relations have emerged over the past 25 years and now contest policymaking with a much older and well-established set of rules and principles.

Surveying the development of Canadian native policy since the retraction of the 1969 Liberal White Paper, Weaver (1990, pp. 10–11) notes that:

Much policy advice had flowed to the federal government from a variety of sources, including First Nations groups, various government bodies, government-appointed advisory groups, the media, and academics. This body of advice, both solicited and volunteered, contains ideas that in some instances have never received serious government attention. In other instances, ideas have entered the government through the bottom of the bureaucracy, but have failed to find receptivity as they moved up the hierarchy to the senior executive level. When the government ignores such advice, the ideas do not necessarily disappear. Some "hover" over the policy field thereby continuing to provide alternatives to the conventional approach used within government.

Weaver (1990) suggests that these recurrent ideas form a relatively consistent set, and deserve to be thought of as the constituent elements of a new Canadian native policy paradigm. The early 1990s, Weaver argues, represents a period of contestation following the demise of the old paradigm and the struggle for acceptance of the new. As she puts it (Weaver, 1990, p. 10):

I would argue that the current turbulence in the Indian policy field in Canada is due not to the government's adherence to old modes of thinking and acting—modes that "brought us the problems" in the first place—but to the co-existence of old and new paradigms and the continuing tension between them, as the old ways of thinking gradually give way to the new.

Assuming that Weaver is correct—that this policy field constitutes an example of an ongoing process of paradigm change—several questions of interest to both academic policy analysts and practitioners can be explored by examining the development and transition of this policy from its assimilationist past toward a new “co-existence” future. The most pressing of these relate to understanding why the present transition is occurring and whether, in fact, Hall’s six-stage model for describing the process of change also applies in this case. In what follows below, the chronology of the evolution of this policy field will be set out within the categories provided by Hall.

The Old Paradigm I: The Period of Stability

The assimilationist paradigm developed as settlement and the end of colonial rivalries in North America eliminated the military threat posed to colonists by native organizations. The paradigm was developed by new groups in the policy community, especially religious leaders and government officials—two groups that overlapped often within the emerging government bureaucracy. The old military “protectionist” paradigm ended in most of the settled part of the country after the war of 1812. At that time, a period of experimentation with a reserve system began, culminating in multiple inquiries into “bettering the state of natives” held in all of the provinces of British North America between 1815 and 1860 (Bartlett, 1984; Great Britain, 1968; Hodgetts, 1955; Leslie, 1985; McGee, 1974; Scott, 1914a). The new “assimilationist” paradigm was institutionalized following the transfer of control over Indians to the colonial governments in 1860, and received its organizational form in the reserve and band systems contained in the various Indian acts promulgated by the colonial governments and replicated by the federal government following confederation in 1867 (Miller & Lerchs, 1978; Upton, 1973).

Although the process of institutionalizing the new paradigm was not without its difficulties, it largely was uncontested on the ideational plane within a very small policy community dominated by government officials. Between 1860 and 1920, it was extended throughout the country as the land rights and titles of Canada’s Aboriginal population were negotiated away and their political, cultural, and social organizations systematically were broken down and replaced by ones modeled on European practices (Bankes, 1986; Grant, 1983; Hall, T., 1977; Hansen, 1987; Larmour, 1980; Patterson, 1983; Scott, 1914b, 1931; Titley, 1983, 1986; Tobias, 1983; Zaslow, 1971).

The Old Paradigm II: The Accumulation of Anomalies

When did the paradigm begin to show anomalies, and why did these occur? In his critical study of the era, Taylor (1984) has argued that the first inklings of change occurred in the period from 1918–1939, at a time most observers have associated with the most stable period under the old paradigm. As Taylor (1984, pp. 7–8) put it:

There began to develop during this period, concepts of “being Indian” that differed from mere enfranchisement, and were not necessarily incompatible with full Canadian citizenship. Here were the origins of such concepts of “Citizens Plus” and “First Nations.” These ideas were not taken seriously by policy makers and administrators. They were probably not even understood at the time. Nevertheless, by the end of the period there were signs that this could change. Indian people might be able to explain their position to policy makers and might begin to share in the determination of their future.

Taylor attributes these changes to several causes. The most significant is the impact of the First World War, which disrupted most policy areas in the country, not least of which was the administration of Indian affairs. Not only did natives demonstrate

their support for the war effort through their enlistment, but the effort to secure greater agricultural and resource production from native lands also led to new programs and activities supporting native communities (Taylor, 1984). However, the government officials responsible for these programs were replaced following the war, and the positive aspects of these programs were offset by postwar developments such as confiscation of Indian reserve land for veteran settlements, a move that reflected established ideas and modes of conduct towards native people (Jenness, 1954; Taylor, 1984; Titley, 1983).

While there is little doubt that by the mid-1930s the ideas circulating in the Indian policy community were beginning to change in the direction that Taylor observed, it is more likely that this was due to two factors not mentioned in his study. One, as Douglas Sanders has observed, was the unintentional impact of the natural resource transfer agreements signed between Ottawa and the western provinces in 1930 that had the unintended effect of reaffirming and revitalizing some native rights by constitutionalizing them in the transfer provisions. For the first time, this provided native groups in the west, and others by implication, with an avenue through the courts to address their concerns and to challenge the validity of federal government actions. As Sanders (1986a, p. 104) put it:

While the Department of Indian Affairs would not (even) support the hunting rights of prairie tribes, the transfer of natural resources from the federal government to the provinces in 1930 placed policy-making in different hands. In 1930, as in 1982, a constitutional opening occurred for reasons unrelated to Indian issues, which resulted in the constitutional recognition of Indian rights.

The second, interrelated event was the retirement of Duncan Campbell Scott as Superintendent of Indian Affairs in 1932, after almost 20 years in the position. Having centralized control of the agency in his own hands over this long period, Scott's departure left the agency in flux, resulting, at least as far as band government was concerned, in no discernible policy in place for the next 15 years (Daugherty & Madill, 1980, p. 60). These two events were related, to the extent that Scott's retirement coincided with a significant restructuring of the federal ministry occasioned by the land and natural resource transfer agreements.⁷

The Transitionary Period I: Fragmentation of Authority

Thus by the late 1930s, a new bureaucracy and new personnel were in place in Ottawa, and native groups in Canada had access to the judicial system to press their demands and claims upon governments. Not surprisingly, in 1938 a proposal emerged for a general review of existing Indian legislation, to assure that it was adequate to implement policy under the changed circumstances of the time (Miller & Lerchs, 1978, pp. 128–129). This process of rethinking the legislation, however, was interrupted by the Second World War and did not result in any new legislation until 1951. The process of formulating the legislation that occurred after the end of hostilities in 1945 represented a significant departure from previous practice. Afterwards, numerous consultative exercises and commissions were established—as had occurred between 1812 and 1858, when the old military protectionist paradigm was collapsing—and for the first time, these attempted to give Aboriginal organizations and spokespersons some voice in the proceedings.

The first of these commissions was a Special Joint Parliamentary Committee appointed in 1946 (Miller & Lerchs, 1978). The committee held extensive hearings into the circumstances of native communities and the inadequacy of existing legislation. Although the final legislation enacted in 1951 was a dramatic overhaul of the Indian Act, nevertheless it remained firmly within the assimilationist paradigm. The revisions were undertaken and natives given some additional controls over their affairs, only in order to

ensure that integration or assimilation of Aboriginal persons with the dominant Canadian society could proceed more efficiently (Johnson, 1984; Leslie, 1990).

What was significant about postwar developments was the ability of native organizations to articulate a separate vision of how Canadian native policy should develop, within the policy community. The outcome of the 1940s' deliberations highlighted their inability to carry the day within the community. Nevertheless, outside events during the 1950s and 1960s led other members of the same policy community to endorse many elements of the Aboriginal position. In another major governmental restructuring, in 1950, Indian Affairs was transferred to a new Department of Citizenship and Immigration. The separation of Aboriginal issues from the administration of physical resources and land reflected a changing vision of Aboriginals' role and status in Canadian society, and resulted in increasing attention paid to their social, political, and cultural conditions (Hodgetts, 1973, p. 105). In the first major government-commissioned anthropological studies into the state of Canada's Aboriginal populations, in the late 1950s and early 1960s prominent social scientists condemned the paternalism and bureaucratization of central federal control over native affairs that characterized the assimilationist paradigm (Dunning, 1962; Hawthorne, 1967).

The Transitionary Period II: Experimentation

The transition to a new native-inspired paradigm was by no means smooth nor guaranteed by the simple articulation of new ideas. In 1966, control over Indian affairs was placed back in a natural resource agency when a new department of Indian Affairs and Northern Development was created (Hodgetts, 1973), and in 1969 the assimilationist policy once again was articulated by the federal government in its White Paper on Indian policy (Weaver, 1981). Although sometimes viewed as an archetypal statement of the old assimilationist paradigm, the White Paper, as Weaver has noted, more correctly is construed as an experimental effort at its reformulation, adding the notion of termination of special rights to the assimilationist paradigm for the first time.

Thus, experimentation continued in the 1970s as several novel decisionmaking techniques were put into place, aimed at providing native organizations with a greater role in federal policymaking (Weaver, 1982). The responsible federal ministry was reorganized yet again, and restaffed by individuals considered to be more sympathetic to native concerns—in some cases extending to the hiring of senior native political leaders as high-level administrators. Although a last proposal to resurrect the old paradigm was made in the early 1980s on the part of the Mulroney administration (Hall, T., 1986; Weaver, 1986), this effort occurred in the context of a cost-cutting exercise and did not reflect the thinking of the regular bureaucracy or political leaders in the new government. By the mid-1970s and early 1980s, two events had conspired to alter the power relations within the policy community, and ensured that the new paradigm would emerge in some form.

The Transitionary Period III: Contestation

These events, related to land claims and Aboriginal title, emerged from the continuing growth of native organizations and their increasingly sophisticated range of political activities. These organizations were in a constant state of turmoil, as they attempted to achieve some kind of consensus among various Aboriginal groups about their own vision of the future. Nevertheless, during this period these groups began to develop the political expertise required to wage a long-term campaign in favor of their interpretation of Aboriginal rights (Hall, T., 1986; Long, 1990; Long & Boldt, 1987; Tennant, 1982, 1983, 1990; Weaver, 1986). Paralleling developments in Alaska and elsewhere (Case, 1984; Ervin, 1981, 1987), these organizations engaged in numerous activities, ranging from protests and demonstrations to court challenges and media campaigns aimed at altering the political and administrative status quo. Beginning with

the Calder decision in 1973, these challenges began to produce results, as the Supreme Court of Canada affirmed the continued existence of Aboriginal title even in areas where that title had been considered extinguished (Lysyk, 1973b; McConnell, 1974; Sanders, 1973). At about the same time, other courts began to grant injunctions against various projects slated for construction on lands subject to claims disputes, most notably in the instance of the James Bay hydroelectric project in northwestern Quebec (Morantz, 1992; O'Reilly, 1988).

Ultimately, these actions resulted in the establishment of a new federal land claims policy and negotiation of six successful claims covering most of northern Canada and Quebec between 1974, and, at the time of this writing, the beginnings of negotiations on additional claims covering British Columbia, Labrador, and the remaining areas of the Northwest Territories.⁸ While these events certainly altered the policies of government in this area and had a significant impact on the fate of large numbers of Canada's native peoples, the completion of the treaty process can be seen to combine elements of both the old and new paradigms. Although containing elements related to native self-government, they also continued the assimilationist paradigm, as most of the treaties were negotiated with the extinguishment of Aboriginal rights and title in mind.

However, as in 1930, the impact of another set of issues from outside the native policy community intervened to affect the conditions of native persons, solidify their position in the policy community, and aid in the articulation of a new alternative paradigm for Canadian native policy. As in 1930, the issue that intervened was the Canadian constitution and the ongoing dispute in the 1970s between federal and provincial governments over distribution of powers and government autonomy (Howlett, 1991). As Sanders (1983, p. 301) has noted, following the 1973 Calder decision the constitution became the dominant issue for Canada's Indians, Metis, and Inuit. Through a persistent lobbying effort in the following decade, and thanks to the intervention of a federal election that brought a more sympathetic government to power in Ottawa, Canada's Aboriginal organizations managed to secure a place at the constitutional bargaining table as the federal government grappled with an unrelated problem arising from the crisis provoked by threats of Quebec secessionism.

Although eventually they were left out of the 11th-hour bargaining that resulted in the 1982 Canada Act and amendments to the Canadian constitution, natives did secure several provisions in the new document entrenching existing treaties. They also secured a promise that the next round of constitutional discussions would focus entirely on their aspirations, which had come to be recognized as instances of collective identity and rights similar to, if not identical with, those of Quebec (Slattery, 1983, 1984; Wildsmith, 1988). While the promised Aboriginal round ended in failure in 1987, it did serve to place the native demands for self-government high on the political, public, and constitutional agendas (Brock, 1991; Sanders, 1986b).

The New Paradigm I: Institutionalization

By the late 1980s and early 1990s, as Weaver has noted, the Aboriginal position was well-articulated and had received the support of prominent parliamentarians at the same time that court decisions clarifying the 1982 constitutional changes came down in favor of a broad interpretation of Aboriginal rights (Asch & Macklem, 1991; Sanders, 1990; Usher, 1991). However, due to recurrent constitutional setbacks, the new paradigm has not yet fully been institutionalized. Discussions on clarifying the nature of Aboriginal self-government, Aboriginal rights, and Aboriginal title continued throughout the late 1980s and into the 1990s (Boldt & Long, 1988; Cassidy, 1990; Cassidy & Bish, 1989; Hawkes, 1989; M'Gonigle, 1990; Macklem, 1991; McInnis & Billingsley, 1992; Peters, 1987; Schouls, Olthius, & Engelstad, 1992). However, they resulted only in some tentative steps towards implementation (Canada, 1986), and even these efforts

ground to a halt with the failure of the Canadian public to endorse the self-government provisions of the Charlottetown Accord on the Constitution in October 1992 (Turpel, 1993). Although the current Royal Commission on Aboriginal Peoples, appointed in the wake of the 1990 Oka crisis (Weaver, 1991), is virtually certain to adopt a similar policy and urge the government to implement the new paradigm, its report is not expected for at least another year, and action on its recommendations undoubtedly will take several additional years to be implemented effectively (Dickson, 1991; Prime Minister's Office, 1991).

Conclusion: Policy Paradigms and Policy Change

The above discussion has revealed a pattern of policy change that, with one major exception, fits the outline of the general model set out by Hall. This pattern of change is presented in Figure 1 below.

Figure 1
Hall's Six-Stage Model Applied to Changes in Canadian Policy Toward Aboriginal Peoples

Period	Approximate Dates
1. Paradigm Stability	1860–1930
2. Accumulation of Anomalies	1930–1945
3. Fragmentation of Authority	1945–1965
4. Experimentation	1965–1974
5. Contestation	1974–Present
6. Institutionalization of a New Paradigm	Future

The actual process of paradigm change occurred much as Hall had suggested, but over a much longer period of time and not in exactly the same order of stages. Rather than take under a decade in order to complete the entire sequence of six stages, as was the case with the transition from Keynesian to neoconservative economic policies in most western countries, the process took over 60 years to move through only four stages from the accumulation of anomalies to contestation.

What is more, the periods of experimentation and fragmentation occurred in reverse order, compared to the sequence suggested by Hall's model. That is, the assimilationist paradigm was challenged from 1945 to 1965 by a new group of government officials, emerging native organizations, and social scientists who chronicled and documented the continuing failure of natives to respond to the "civilizing" efforts of the Canadian government. Various experiments, tinkering with elements of the existing paradigm, then followed between 1965 and 1974, culminating in the failure of the federal White Paper on native affairs in 1970. After this failure, as Weaver observed correctly, the policy entered into its present-day period of contestation as visions of "self-government" and "peaceful co-existence" clashed with elements of the old assimilationist paradigm in the courts and various constitutional forums.

This examination of the case of Canadian policy towards Aboriginal Peoples was expected to provide insight into several questions relating to the paradigm model of policy change. To reiterate, these were: (1) whether or not this model applies to any policy area other than that of the case of economic policy Hall examined; (2) whether the six stages outlined by Hall are sufficient to describe the process of paradigm change; (3) whether and under what conditions changes proceed through all of the stages, or halt at different points along the way; and (4) whether the factors and assumptions of the model

of paradigm change put forward by Hall and others are accurate about key variables affecting individual and policy community behaviour.

In addressing the first question, this article has examined the historical record of Canadian Aboriginal policy in the effort to determine whether, in fact, a paradigm change model is appropriate in discussing the evolution of that policy. It uncovered evidence of major changes in the old, established "assimilationist" paradigm beginning in the immediate post-World War II period, as Canadian governments, native organizations, and other members of the native policy community have moved towards replacing that paradigm with one based on the principles of mutual recognition, native self-government, and peaceful coexistence. However, it noted also that this new paradigm has yet to be institutionalized in any meaningful sense. Nevertheless, the present case study revealed that the application of the general concepts of a model of paradigm change did apply in this case.

The case study also has shed additional light on the utility of Hall's six-stage model. Although it has proved possible to apply this model to the case of Canadian Aboriginal policy, delimiting the transitions between stages was not always simple or straightforward. Nor, as mentioned above, did the case follow the sequence of stages set out in the model. While these deviations, as discussed below, indicate that some rethinking of the model is required, the case study indicates that the six stages set out by Hall were sufficient to describe the transitions that occurred.

An answer to the third question could not be derived easily from this case study, as it proceeded more or less as expected from an old paradigm to a new one, albeit without moving to the final stage of institutionalization of the new paradigm. Additional cases, in which transitions between other stages did not occur, would be required to evaluate this question properly, although identifying appropriate test cases also might prove to be quite difficult. The Canadian case, nevertheless, illustrates the important point that the process of paradigm change could be very long-lasting and not as rapid as the economic policy case evaluated by Hall might seem to imply. This fact raises several interesting questions that have not yet been addressed in the literature about which factors might affect the timing or length of transitions between stages.

This observation is related to the fourth question. What does this record tell us about the factors and variables responsible for the development of policy paradigms? While the case of Canadian native policy confirms the general utility of the six-stage paradigm change model, what does it say about the theoretical speculations of Hall and others regarding the reasons behind paradigm transition? Although it is beyond the scope of this paper to comment conclusively on that question, it does appear that a very significant factor in the Aboriginal policy paradigm shift had to do with the difficulties native organizations had first in becoming significant actors in the Aboriginal policy subsystem. That is, while they were always members of the relevant policy community, the length of time it took for the various stages in the process of paradigm change to occur appears to be related closely to difficulties Aboriginal peoples had in becoming members of the Aboriginal policy network.⁹

This finding is in keeping with observations made by Baumgartner and Jones (1991, 1993) on the general relationship between policy subsystems and policy change. That is, the relative lack of power and conditions of social deprivation of Canada's Aboriginal population (Griffiths, Yerbury, & Weaver, 1987) allowed a monopolistic, state-dominated policy subsystem to develop that was highly resistant to change. Only by changing the venue of policy debate from the subsystem to the courts were Canada's First Nations able to challenge conventional policy images. While the natives' voice in the policy community became stronger after 1930 as a result of constitutional changes, they began to gain a substantial voice in the policy network only through court actions pursued after 1970 (Jenson, 1993). While these actions have allowed some elements of

the native position to be translated into government policy, even the new emphasis on self-government and peaceful coexistence remains a long way from some native claims for complete autonomy and sovereignty (Engelstad & Bird, 1992).

This finding raises several interesting questions relating to the notion contained in the original model of scientific paradigm change—that the impetus for such changes originates endogenously in the actions and activities of existing community members. While it may be true in the development of science that anomalies can be identified and judged against some intersubjectively agreed-upon canons of truth, the differences between theory and practice in the political world do not lend themselves to such clear evaluations. As such, in the policy community it is no simple matter to identify an anomaly, nor to judge on purely epistemic grounds when a paradigm should be abandoned. It is also the case in the policy world that the returns to individuals often run in the direction opposite to those in scientific communities, with conformity rather than iconoclastic behaviour reaping rewards.

Both of these differences lead to the suggestion that the analogy between scientific and policy communities is not complete. While there are homologies between the two, there also are important idiosyncrasies. Most importantly, exogenous sources of change affect policy communities more dramatically than they do scientific communities, and these are at least as significant as endogenous sources in explaining policy change. While Hall and others (Hall, P. A., 1989; Jenson, 1989) have suggested that external “crises”—whether economic, social, or political—ultimately can be responsible for paradigm changes, they are not very specific about their source or the nature of their impact on policy communities.

Sabatier and his colleagues (Jenkins-Smith, St. Clair, & Woods, 1991; Sabatier & Jenkins-Smith, 1993a, 1993b) have been more precise in their efforts to define these exogenous variables. They suggest that significant change in policy subsystems ultimately occurs due to shifts in coalitions of individuals holding similar beliefs inside those communities. While this can occur through endogenous “learning,” or the development and presentation of anomalies, they argue that for the most part, minority coalitions’ hopes of gaining power and altering the core beliefs of the community reside “in waiting for some external event to increase significantly their political resources” (Sabatier, 1987, p. 671). These events include: (1) changes in socioeconomic conditions and technology; (2) changes in systemic governing coalitions; and (3) policy decisions and impacts from other subsystems (Sabatier, 1987, pp. 657-658). The internal constellation of resources affected by these “perturbations” are “money, expertise, number of supporters, and legal authority” (Sabatier, 1987, p. 664).

How does the case of Canadian native policy relate to this hypothesis about the nature of exogenous variables affecting paradigm change? Changes in socioeconomic conditions and technology do not feature in the account provided above, and neither does there appear to have been much impact from changes in governments or ministers. However, the third item cited—the impact of decisions made in other subsystems—appears to have had a substantial impact on more than one occasion. This was true of the initial transition in 1930, which occurred largely due to otherwise unrelated constitutional events connected to natural resource ownership in the western provinces, and again in the 1970s, when native affairs were affected dramatically by unrelated constitutional events centering on Quebec’s role in confederation. As such, this paper partially confirms both Hall’s theory of policy paradigms and Sabatier’s theory of subsystem change. That is, it provides an additional case, supporting Hall’s, that has followed the basic elements of a six-stage process of policy change. However, the case illustrates the need to take both endogenous sources of change and specific exogenous variables into consideration to account for the pattern of change observed.

This last point, concerning the need to examine both endogenous and exogenous

sources of change, relates the discussion of paradigm models back directly to the traditional concern of public policy analysis with reconciling knowledge and power. In Hall's case, the transition in economic discourse was accompanied by a transition in political power, as new officeholders sympathetic to new ideas emerged from the electoral and bureaucratic processes with their hands on the levers of decisionmaking. This resulted in a relatively quick process of paradigm shift. In the case of Canadian native policy, the political transition did not accompany the shift in discourse within the policy community concerned with Aboriginal issues, and the process of paradigm shift has been lengthy and replete with difficulty as a result.

Thus, while the paradigm model has generated a useful addition to the arsenal of tools policy analysts have at their disposal for understanding policy development, it remains at an early stage in its evolution. The outcome of the present case underscores the need for analysts carefully to evaluate the model in light of empirical circumstances. More specifically, a better understanding of the relationships existing between endogenous and exogenous sources of change in policy subsystems—or, to put it another way, between discourse and power in policy communities and policy networks—is required if the model is to illuminate successfully the hitherto shadowy process of policy change.

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Notes

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² On government learning and associated notions of organizational learning, see Argyris & Schon, 1978; Etheredge & Short, 1983; Etheredge, 1981; and Hedberg, 1981. On lesson-drawing, see the special issue of the *Journal of Public Policy* on the subject (Rose, 1991).

³ Both uses of the term paradigm owe their modern origins to Thomas Kuhn's work on the nature of scientific learning and the development of scientific theories. In Kuhn's original formulation, however, the exact contours of a paradigm were unclear, extending from the limited sense of a specific scientific theory about some worldly phenomenon to the more general sense of a prescientific, inquisitive *weltanschauung*, or "world-view," that allowed science to be carried out at all (Masterman, 1970). In some of his later works Kuhn was much more specific, arguing that a paradigm was synonymous with the notion of a "disciplinary matrix" (Kuhn, 1974, p. 463). It was "what the members of a scientific community, and they alone, share" (Kuhn, 1974, p.

460). That is, a paradigm was a common epistemological vision shared by members of some community, a concept that could be expanded to include the idea of a societal paradigm, as outlined by Jenson (1989, 1993), or focused much more specifically on more limited epistemic communities of, for example, scientists or policymakers (Holzner & Marx, 1979; Imershein, 1977a).

⁴ This was not the first use of such a model of change, of course. It corresponds quite closely with the notion of dialectical change found in the works of Hegel and his followers, including, most obviously, Marx (Hernes, 1976).

⁵ See the special issues of three leading journals on the subject brought out over the past 5 years. These include *Governance* (1989), *International Organization* (1992), and the *European Journal of Political Research* (1992).

⁶ See also Baumgartner & Jones, 1993. Other efforts to explain policy change in terms of ideas, either separately or in conjunction with other variables, do not utilize explicitly the notion of a paradigm, but could be placed within such a model. See, for example, Cammack, 1992; Keeler, 1993; and Pollock, Lilie, & Vites, 1993.

⁷ Indian Affairs had existed as a branch of the federal Department of Interior since its creation in 1873, replacing the short-lived Secretary of State for the Provinces, which had been created in 1867 to take the preconfederation Superintendency of Indian Affairs. Between 1930 and 1936, the Department floundered in trying to accommodate itself to its new role, becoming the much smaller Ministry of Mines and Resources in 1936 (Hodgetts, 1973).

⁸ At the time of writing, the successfully negotiated "treaties" include two land claims in Quebec, three in the Northwest Territories, one in the Yukon, and a self-government arrangement in British Columbia (Quebec, 1976; Canada, 1978, 1984, 1986, 1990, 1992a, 1992b). These claims, of course, also have been extended to Metis lands and smaller, so-called "specific claims" arising out of existing treaties. On their negotiation, see Barber, 1977; Berger, 1983; Caccia, 1977; Cassidy, 1991, 1992; Cassidy & Dale, 1988; Coates, 1992; Feit, 1980; Flanagan, 1991; Hodgins & Benidickson, 1989; Hunt, 1978; Keeping, 1989; Lysyk, 1973a; MacLachlan, 1991a, 1991b; Patterson, 1983; Raunet, 1984; Usher, Tough, & Galois, 1992; Wadden, 1991; and Wagner, 1991.

⁹ On the distinction between policy community and policy network, see Atkinson & Coleman, 1992; Jordan, 1990; Marin & Mayniz, 1991; Van Waarden, 1992; and Wright, 1988.

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