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A New Northern Territory

by Peter Jull

On the first day of a new fiscal year, April 1, 1999, the Inuit territory of Nunavut becomes Canada’s newest government. The new territory is larger than the largest province, Quebec, and spans three time zones. It reaches from the North Pole to the foot of Hudson Bay, nearly 40 degrees of latitude.

There will be reports in Australian media, most of them misleading, as we try to translate Australian understandings of land claims into the Northern Canada context. A common mistake is to note merely the amount of land in outright ‘fee simple’ Inuit ownership. However, Nunavut, like Canada’s other regional agreements, is designed to get around ‘winner take all’ claims.

Instead, the whole traditional territory claimed becomes subject to indigenous planning, development, and environment protection arrangements through genuine indigenous-government co-management bodies. These leave little and precisely defined room for senior governments to overrule. There is also self-government, in this case an entire new province-like territorial government. Inuit insisted on it as the price for surrendering title to portions of their traditional territory.

The population, a mere 27,000, is 85% Inuit, although that under-estimates Inuit dominance. The census is taken in June when the region has many temporary visitors and skilled workers for the short summer. Some 56% of Nunavut’s population is under 25 compared with 33% for Canada as a whole.

The new legislature was elected on February 15. Some old political names were retired and some up-and-comers elected. Several non-Inuit were elected on their merits in Inuit districts but 15 of the 19 legislators are Inuit. At the time of writing (early March) the new premier had not been chosen, and political parties had not come into being. This latter may take some time. Non-party or ‘consensus’ government has prevailed across the old Northwest Territories (NWT). The rump now left, the western NWT, has had such futile debate on a new name for itself that a movement has grown to call it ‘Bob’.

Nunavut, ‘Bob’, and the Yukon are a trio of northern territories. Each has a dual constitution, not entirely complete yet in ‘Bob’. That is, each has a framework for the territory government rather like a province, usually with some additional features reflecting the permanent indigenous character of the north, e.g., indigenous language and wildlife harvesting rights. But now each also has a parallel land (and Inuit sea) rights agreement, region by region in the case of ‘Bob’. While the ‘public government’, in the unhappy northern term, is open to all, the indigenous rights framework is for indigenous claims beneficiaries only.

Rights negotiated as part of indigenous claims take precedence over the Charter of Rights in the Canadian Constitution. In other words, an Indian treaty or claims settlement fishing right cannot be challenged by non-indigenes under Constitutional equal rights guarantees. Also, the claims agreements are federal legislation beyond the reach of changing demographics in the northern legislatures, and now anchored in the Constitution, too.

Although the Northern Territory Government in Darwin demands jurisdiction over Aboriginal lands from Canberra, earlier northern politicians in Canada learned a lesson. They had the same desire, but eventually learned that indigenous people would only share in northern territory political structures and life if they had certain basic land, sea, and cultural guarantees underwritten by the national government. Northern whites had behaved too badly for too long to be trusted. Now that indigenous guarantees are available in Canada, however, northern race relations have never been better.

For a long time Inuit and Dene leaders had simply boycotted NWT structures. A report of an ill-named Unity committee of the NWT legislature found in 1980 that indigenous peoples did not accept the NWT, its boundaries, or institutions as legitimate or desirable. This report prepared the way for Nunavut which had been long demanded by Inuit. Many other NWT people also wanted Nunavut because they feared that nothing less than losing half the NWT would shock white interests into real political reform. White transients had long held the NWT hostage through institutions made in their image.

'Bob' is now living in interesting times. Indigenous peoples like the Deh Cho (known in older literature as the Slavey) and Dogrib have been negotiating arrangements for their own new regional government structures as co-equals with the overall 'Bob' territory government. The NWT-*cum*- 'Bob' whites overplayed their hand. By refusing to accommodate (or 'reconcile' in Australian terms) basic indigenous needs and aspirations for so long, many now fear that 'Bob' will be a thing of shreds and patches – and certainly a federation of hunters' village clusters within the Canadian federation.

Yellowknife, a fine old gold-mining and bush-pilot town, more recently a flossy little capital, will become one of these regions, probably the smallest, a white enclave with a considerable urbanised indigenous minority. Many resent Nunavut for undermining and making off with their former empire. Like Alaska, Yukon, and 'Bob', non-indigenous interests in Australia's northern and indigenous regions should perhaps ask themselves if their hard-line hold-out for undiluted cultural, social, and political control is in their own best interests.

A cynical outsider might say that in Australian claims the indigenous people get some land the white man doesn't want, but nothing else. In Nunavut, as in the Canadian 'regional agreement' type of claims in general, there is a large package of benefits and arrangements. Most important for outside business interests are the planning and approval bodies set up to set terms and conditions for projects. But there is also a large capital fund run by Inuit-only claims corporations so that Inuit may participate in and benefit from development and business activities in general.

An indigenous claims corporation can be the over-mighty subject in a regional agreement and in some areas of Northern Canada and Alaska there have been troubled relations with new regional governments. With lots of money and panache the corporations can make the hobbling and cash-strapped new governments look rather boring and draw away the best indigenous talents. However, Alaskan Inuit's North Slope Borough is a model of successful regional government – *too successful* some critics might say – in rebuilding, rehousing, retraining, and fiercely empowering a previously poor indigenous territory.

It is hoped that in Nunavut things will run smoothly because of the tradition of active government in the region. Since the 1950s the Canadian government as a sort of extension of post-Depression, post-War cheerful materialism has had a vigorous approach. In those first decades Inuit suffered huge damage to cultural and social traditions, and many painful individual consequences of those problems continue.

Indeed, handing power back to Inuit to manage their own region, daily lives, and society within the larger framework of opportunities and resources provided by contemporary Canada is part of the federal objective. While some in the national capital instinctively undermined Nunavut, many were enthusiastic.

The far north has been a national emotional and cultural vested interest for a long time. Canadians may not know much about the Inuit, Dene, Cree, Innu (i.e., Algonquian Indians of Quebec-Labrador), or other northern peoples, but the idea that the north is the essence of Canadian identity and that 'the natives' have fought for its uniqueness, environment, and cultural continuity against rapacious corporations and revenue-hungry governments is widely and deeply held.

One assumes that positive campaigns in support of political objectives by peoples of Torres Strait, Cape York, north-west Queensland, the Northern Territory, Central Australia, and the Kimberley would be similarly effective. In Canada the churches organised southern support groups for northern land/sea rights, peoples, and environment.

The national media coverage of Judge Berger's NWT and Northern Yukon pipeline inquiry of the mid-1970s in countless village hearings brought northern realities to southern homes where the overwhelming majority of Canada's population live. Even foolish panels later, such as the expensive Beaufort (Sea) Environmental Assessment Review, rudely named 'Burp' (BEARP), did little harm because the country had learned its lesson.

Mining interests are happy with Nunavut, a fact which arouses disbelief in Australia, because rules have been set and processes are in place. Political culture accounts for plenty. One particular day when BHP was in trouble on front pages here for arrogant conduct on the Fly River of Papua New Guinea, it was being the gracious environment-minded corporate citizen on page one in Canada where it had to win approval for a diamond project among Dene, Inuit, and more indigenous-sensitive governments. A positive tone took years to develop, with Inuit, Dene, and environmentalists having to re-program the authorities through noisy politics and litigation, and, finally, quiet direct negotiation.

The greatest challenges for Nunavut will not be the old agenda of project gigantism, Cold War tension, futuristic technology, or paternalistic administration. Those have been addressed. Rather, domestic violence, substance abuse, under- and un-employment, language weakening (although government is bilingual, Inuktitut and English), and cultural discontinuity threaten Inuit in transition from the old hunting camps through ramshackle villages and now cyber-bum 'urban' youth to... what?

Some bright sparks north and south want to connect Nunavut to Southern Canada's road networks. The only road now connects a mine site, Nanisivik, to the remote and beautiful village of Arctic Bay nearby. As if Nunavut did not have enough social problems already, becoming an end-of-road truck stop would be the payoff. Last time I was in Eskimo Point (now Arviat), the southernmost mainland Nunavut community, the young Inuit waitresses had become very professional in telling one to 'Have a nice day!', now that I think of it.

That trip was memorable. Although in Ottawa I felt all my new Brisbane wife's shivers at -20C, at -50 I felt great – emotionally unencumbered and back in God's country. In the transit area at Churchill new people – a new *sort* of young career people – looked at my frayed old parka and frayed old me with disdain and fear.

Later, in a community information radio phone-in show about the Nunavut project, the Inuit MP talked of Moses and the Promised Land. Then someone wanted to know through translation if 'the white man', i.e., me, thought Inuit ready for self-government. Usually one says that indigenous people governed themselves for thousands of years alone, so *of course* they are ready. But I was very cold in that unheated building and knew this was my last trip for a very long time. I said simply that 'people can only govern themselves successfully if they believe in themselves.'

Alas, too much of the aggression and cant of self-determination politics is only a lack of self-confidence. It takes a lot of courage and self-belief to make deals with the white man after all indigenous peoples have been through. It also takes a terrible toll on the lives and health of some of the indigenous notables in the front lines, and there are both maimed and dead.

Although my pleasure in Nunavut is absolute, I will probably shed a small tear for the old NWT on April 1. Its coat of arms is on my wall and countless memories, friendships (and more-than-friendships), rock- and water-scapes, both real and invisible scars, and some of the best days in my life (and some of the worst) remain from 'Bob'. I will return there happily and, I hope, often. The Dogrib and Deh Cho and Inuvialuit (Western Inuit) regions are now on the verge of something like Nunavut's own accession to majority rule. It's a great time to be alive, hopeful, and participating in the circumpolar Arctic and Sub-Arctic world.

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