Edited and published as Cover story, 'New Deal for Canada's North', *North*, 1/1999, Vol. 10, pp 5-10, by NORDREGIO, Stockholm, the Nordic spatial planning centre (sponsored by the Nordic Council, i.e., Iceland, Denmark, Norway, Sweden, Finland + Greenland, Faroes, and Åland)

Draft for North, Stockholm

March 7, 1999

Nunavut, a Northern Ideal by Peter Jull¹

When the Arctic Peoples Conference met in Denmark's palace of government and parliament, Christiansborg, in November 1973, Sami of Sweden, Finland, and Norway, Inuit-descended Greenlanders, and Inuit, Dene Indians, and Métis of far northern Canada discussed many shared concerns. In particular they were concerned by the 'welfare colonialism' style of social policies in their homelands, a government view which reduced their culture, language, and lifestyles to 'problems' standing in the way of their own well-being.

The other major concern was the way in which national authorities were encouraging construction, mining, forestry, hydro-electric projects and other activities which threatened their own livelihoods and the natural environment on which these were based. Sami, Inuit, and Indians were seen then by governments as people without rights capable of recognition in the modern world.

In the years since that meeting, often identified as the moment when the indigenous international movement was born, many of those individuals have gone on to play important roles at home and abroad. In some countries not much has changed.² In Canada, however, the governing philosophy and structures across the northern half of the country have been transformed.³ That northern revolution or evolution is moving southwards. A special national commission has recommended the northern indigenous 'regional agreements' become a model for all indigenous policy across Canada.⁴

Nunavut may be the most dramatic example of the new approach. That is a word meaning 'our land' in the Inuit language and now a new territory on the map. When

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² For an update on Scandinavia see Berge E & Stenseth NC (eds), 1998: Law and the Governance of Renewable Resources: Studies from Northern Europe and Africa, ICS Press, International Center for Self-Governance, Oakland, CA. See also, Korsmo F, 1996: 'Claiming Territory: The Saami Assemblies as Ethno-Political Institutions', Polar Geography, 1996, 20.3, 163-179; and IWGIA, 1996: Indigenous Affairs, Special Sami issue, 2/1996 (April-June), International Work Group of Indigenous Affairs, Copenhagen; and Brantenberg OT *et al* (eds), 1995: Becoming Visible: Indigenous Politics and Self-Government, The Centre for Sami Studies, University of Tromsø, Norway.
³ An examination of the new philosophy in the context of classical European political science

³ An examination of the new philosophy in the context of classical European political science is Tully J, 1995: *Strange Multiplicity: Constitutionalism in an age of diversity,* Cambridge University Press.

⁴ *For Seven Generations,* The Report of the Royal Commission on Aboriginal Peoples (1996) incl. Background Reports, etc., CD-ROM, Public Works and Government Services (Publishing), Ottawa, 1997.

the new fiscal year in Canada begins on April 1, 1999, Nunavut, a community of only 27,000 people, most of them Inuit (formerly called Eskimos), occupying a huge region of frozen seas, treeless tundras, enormous islands, glaciers, fjords, lakes, rivers, muskeg bogs, rock, and mountains, will become self-governing with its own parliament, cabinet, and premier.

The elections for the 19 members of the new parliament were held on February 15. On March 3 the first premier was chosen: Paul Okalik, a young Inuit lawyer, whose intelligence, friendliness, humility, and youthful enthusiasm are what Inuit wanted to replace an era of seemingly cynical and self-serving politics in Canada and in the Northwest Territories (NWT).⁵ Indeed, the present NWT will cease to exist on April 1, but the argument to find a new name for the part which is left has become apparently hopeless. One group of playful observers have suggested calling it 'Bob', a friendly and personal North American name!

Nunavut is remarkable. It is the largest part of Canada, larger than the largest province. Yet the 28 communities have no road connections, with each other or with anywhere else. Hunting for food remains important in the family economy of most Inuit, with caribou (reindeer) and sea mammals (seals, small whales, walrus) important sources of protein. There are no major primary or secondary industries, and the one or two mines are isolated and employ few local people. Public services are the major form of wage employment.

Unlike Greenland or Northern Norway, Nunavut's communities, all of them on sea routes, are blocked by ice for most of the year. With good luck supply ships can reach them for a few weeks in late summer. Aircraft are now able to reach all communities, weather permitting, so emergency needs can be met. Costs for ordinary items are high and choice is limited.

Since the Second World War when aviation and military personnel provided the first large wave of outsiders in the region since the old whaling ships of the 19th century, Canadians have come to regard Nunavut and its people as important in national life. Motifs from Inuit art, both sculpture and graphic, with popular music added more recently, have made an impression in a large industrial country frequently uncertain about its cultural identity. After all, most Canadians live close to the American border – whether Francophone or Anglophone, are bombarded daily by American media. Inuit art, language, snow-houses, and lifestyles are authentically, distinctively 'Canadian' in their place of origin.

Nevertheless, Inuit lives are lived in a less visible reality. When visiting a restaurant or getting into a taxi in Southern Canada they are mistaken for Asians, never recognised as Canada's own original inhabitants. Canadians buy Inuit art and calendars, and use Inuit words for everything from world exhibitions to space satellites, but know almost nothing of Inuit language, culture, or traditional beliefs. Inuit have been an idea, not a reality, to Canadians. However, great changes are underway.

⁵ In recent months the NWT premier was forced out of office for financial impropriety and his Inuit interim successor, who hoped to become first premier of Nunavut, was defeated in his own district in the Nunavut election.

For a very long time Canadians have imagined the north of their country as a place with the potential to fulfil or shape their destiny. Unfortunately they have had few ideas about how this might happen and even less desire to go and live there. Instead the north has remained a mystical fantasy, and yet, virtually all Canadians have a more immediate sense of 'the north'. It is the place – a lake or river in the forest – where they can escape the strains of a puritanical, moralistic, and overdressed society for a little holiday in the fierce, short, and often very hot summer which provides a welcome break from long winters.⁶ (To the surprise of many Scandinavian visitors who live in higher latitudes at home, Canada is a very cold country to latitudes as far south as Provence and the French Riviera. Hudson Bay is a huge frozen inland sea, while continental climates, as in Russia, lack warming ocean currents.)

To the extent that national designs were made on the north, these were all too predictable. This huge 'empty' land must be full of potential mineral wealth. Its waterfalls were, indeed, an almost unlimited source of hydro-electric power, the main source of energy in Canada. So, the sort of physical expansion which had taken place farther south in Canada in the 19th and early 20th centuries could now happen again in the north. This craving reached a peak in the 1970s when cabinet ministers talked of a gas pipeline to be built alongside the Mackenzie River as a nation-building exercise like the Canadian Pacific Railway which knit together the districts and colonies of Southern Canada in the 19th century. Such inflated rhetoric helped Inuit, Indians, and Métis in the north portray government and industry plans as excessive and environmentally unwise, and the resulting inquiries provided forums in which indigenous peoples could, for the first time in Canadian history, speak of their own desires and voice their critique of European-Canadian developmental, political, and social philosophies.

It was in this context which Nunavut emerged. No angry complaint but a positive vision of a new society founded on cultural and social values which all Canadians could respect, and rigorous in its commitment to a new environmentalism in which indigenous peoples were, after all, the real experts, Nunavut had obvious appeal. Besides, the common view of the north as cold, empty, and sterile was intriguingly challenged by the idea of a rich and locally adapted society ready to assert itself.

Unlike many political reform movements, the Inuit did not seem bitter or aggressive. Of course, many had things to be bitter about, notably family experience of neglect, discrimination, or abuse in schools and hospitals far from home. However, in promoting Nunavut, Inuit representatives were supremely calm and confident. After all, the north was their land and they knew it, unlike the white man. Fiascos such as southern scientists miscounting food species, notably caribou, and thereby threatening every family's well-being with punitive bans on hunting, and the complete lack of awareness among oil shipping and drilling interests of the effects of noise, etc., on marine species, reinforced Inuit insistence on doing things their way. The white man was a fool, not to be trusted, whereas Inuit were prepared to take responsibility for their region.

If government lawyers failed to get the message, fretting about indigenous disdain for ancient legal doctrines of territory and governance, the general public were wiser.

⁶ Ingmar Bergman's depictions of summer, e.g., *Sommarlek,* are very potent for Canadians, being a recognisably 'Canadian' outdoor summerscape.

The commitment to 'northern development', e.g., building roads and opening mines, which had continued Canada's sense of material optimism after Depression and War, the belief that material expansion could solve all problems, began to look a little pale. All Canadians were distressed by the ruining of waterways and paving of former recreation lands by urban and industrial growth; they could identify strongly with peoples who would fight against such a future, even if they were not prepared themselves to go and live in that 'simple' way. The poverty and racial violence of American cities, previously looked up to as hubs of a greater society, also reinforced Canadian fear of an unplanned dystopia at home.

Canadians had no great resistance to community policy and thoughtful regulation, unlike the American public. And so, the NWT, and within it the Nunavut region, benefited from the social and cultural idealism of Southern Canadians. Governments spent large amounts on schemes of improvement which, although often ill-conceived or insensitive to their recipients' real feelings, were always well-intended. This meant that Nunavut acquired a tradition of active and generous government programs, and that unlike other indigenous hinterlands in the New World such as Canada's provincial northlands, northern Australia, and rural Alaska, material deprivation was not a principal political issue. On the contrary, expectation of high-quality services led to disappointment with any disparities. Other Canadians, for their part, were determined that a brave and hardy people, as Inuit were rightly perceived to be, did not lack equal rights and decent living standards just because they were non-European. After all, Canada has had a strong tradition of equalising public services and funding among its disparate regions, a commitment now enshrined in the Constitution.⁷

In this peculiar climate and cultural niche, Nunavut grew. Things were by no means all favourable. The constant anxiety of Canadians and the federal government about Quebec's independence yearnings meant that *any* reform agenda involving an ethnocultural dimension was hysterically attacked in some quarters as 'separatist', 'a threat to national security', etc. The weaker sort of northern affairs minister, and both sides of politics had one or two, tried to impress their prime minister by verbally beating up indigenes, one even having his self-righteous rebuttal of an NWT Dene political declaration printed up in poster form and widely distributed.

Then, too, there were the pseudo-rationalists. Nunavut lacked a strong economic base. (Yes, but so does all of Northern Canada, and yet it is allowed to elect representatives and allocate tax dollars.) The Inuit language was archaic and unsuited to modern life. (Yes, it is derived from a different sort of society but the closest dialect to Nunavut's is in use for modern legislation, administration, and finance in Greenland.) The people were too few and isolated for workable government. (Manitoba became a province with c. 10,000 people and was far more isolated in terms of information media, transportation, and communication technology.) Inuit were technologically primitive and couldn't operate in modern life. (As everyone who knows them attests, Inuit are eager for new gadgets and quick to master technical devices of all kinds, and as Canadian media guru McLuhan predicted, they have vaulted right over the Gutenberg print era to be at home amid electronic telecommunication and computer technology at which they are formidable adepts.)

⁷ Section 36, *Constitution Act 1982.*

Inuit, being exotic and non-Western, would not be able to operate a European political system. (Whatever tribal fears that Eurocentric viewpoint hides, Inuit actually vote in higher numbers than other Canadians and spend many more hours in community and small-group meetings on public issues, and have more traditional cultural experience in achieving consensus, than non-indigenous Canadians.) They are already linking up with Inuit in other countries in pan-Inuit political action. (Yes, just as Anglophone and Francophone Canadians are vigorous members of the British Commonwealth and Francophonie for linguistic and cultural reasons, so Inuit are active in the Inuit Circumpolar Conference. They founded that body to join forces against trans-national oil companies bidding down environment standards across international borders and to lobby for better environmental and social protections for themselves and other indigenous peoples against formal and informal coalitions of 'first world' governments determined to let 'national development' proceed at their expense.)

When all else failed, some splenetic officials in Ottawa would bellow that it was ridiculous to think of the backward north governing itself. But here they met themselves in the doorway. After all, federal policy directly and through the NWT government for decades had been, precisely, to prepare Inuit for full citizenship in contemporary Canada.

With the opposing arguments exhausted, and the Nunavut villages resembling other parts of Canada more and more, right down to fanatical devotion to the *Montreal Canadiens* hockey team and the modern mantra, 'Have a nice day!', in the mouths of young Inuit food servers, excuses were fast disappearing. Fiscal restraint was always the ultimate fallback, and lack of trained Inuit for the jobs of running the government a reasonable second, but new factors had entered with the 1980s, growing in the 1990s. The nationwide pressure for governmental commitment to indigenous self-government, which politicians had been *saying* for years they supported, needed some real action. Inuit, totally committed to Canada and Canadian unity and Canadian values as Ottawa insiders knew them to be, could be trusted. Furthermore, in the ongoing international dispute with the USA over the status of Arctic waters, political normalisation of the region in dispute, i.e., Nunavut, would strengthen Canada's case.⁸

There were difficult issues to be resolved, however. Inuit insisted that the seas and the ice which covered them most of the year were part of the 'land' and central to their lives. They wanted these ares included in their 'land' claim. Also, they insisted that the planning and management bodies for their territory and its resources be given real power to make decisions, not just advisory committees to be ignored at will by officials. Both these items involved fundamental aspects of the white man's political and legal culture and tradition, and it took years before Ottawa yielded. Once done, however, all other indigenous claimants will benefit from the precedents.

Another dimension has been international. Canadians thought of their country as disappearing into a northern emptiness. But Inuit have shared ideas about politics, environment, development, cultural matters, and social problems back and forth

⁸ This issue is explored at length in Griffiths F (ed), 1987: *Politics of the Northwest Passage,* McGill-Queen's University Press, Montreal; and briefly in Robertson RG et al., 1988: *The North and Canada's International Relations,* Canadian Arctic Resources Committee, Ottawa, and Canadian Institute of International Affairs, Toronto.

among Greenland, Alaska, Canada, and now Russia, as well as with Sami of Scandinavia and now Russia. By holding conferences and cultural events back and forth, they have startled Canadians who thought there was nothing 'up there'. They have also redefined Canada's outlook so that for the first time, starting only in 1986,⁹ Canada had to think of the Circumpolar region in a way not envisioned on the comfortable military fly-arounds and genteel meetings of old boys in times past. The new players have been indigenous, young, often angry, dressed very informally, and not at all clubbable – or more accurately, have redefined the social mores of northern clubbability. The old international northern agenda was high strategy, great hypotheses, and scientific fantasy about Arctic transport; the new agenda only overlaps much in the scientific research involving biological systems, the rest being the politics of the socio-economic and politico-administrative here and now.¹⁰ Now the problems and triumphs of Inuit in Northern Alaska and Greenland have become part of the Canadian world-view.

The Nunavut claim was first announced in 1976. In 1993 the two legislative enactments, the *Nunavut Act* setting out the framework for the new territorial government and *Nunavut Land Claims Agreement Act* embodying the 17-year negotiated agreements on 'land' claims and much more, passed through Parliament.¹¹ A lengthy phase-in period was agreed, in part to postpone costs and also to allow more time for education and training programs. Previous Canadian experience of major regional agreements, as Australians call the Canadian model,¹² showed that hasty or unprepared implementation could undo many of the benefits agreements were intended to confer, and this one had much at stake.

So, in 1999, one generation of Inuit are taking on a project which an older generation spent its life demanding, fighting for, negotiating, and suffering for. It would be hard to overstate the pressures of such indigenous work. Whole communities of people who have been excluded from national social and power structures have to fight their way into the white man's charmed circle, and then act as if they are at home there.

¹¹ Both Acts are on-line, e.g., Nunavut Act at

 ⁹ Simard J-M & Hockin T, 1986: 'A Northern Dimension for Canada's Foreign Policy', Independence and Internationalism: Report of the Special Joint Committee of the Senate and of the House of Commons on Canada's International Relations, Ottawa, June 1986, 127-135.
 ¹⁰ This subject is worth an article or book in itself. Meanwhile, see Osherenko G & Young OR, 1989: *The Age of the Arctic: Hot Conflicts and Cold Realities*, Cambridge University Press; and, Jull P, 1991: *The Politics of Northern Frontiers*, Australian National University North Australia Research Unit, Darwin.

<u>http://canada.justice.gc.ca/STABLE/EN/Laws/Chap/N/N-28.6.html</u> and Nunavut Land Claims Agreement Act at <u>http://canada.justice.gc.ca/STABLE/EN/Laws/Chap/N/N-28.7.html</u> with the full Nunavut land claims agreement at <u>http://www.inac.gc.ca/subject/agree/nunavut/index.html</u> together with a graphic of the seasons in Nunavut by Nunavut's (and Canada's) greatest artist, Kenojuak of Cape Dorset.

¹² There is considerable energy in Australia devoted to studying the Canadian precedents, but not yet much action in applying their benefits there. See Richardson BJ, Craig D & Boer B, 1995: *Regional agreements for indigenous lands and cultures in Canada,* Australian National University North Australia Research Unit, Darwin; Edmunds M (ed), 1998: *Regional Agreements: Key Issues in Australia, Vol. 1 Summaries,* Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra; and Jull P & Craig D, 1997: 'Reflections on Regional Agreements: Yesterday, Today and Tomorrow', *Australian Indigenous Law Reporter,* Vol. 2, No 4, 475-493.

The generation in question often have little education, and no formal work background. They have been spokespersons, go-betweens. Their very facility in the white man's world makes them suspect so some of their own people. They face enormous personal stresses which result in health, family, and other problems, including some deaths.

This whole process, for both indigenous peoples and their descendants, and for Canada as a whole, has been a sort of 'heroic age', a time of larger-than-life persons and actions, a time already becoming legendary and unlikely to be repeated. The things which Inuit and others have fought for are already becoming 'normal'. The Canada they fought against – stuffy, conservative, Anglocentric – is gone. The heroic struggle between indigenous youth who believed in themselves and their people, and Canadian governments who clung to the last shreds of an imperial political culture, has been passed to persons who blandly carry out new roles as if the battles had not occurred. Canada is transformed, and the indigenous nations and their hinterlands are transformed.

However, the battles are not really won. The ill health, poverty, disorientation at the pace of change in many indigenous communities is far from ended. Canada's mainstream political culture is changed, forever, but it will take longer for the intended beneficiaries, the indigenous peoples, to benefit. The cruel irony is that the people who had least at stake may have gained most, while those whose painful needs fuelled the whole struggle face an uncertain future. What is certain is that now an indigenous population is growing up who have the social integration and skills to achieve anything which Canadians can achieve, and they have the will and determination to make sure that they get nothing but the best. Canada is no longer a colony or, as Northrop Frye¹³ said, a 'garrison'. The north has, after all, proven to be the defining experience, although not in any of the ways once anticipated.

Meanwhile, the Nordic countries have had much to teach the Anglo-American liberal democracies about social inequities and social reform for many decades. It may be that recent experience of indigenous legal and politico-administrative innovation in Canada can assist Scandinavia to accommodate Sami in their ancient territories.

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¹³ Canada's great literary and cultural critic, now dead.